

1 A bill to be entitled
2 An act relating to early learning; providing a
3 directive to the Division of Law Revision and
4 Information to change the term "family day care home"
5 to "family child care home," and the term "family day
6 care" to "family child care"; amending ss. 125.0109
7 and 166.0445, F.S.; including large family child care
8 homes in local zoning regulation requirements;
9 amending s. 402.302, F.S.; redefining the term
10 "substantial compliance"; requiring the Department of
11 Children and Families to adopt rules for compliance by
12 certain programs regulated, but not licensed, by the
13 department; amending s. 402.3025, F.S.; revising
14 requirements for nonpublic schools delivering the
15 Voluntary Prekindergarten (VPK) Education Program or
16 school readiness program; amending s. 402.305, F.S.;
17 revising certain minimum standards for child care
18 facilities and personnel; prohibiting the transfer of
19 ownership of such facilities to specified individuals;
20 creating s. 402.3085, F.S.; requiring nonpublic
21 schools or providers seeking to operate certain
22 programs to annually obtain a certificate from the
23 department or a local licensing agency; providing for
24 issuance of the certificate upon examination of the
25 applicant's premises and records; prohibiting a
26 provider from participating in the programs without a

27 certificate; authorizing local licensing agencies to
28 apply their own minimum child care standards under
29 certain circumstances; amending s. 402.311, F.S.;
30 providing for the inspection of programs regulated by
31 the department; amending s. 402.3115, F.S.; providing
32 for abbreviated inspections of specified child care
33 homes; requiring rulemaking; amending s. 402.313,
34 F.S.; revising provisions for licensure, registration,
35 and operation of family child care homes; amending s.
36 402.3131, F.S.; revising requirements for large family
37 child care homes; amending s. 402.316, F.S.; providing
38 exemptions from child care facility licensing
39 standards; requiring a child care facility operating
40 as a provider of the VPK program or school readiness
41 program to comply with minimum standards; providing
42 penalties for failure to disclose or for use of
43 certain information; requiring the department to
44 establish a fee for inspection and compliance
45 activities; amending s. 627.70161, F.S.; revising
46 restrictions on residential property insurance
47 coverage to include coverage for large family child
48 care homes; amending s. 1001.213, F.S.; providing
49 additional duties of the Office of Early Learning;
50 amending s. 1002.53, F.S.; revising requirements for
51 application and determination of eligibility to enroll
52 in the VPK program; amending s. 1002.55, F.S.;

53 | revising requirements for a school-year
54 | prekindergarten program delivered by a private
55 | prekindergarten provider, including requirements for
56 | providers, instructors, and child care personnel;
57 | providing requirements in the case of provider
58 | violations; amending s. 1002.59, F.S.; conforming a
59 | cross-reference to changes made by the act; amending
60 | s. 1002.61, F.S.; revising employment requirements and
61 | educational credentials of certain instructional
62 | personnel; amending s. 1002.63, F.S.; revising
63 | employment requirements and educational credentials of
64 | certain instructional personnel; specifying health and
65 | safety requirements for public schools offering the
66 | VPK program; amending s. 1002.67, F.S.; revising
67 | rulemaking authority regarding pre- and post-
68 | assessment; requiring that the pre- and post-
69 | assessment data be included in the calculation of
70 | certain kindergarten readiness rates; amending s.
71 | 1002.69, F.S.; correcting a reference regarding
72 | adoption of performance standards; amending s.
73 | 1002.71, F.S.; revising information that must be
74 | provided to parents; amending s. 1002.75, F.S.;
75 | revising provisions included in the standard statewide
76 | VPK program provider contract; amending s. 1002.77,
77 | F.S.; revising the purpose and meetings of the Florida
78 | Early Learning Advisory Council; amending s. 1002.81,

79 F.S.; revising certain program definitions; amending
80 s. 1002.82, F.S.; revising the powers and duties of
81 the Office of Early Learning; revising provisions
82 included in the standard statewide school readiness
83 provider contract; requiring that certain information
84 be posted to the office's website; amending s.
85 1002.84, F.S.; revising the powers and duties of early
86 learning coalitions; conforming provisions to changes
87 made by the act; amending s. 1002.87, F.S.; revising
88 student eligibility and enrollment requirements for
89 the school readiness program; amending s. 1002.88,
90 F.S.; revising eligibility requirements for program
91 providers that want to deliver the school readiness
92 program; providing conditions for denial of initial
93 eligibility; providing child care personnel
94 requirements; amending s. 1002.89, F.S.; revising the
95 use of funds for the school readiness program;
96 amending s. 1002.91, F.S.; requiring the office to
97 refer certain criminal violations to a law enforcement
98 agency; prohibiting an early learning coalition from
99 contracting with specified persons; amending s.
100 1002.94, F.S.; revising the name, purpose, membership,
101 and duties of the Child Care Executive Partnership;
102 providing for future legislative review and repeal of
103 provisions relating to the partnership; authorizing
104 the Office of Early Learning to allocate funds held by

105 the partnership; requiring the office to conduct a
 106 pilot project to study the impact of assessing the
 107 early literacy skills of certain VPK program
 108 participants; requiring the office to report its
 109 findings to the Governor and Legislature by specified
 110 dates; providing an appropriation; providing effective
 111 dates.

112

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

114

115 Section 1. The Division of Law Revision and Information is
 116 directed to prepare a reviser's bill for the 2016 Regular
 117 Session of the Legislature to change the term "family day care
 118 home" to "family child care home" and the term "family day care"
 119 to "family child care" wherever the terms appear in the Florida
 120 Statutes.

121 Section 2. Section 125.0109, Florida Statutes, is amended
 122 to read:

123 125.0109 Family child day care homes and large family
 124 child care homes; local zoning regulation.—The operation of a
 125 residence as a family child day care home or large family child
 126 care home, as defined in s. 402.302, licensed or registered
 127 pursuant to s. 402.313 or s. 402.3131, as applicable,
 128 constitutes, as defined by law, registered or licensed with the
 129 ~~Department of Children and Families shall constitute~~ a valid
 130 residential use for purposes of any local zoning regulations,

131 and ~~no~~ such regulations ~~regulation may not shall~~ require the
 132 owner or operator of such family child day care home or large
 133 family child care home to obtain any special exemption or use
 134 permit or waiver, or to pay any special fee in excess of \$50, to
 135 operate in an area zoned for residential use.

136 Section 3. Section 166.0445, Florida Statutes, is amended
 137 to read:

138 166.0445 Family child day care homes and large family
 139 child care homes; local zoning regulation.—The operation of a
 140 residence as a family child day care home or large family child
 141 care home, as defined in s. 402.302, licensed or registered
 142 pursuant to s. 402.313 or s. 402.3131, as applicable,
 143 constitutes, ~~as defined by law, registered or licensed with the~~
 144 ~~Department of Children and Families shall constitute~~ a valid
 145 residential use for purposes of any local zoning regulations,
 146 and ~~no~~ such regulations may not ~~regulation shall~~ require the
 147 owner or operator of such family child day care home or large
 148 family child care home to obtain any special exemption or use
 149 permit or waiver, or to pay any special fee in excess of \$50, to
 150 operate in an area zoned for residential use.

151 Section 4. Subsection (17) of section 402.302, Florida
 152 Statutes, is amended to read:

153 402.302 Definitions.—As used in this chapter, the term:

154 (17) "Substantial compliance" means, for purposes of
 155 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88,
 156 ~~that level of adherence to adopted standards~~ which is sufficient

157 | to safeguard the health, safety, and well-being of all children
 158 | under care. The standards must address the requirements of s.
 159 | 402.305 and must be limited to supervision, transportation,
 160 | access, health-related requirements, food and nutrition,
 161 | personnel screening, records, and enforcement of these
 162 | standards. The standards must not limit or exclude the
 163 | curriculum provided by a faith-based provider or nonpublic
 164 | school. The department, in consultation with the Office of Early
 165 | Learning, shall adopt rules to define and enforce substantial
 166 | compliance with minimum standards for child care facilities for
 167 | programs operating under s. 1002.55, s. 1002.61, or s. 1002.88
 168 | which are regulated, but not licensed, by the department
 169 | ~~Substantial compliance is greater than minimal adherence but not~~
 170 | ~~to the level of absolute adherence. Where a violation or~~
 171 | ~~variation is identified as the type which impacts, or can be~~
 172 | ~~reasonably expected within 90 days to impact, the health,~~
 173 | ~~safety, or well-being of a child, there is no substantial~~
 174 | ~~compliance.~~

175 | Section 5. Paragraphs (c), (d), and (e) of subsection (2)
 176 | of section 402.3025, Florida Statutes, are amended to read:

177 | 402.3025 Public and nonpublic schools.—For the purposes of
 178 | ss. 402.301-402.319, the following shall apply:

179 | (2) NONPUBLIC SCHOOLS.—

180 | (c) Programs for children who are at least 3 years of age,
 181 | but under 5 years of age, shall not be deemed to be child care
 182 | and shall not be subject to the provisions of ss. 402.301-

183 402.319 relating to child care facilities, provided the programs
184 in the schools are operated and staffed directly by the schools,
185 provided a majority of the children enrolled in the schools are
186 5 years of age or older, and provided there is compliance with
187 the screening requirements for personnel pursuant to s. 402.305
188 or s. 402.3057. A county that has established a local licensing
189 agency pursuant to s. 402.308 may require nonpublic schools
190 offering programs under this paragraph, which are not licensed
191 under ss. 402.301-402.319, to comply with the minimum child care
192 standards adopted pursuant to ss. 402.305-402.3057. Compliance
193 with minimum child care standards is that level of adherence to
194 adopted standards which is sufficient to safeguard the health,
195 safety, and well-being of all children under care. Compliance is
196 greater than minimal adherence but not to the level of absolute
197 adherence. Where a violation or variation is identified as the
198 type which impacts, or can be reasonably expected within 90 days
199 to impact, the health, safety, or well-being of a child, there
200 is no compliance. Enforcement under this paragraph by a local
201 licensing agency shall be consistent with paragraph (d). A
202 nonpublic school may designate certain programs as child care,
203 in which case these programs shall be subject to the provisions
204 of ss. 402.301-402.319.

205 (d)1. Nonpublic schools delivering programs under s.
206 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
207 ~~at least 3 years of age, but under 5 years of age,~~ which are not
208 licensed under ss. 402.301-402.319 shall substantially comply

209 with the minimum child care standards adopted ~~promulgated~~
 210 pursuant to ss. 402.305-402.3057. The inclusion of nonpublic
 211 schools within options available under ss. 1002.55, 1002.61, and
 212 1002.88 does not expand the regulatory authority of the state,
 213 its officers, any local licensing agency, or any early learning
 214 coalition to impose any additional regulation of nonpublic
 215 schools beyond those reasonably necessary to enforce
 216 requirements expressly specified in this paragraph.

217 2. The department or local licensing agency shall enforce
 218 compliance with such standards, where possible, to eliminate or
 219 minimize duplicative inspections or visits by staff enforcing
 220 the minimum child care standards and staff enforcing other
 221 standards under the jurisdiction of the department.

222 3. The department or local licensing agency may inspect
 223 programs operating under this paragraph and pursue
 224 administrative or judicial action under ss. 402.310-402.312
 225 against nonpublic schools operating under this paragraph
 226 ~~commence and maintain all proper and necessary actions and~~
 227 ~~proceedings for any or all of the following purposes:~~

228 a. to protect the health, sanitation, safety, and well-
 229 being of all children under care.

230 b. ~~To enforce its rules and regulations.~~

231 c. ~~To use corrective action plans, whenever possible, to~~
 232 ~~attain compliance prior to the use of more restrictive~~
 233 ~~enforcement measures.~~

234 ~~d. To make application for injunction to the proper~~
235 ~~circuit court, and the judge of that court shall have~~
236 ~~jurisdiction upon hearing and for cause shown to grant a~~
237 ~~temporary or permanent injunction, or both, restraining any~~
238 ~~person from violating or continuing to violate any of the~~
239 ~~provisions of ss. 402.301-402.319. Any violation of this section~~
240 ~~or of the standards applied under ss. 402.305-402.3057 which~~
241 ~~threatens harm to any child in the school's programs for~~
242 ~~children who are at least 3 years of age, but are under 5 years~~
243 ~~of age, or repeated violations of this section or the standards~~
244 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~
245 ~~injunction to close a program in a school.~~

246 ~~e. To impose an administrative fine, not to exceed \$100,~~
247 ~~for each violation of the minimum child care standards~~
248 ~~promulgated pursuant to ss. 402.305-402.3057.~~

249 4. It is a misdemeanor of the first degree, punishable as
250 provided in s. 775.082 or s. 775.083, for any person willfully,
251 knowingly, or intentionally to:

252 a. Fail, by false statement, misrepresentation,
253 impersonation, or other fraudulent means, to disclose in any
254 required written documentation for exclusion from licensure
255 pursuant to this section a material fact used in making a
256 determination as to such exclusion; or

257 b. Use information from the criminal records obtained
258 under s. 402.305 or s. 402.3055 for any purpose other than
259 screening that person for employment as specified in those

260 sections or release such information to any other person for any
 261 purpose other than screening for employment as specified in
 262 those sections.

263 5. It is a felony of the third degree, punishable as
 264 provided in s. 775.082, s. 775.083, or s. 775.084, for any
 265 person willfully, knowingly, or intentionally to use information
 266 from the juvenile records of any person obtained under s.
 267 402.305 or s. 402.3055 for any purpose other than screening for
 268 employment as specified in those sections or to release
 269 information from such records to any other person for any
 270 purpose other than screening for employment as specified in
 271 those sections.

272 ~~(e) The department and the nonpublic school accrediting~~
 273 ~~agencies are encouraged to develop agreements to facilitate the~~
 274 ~~enforcement of the minimum child care standards as they relate~~
 275 ~~to the schools which the agencies accredit.~~

276 Section 6. Paragraphs (a) and (d) of subsection (2),
 277 paragraph (b) of subsection (9), and subsections (10) and (18)
 278 of section 402.305, Florida Statutes, are amended to read:

279 402.305 Licensing standards; child care facilities.—

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

282 (a) Good moral character based upon screening, according
 283 to the level 2 screening requirements of. ~~This screening shall~~
 284 ~~be conducted as provided in chapter 435, using the level 2~~
 285 ~~standards for screening set forth in that chapter.~~ In addition

286 to the offenses specified in s. 435.04, all child care personnel
 287 required to undergo background screening pursuant to this
 288 section may not have an arrest awaiting final disposition for,
 289 may not have been found guilty of, or entered a plea of guilty
 290 or nolo contendere to, regardless of adjudication, and may not
 291 have been adjudicated delinquent and the record has not been
 292 sealed or expunged for, an offense specified in s. 39.205.
 293 Before employing child care personnel subject to this section,
 294 the employer must conduct employment history checks of each of
 295 the personnel's previous employers and document the findings. If
 296 unable to contact a previous employer, the employer must
 297 document efforts to contact the previous employer.

298 (d) Minimum training requirements for child care
 299 personnel.

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

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

306 b. Health, safety, and nutrition.

307 c. Identifying and reporting child abuse and neglect.

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

311 e. Observation of developmental behaviors, including using

312 a checklist or other similar observation tools and techniques to
313 determine the child's developmental age level.

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

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

324
325 Within 90 days after employment, child care personnel shall
326 begin training to meet the training requirements in this
327 paragraph. Child care personnel shall successfully complete such
328 training within 1 year after the date on which the training
329 began, as evidenced by passage of a competency examination.
330 Successful completion of the 40-clock-hour introductory course
331 shall articulate into community college credit in early
332 childhood education, pursuant to ss. 1007.24 and 1007.25.
333 Exemption from all or a portion of the required training shall
334 be granted to child care personnel based upon educational
335 credentials or passage of competency examinations. Child care
336 personnel possessing a 2-year degree or higher that includes 6
337 college credit hours in early childhood development or child

338 growth and development, or a child development associate
339 credential or an equivalent state-approved child development
340 associate credential, or a child development associate waiver
341 certificate shall be automatically exempted from the training
342 requirements in sub-subparagraphs b., d., and e.

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

346 3. The introductory course shall cover recognition and
347 prevention of shaken baby syndrome; prevention of sudden infant
348 death syndrome; recognition and care of infants and toddlers
349 with developmental disabilities, including autism spectrum
350 disorder and Down syndrome; and early childhood brain
351 development within the topic areas identified in this paragraph.

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

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

364 education unit or 5 clock hours of the annual training required
365 in subparagraph 4.

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

377 7. Training requirements do ~~shall~~ not apply to certain
378 occasional or part-time support staff, including, but not
379 limited to, swimming instructors, piano teachers, dance
380 instructors, and gymnastics instructors.

381 8. The department shall evaluate or contract for an
382 evaluation for the general purpose of determining the status of
383 and means to improve staff training requirements and testing
384 procedures. The evaluation shall be conducted every 2 years. The
385 evaluation must ~~shall~~ include, but not be limited to,
386 determining the availability, quality, scope, and sources of
387 current staff training; determining the need for specialty
388 training; and determining ways to increase inservice training
389 and ways to increase the accessibility, quality, and cost-

390 effectiveness of current and proposed staff training. The
 391 evaluation methodology must ~~shall~~ include a reliable and valid
 392 survey of child care personnel.

393 9. The child care operator shall be required to take basic
 394 training in serving children with disabilities within 5 years
 395 after employment, either as a part of the introductory training
 396 or the annual 8 hours of inservice training.

397 (9) ADMISSIONS AND RECORDKEEPING.—

398 (b) ~~During the months of August and September of each~~
 399 ~~year,~~ Each child care facility shall provide parents of children
 400 enrolling ~~enrolled~~ in the facility detailed information
 401 regarding the causes, symptoms, and transmission of the
 402 influenza virus in an effort to educate those parents regarding
 403 the importance of immunizing their children against influenza as
 404 recommended by the Advisory Committee on Immunization Practices
 405 of the Centers for Disease Control and Prevention.

406 (10) TRANSPORTATION SAFETY.—Minimum standards must ~~shall~~
 407 include requirements for child restraints or seat belts in
 408 vehicles used by child care facilities, and ~~and~~ large family child
 409 care homes, and licensed family child care homes to transport
 410 children, requirements for annual inspections of the vehicles,
 411 limitations on the number of children in the vehicles, and
 412 accountability for children being transported.

413 (18) TRANSFER OF OWNERSHIP.—

414 (a) One week before ~~prior to~~ the transfer of ownership of
 415 a child care facility, or ~~or~~ family child ~~day~~ care home, or large

416 family child care home, the transferor shall notify the parent
417 or caretaker of each child of the impending transfer.

418 (b) The owner of a child care facility, family child care
419 home, or large family child care home may not transfer ownership
420 to a relative of the operator if the operator has had his or her
421 license suspended or revoked by the department pursuant to s.
422 402.310, has received notice from the department that reasonable
423 cause exists to suspend or revoke his or her license, or has
424 been placed on the United States Department of Agriculture
425 National Disqualified List. For purposes of this paragraph, the
426 term "relative" means father, mother, son, daughter,
427 grandfather, grandmother, brother, sister, uncle, aunt, cousin,
428 nephew, niece, husband, wife, father-in-law, mother-in-law, son-
429 in-law, daughter-in-law, brother-in-law, sister-in-law,
430 stepfather, stepmother, stepson, stepdaughter, stepbrother,
431 stepsister, half brother, or half sister.

432 (c)-~~(b)~~ The department shall, by rule, establish methods by
433 which notice will be achieved and minimum standards by which to
434 implement this subsection.

435 Section 7. Section 402.3085, Florida Statutes, is created
436 to read:

437 402.3085 Certificate of substantial compliance with
438 minimum child care standards.—Each nonpublic school or provider
439 seeking to operate a program pursuant to s. 402.3025(2) (d) or s.
440 402.316(4), respectively, shall annually obtain a certificate
441 from the department or local licensing agency in the manner and

442 on the forms prescribed by the department or local licensing
443 agency. An annual certificate or a renewal of an annual
444 certificate shall be issued upon an examination of the
445 applicant's premises and records to determine that the applicant
446 is in substantial compliance with the minimum child care
447 standards. A provider may not participate in a program pursuant
448 to s. 402.3025(2)(d) or s. 402.316(4), respectively, without the
449 certification. Local licensing agencies may apply their own
450 minimum child care standards if the department determines that
451 such standards meet or exceed department standards as provided
452 in s. 402.307.

453 Section 8. Section 402.311, Florida Statutes, is amended
454 to read:

455 402.311 Inspection.—A licensed child care facility or
456 program regulated by the department shall accord to the
457 department or the local licensing agency, whichever is
458 applicable, the privilege of inspection, including access to
459 facilities and personnel and to those records required in s.
460 402.305, at reasonable times during regular business hours, to
461 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
462 The right of entry and inspection shall also extend to any
463 premises which the department or local licensing agency has
464 reason to believe are being operated or maintained as a child
465 care facility or program ~~without a license~~, but no such entry or
466 inspection of any premises shall be made without the permission
467 of the person in charge thereof unless a warrant is first

468 obtained from the circuit court authorizing same. Any
469 application for a license, application for authorization to
470 operate a child care program which must maintain substantial
471 compliance with child care standards adopted under this chapter,
472 ~~or renewal of such license or authorization, made pursuant to~~
473 ~~this act~~ or the advertisement to the public for the provision of
474 child care as defined in s. 402.302 constitutes ~~shall constitute~~
475 permission for any entry to or inspection of the subject
476 ~~premises for which the license is sought in order~~ to facilitate
477 verification of the information submitted on or in connection
478 with the application. In the event a ~~licensed~~ facility or
479 program refuses permission for entry or inspection to the
480 department or local licensing agency, a warrant shall be
481 obtained from the circuit court authorizing same before ~~prior to~~
482 such entry or inspection. The department or local licensing
483 agency may institute disciplinary proceedings pursuant to s.
484 402.310~~7~~ for such refusal.

485 Section 9. Section 402.3115, Florida Statutes, is amended
486 to read:

487 402.3115 ~~Elimination of duplicative and unnecessary~~
488 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
489 ~~and Families and local governmental agencies that license child~~
490 ~~care facilities shall develop and implement a plan to eliminate~~
491 ~~duplicative and unnecessary inspections of child care~~
492 ~~facilities. In addition,~~ The department and the local licensing
493 ~~governmental~~ agencies shall conduct ~~develop and implement an~~

494 abbreviated inspections of ~~inspection plan for~~ child care
495 facilities licensed under s. 402.305, family child care homes
496 licensed under s. 402.313, and large family child care homes
497 licensed under s. 402.3131 that have had no Class I ~~±~~ or Class
498 II violations ~~2 deficiencies~~, as defined by rule, for at least 2
499 consecutive years. The abbreviated inspection must include those
500 elements identified by the department and the local licensing
501 ~~governmental~~ agencies as being key indicators of whether the
502 child care facility continues to provide quality care and
503 programming. The department shall adopt rules establishing
504 criteria and procedures for abbreviated inspections and
505 inspection schedules that provide for both announced and
506 unannounced inspections.

507 Section 10. Section 402.313, Florida Statutes, is amended
508 to read:

509 402.313 Family child ~~day~~ care homes.—

510 (1) (a) A family child care home may volunteer to be
511 licensed under this chapter. A family child ~~day~~ care home must
512 ~~homes shall~~ be licensed under this chapter ~~act~~ if required by a
513 ~~they are presently being licensed under an existing~~ county
514 licensing ordinance or if ~~the board of county commissioners~~
515 ~~passes a resolution that family day care homes be licensed~~ or
516 the family child care home is operating a program under s.
517 1002.55, s. 1002.61, or s. 1002.88.

518 ~~(b)(a)~~ If not subject to license, a family ~~child~~ day care
519 home must ~~homes shall~~ register annually with the department,
520 providing the following information:

- 521 1. The name and address of the home.
- 522 2. The name of the operator.
- 523 3. The number of children served.
- 524 4. Proof of a written plan to identify a ~~provide at least~~
525 ~~one other~~ competent adult who has met the screening and training
526 requirements of the department to serve as a designated ~~to be~~
527 ~~available to~~ substitute for the operator ~~in an emergency~~. This
528 plan must ~~shall~~ include the name, address, and telephone number
529 of the designated substitute who will serve in the absence of
530 the operator.
- 531 5. Proof of screening and background checks pursuant to
532 subsection (5).
- 533 6. Proof of successful completion of training requirements
534 by the operator and designated substitute pursuant to subsection
535 (6). ~~the 30-hour training course, as evidenced by passage of a~~
536 ~~competency examination, which shall include:~~

- 537 a. ~~State and local rules and regulations that govern child~~
538 ~~care.~~
- 539 b. ~~Health, safety, and nutrition.~~
- 540 c. ~~Identifying and reporting child abuse and neglect.~~
- 541 d. ~~Child development, including typical and atypical~~
542 ~~language development; and cognitive, motor, social, and self-~~
543 ~~help skills development.~~

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

547 ~~f. Specialized areas, including early literacy and~~
548 ~~language development of children from birth to 5 years of age,~~
549 ~~as determined by the department, for owner operators of family~~
550 ~~day care homes.~~

551 7. Proof that immunization records are kept current.

552 ~~8. Proof of completion of the required continuing~~
553 ~~education units or clock hours.~~

554
555 Upon receipt of registration information submitted by a family
556 child care home pursuant to this paragraph, the department shall
557 verify that the home is in compliance with the background
558 screening requirements of subsection (5) and that the operator
559 and the designated substitute are in compliance with the
560 applicable training requirements of subsection (6). The
561 department shall adopt rules prescribing registration
562 procedures, including verification of a registered family child
563 care home's compliance with background screening and training
564 requirements.

565 (2) Operators of a registered family child care home must
566 annually complete a health and safety home inspection self-
567 evaluation checklist developed by the department in conjunction
568 with the statewide resource and referral program. The completed
569 checklist shall be signed by the operator of the family child

570 care home and provided to parents as certification that basic
 571 health and safety standards are being met.

572 ~~(b) A family day care home may volunteer to be licensed~~
 573 ~~under this act.~~

574 (3) Each licensed or registered family child care home
 575 must conspicuously display its license or registration in the
 576 common area of the home.

577 (4)~~(e)~~ The department may provide technical assistance to
 578 counties and operators of family child day care homes ~~home~~
 579 ~~providers~~ to enable counties and operators family day care
 580 ~~providers~~ to achieve compliance with family child day care home
 581 ~~homes~~ standards. Operators of family child care homes may avail
 582 themselves of supportive services offered by the department.

583 ~~(2) This information shall be included in a directory to~~
 584 ~~be published annually by the department to inform the public of~~
 585 ~~available child care facilities.~~

586 (5)~~(3)~~ Child care personnel in family child day care homes
 587 are ~~shall be~~ subject to the applicable screening provisions
 588 contained in ss. 402.305(2) and 402.3055. For purposes of
 589 screening in family child day care homes, the term "child care
 590 personnel" includes the operator, the designated substitute, any
 591 member over the age of 12 years of a family child day care home
 592 operator's family, or persons over the age of 12 years residing
 593 with the operator in the family child day care home. Members of
 594 the operator's family, or persons residing with the operator,
 595 who are between the ages of 12 years and 18 years may ~~shall~~ not

596 be required to be fingerprinted, but shall be screened for
 597 delinquency records.

598 (6) (a) (4) Before caring for children, operators of family
 599 child day care homes and an individual serving as a designated
 600 substitute for an operator who works 40 hours or more per month
 601 on average must:

602 1. Successfully complete an approved 30-clock-hour
 603 introductory course in child care, as evidenced by passage of a
 604 competency examination, before caring for children. The course
 605 must include:

606 a. State and local rules and regulations that govern child
 607 care.

608 b. Health, safety, and nutrition.

609 c. Identifying and reporting child abuse and neglect.

610 d. Child development, including typical and atypical
 611 language development, and cognitive, motor, social, and
 612 executive functioning skills development.

613 e. Observation of developmental behaviors, including using
 614 checklists or other similar observation tools and techniques to
 615 determine a child's developmental level.

616 f. Specialized areas, including numeracy, early literacy,
 617 and language development of children from birth to 5 years of
 618 age, as determined by the department, for operators of family
 619 child care homes.

620 ~~(5) In order to further develop their child care skills~~
 621 ~~and, if appropriate, their administrative skills, operators of~~

622 ~~family day care homes shall be required to complete an~~
623 ~~additional 1 continuing education unit of approved training or~~
624 ~~10 clock hours of equivalent training, as determined by the~~
625 ~~department, annually.~~

626 ~~2.(6) Operators of family day care homes shall be required~~
627 ~~to~~ Complete a 0.5 continuing education unit of approved training
628 in numeracy, early literacy, and language development of
629 children from birth to 5 years of age one time. For an operator,
630 the year that this training is completed, it shall fulfill the
631 0.5 continuing education unit or 5 clock hours of the annual
632 training required in paragraph (c) subsection (5).

633 3. Complete training in first aid and infant and child
634 cardiopulmonary resuscitation as evidenced by current
635 documentation of course completion.

636 (b) Before caring for children, family child care home
637 designated substitutes who work less than 40 hours per month on
638 average must complete the department's 6-clock-hour Family Child
639 Care Home Rules and Regulations training, as evidenced by
640 successful completion of a competency examination and first aid
641 and infant and child cardiopulmonary resuscitation training
642 required under subparagraph (a)3. A designated substitute who
643 has successfully completed the 3-clock-hour Fundamentals of
644 Child Care training established by rules of the department or
645 the 30-clock-hour training under subparagraph (a)1. is not
646 required to complete the 6-clock-hour Family Child Care Home
647 Rules and Regulations training.

648 (c) Operators of family child care homes must annually
649 complete an additional 1 continuing education unit of approved
650 training regarding child care and administrative skills or 10-
651 clock-hours of equivalent training, as determined by the
652 department.

653 ~~(7) Operators of family day care homes shall be required~~
654 ~~annually to complete a health and safety home inspection self-~~
655 ~~evaluation checklist developed by the department in conjunction~~
656 ~~with the statewide resource and referral program. The completed~~
657 ~~checklist shall be signed by the operator of the family day care~~
658 ~~home and provided to parents as certification that basic health~~
659 ~~and safety standards are being met.~~

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

662 (7)~~(9)~~ The department shall prepare a brochure on family
663 child ~~day~~ care for distribution by the department and by local
664 licensing agencies, if appropriate, to family child ~~day~~ care
665 homes for distribution to parents using ~~utilizing~~ such child
666 care, and to all interested persons, including physicians and
667 other health professionals; mental health professionals; school
668 teachers or other school personnel; social workers or other
669 professional child care, foster care, residential, or
670 institutional workers; and law enforcement officers. The
671 brochure shall, at a minimum, contain the following information:

672 (a) A brief description of the requirements for family
673 child day care registration, training, and background
674 ~~fingerprinting~~ and screening.

675 (b) A listing of those counties that require licensure of
676 family child day care homes. Such counties shall provide an
677 addendum to the brochure that provides a brief description of
678 the licensure requirements or may provide a brochure in lieu of
679 the one described in this subsection, provided it contains all
680 the required information on licensure and the required
681 information in the subsequent paragraphs.

682 (c) A statement indicating that information about the
683 family child day care home's compliance with applicable state or
684 local requirements can be obtained from ~~by telephoning~~ the
685 department ~~office~~ or ~~the office of~~ the local licensing agency,
686 including the, if appropriate, at a telephone number or numbers
687 and website address for the department or local licensing
688 agency, as applicable ~~which shall be affixed to the brochure.~~

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

694 (e) Any other information relating to competent child care
695 that the department or local licensing agency, if preparing a
696 separate brochure, considers ~~deems would be~~ helpful to parents

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697 and other caretakers in their selection of a family child ~~day~~
 698 care home.

699 ~~(8)-(10)~~ On an annual basis, the department shall evaluate
 700 the registration and licensure system for family child ~~day~~ care
 701 homes. Such evaluation shall, at a minimum, address the
 702 following:

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

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

708 (c) The number of complaints received concerning family
 709 child ~~day~~ care, the nature of the complaints, and the resolution
 710 of such complaints.

711 (d) The training activities used ~~utilized~~ by child care
 712 personnel in family child ~~day~~ care homes for meeting the state
 713 or local training requirements.

714
 715 The evaluation, pursuant to this subsection, shall be used
 716 ~~utilized~~ by the department in any administrative modifications
 717 or adjustments to be made in the registration of family child
 718 ~~day~~ care homes or in any legislative requests for modifications
 719 to the system of registration or to other requirements for
 720 family child ~~day~~ care homes.

721 ~~(11) In order to inform the public of the state~~
 722 ~~requirement for registration of family day care homes as well as~~

723 ~~the other requirements for such homes to legally operate in the~~
724 ~~state, the department shall institute a media campaign to~~
725 ~~accomplish this end. Such a campaign shall include, at a~~
726 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
727 ~~and television advertisements.~~

728 (9)~~(12)~~ Notwithstanding any other state or local law or
729 ordinance, any family child ~~day~~ care home licensed pursuant to
730 this chapter or pursuant to a county ordinance shall be charged
731 the utility rates accorded to a residential home. A licensed
732 family child ~~day~~ care home may not be charged commercial utility
733 rates.

734 (10)~~(13)~~ The department shall, by rule, establish minimum
735 standards for family child ~~day~~ care homes that are required to
736 be licensed by county licensing ordinance or county licensing
737 resolution or that voluntarily choose to be licensed. The
738 standards should include requirements for staffing, training,
739 maintenance of immunization records, minimum health and safety
740 standards, reduced standards for the regulation of child care
741 during evening hours by municipalities and counties, and
742 enforcement of standards.

743 (11)~~(14)~~ ~~During the months of August and September of each~~
744 ~~year,~~ Each family child ~~day~~ care home shall provide parents of
745 children enrolling ~~enrolled~~ in the home detailed information
746 regarding the causes, symptoms, and transmission of the
747 influenza virus in an effort to educate those parents regarding
748 the importance of immunizing their children against influenza as

749 recommended by the Advisory Committee on Immunization Practices
750 of the Centers for Disease Control and Prevention.

751 Section 11. Subsections (1), (3), (5), and (9) of section
752 402.3131, Florida Statutes, are amended, and subsection (10) is
753 added to that section, to read:

754 402.3131 Large family child care homes.—

755 (1) A large family child care home must ~~homes shall~~ be
756 licensed under this section and conspicuously display its
757 license in the common area of the home.

758 (3) Operators of large family child care homes must
759 successfully complete an approved 40-clock-hour introductory
760 course in group child care, including numeracy, early literacy,
761 and language development of children from birth to 5 years of
762 age, as evidenced by passage of a competency examination.

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

766 (5) Operators of large family child care homes shall be
767 required to complete 0.5 continuing education unit of approved
768 training or 5 clock hours of equivalent training, as determined
769 by the department, in numeracy, early literacy, and language
770 development of children from birth to 5 years of age one time.
771 The year that this training is completed, it shall fulfill the
772 0.5 continuing education unit or 5 clock hours of the annual
773 training required in subsection (4).

774 (9) ~~During the months of August and September of each~~

775 ~~year,~~ Each large family child care home shall provide parents of
 776 children enrolling ~~enrolled~~ in the home detailed information
 777 regarding the causes, symptoms, and transmission of the
 778 influenza virus in an effort to educate those parents regarding
 779 the importance of immunizing their children against influenza as
 780 recommended by the Advisory Committee on Immunization Practices
 781 of the Centers for Disease Control and Prevention.

782 (10) Notwithstanding any other state or local law or
 783 ordinance, a large family child care home licensed pursuant to
 784 this chapter or pursuant to a county ordinance shall be charged
 785 the utility rates accorded to a residential home. Such a home
 786 may not be charged commercial utility rates.

787 Section 12. Subsections (4), (5), and (6) are added to
 788 section 402.316, Florida Statutes, to read:

789 402.316 Exemptions.—

790 (4) A child care facility operating under subsection (1)
 791 which is applying to operate or is operating as a provider of a
 792 program described in s. 1002.55, s. 1002.61, or s. 1002.88 must
 793 substantially comply with the minimum standards for child care
 794 facilities adopted pursuant to ss. 402.305-402.3057 and must
 795 allow the department or local licensing agency access to monitor
 796 and enforce compliance with such standards.

797 (a) The department or local licensing agency may pursue
 798 administrative or judicial action under ss. 402.310-402.312 and
 799 the rules adopted under those sections against any child care
 800 facility operating under this subsection to enforce substantial

801 compliance with child care facility minimum standards or to
802 protect the health, safety, and well-being of any child in the
803 facility's care. A child care facility operating under this
804 subsection is subject to ss. 402.310-402.312 and the rules
805 adopted under those sections to the same extent as a child care
806 facility licensed under ss. 402.301-402.319.

807 (b) It is a misdemeanor of the first degree, punishable as
808 provided in s. 775.082 or s. 775.083, for a person to willfully,
809 knowingly, or intentionally to:

810 1. Fail, by false statement, misrepresentation,
811 impersonation, or other fraudulent means, to disclose in any
812 required written documentation for exclusion from licensure
813 pursuant to this section a material fact used in making a
814 determination as to such exclusion; or

815 2. Use information from the criminal records obtained
816 under s. 402.305 or s. 402.3055 for a purpose other than
817 screening the subject of those records for employment as
818 specified in those sections or to release such information to
819 any other person for a purpose other than screening for
820 employment as specified in those sections.

821 (c) It is a felony of the third degree, punishable as
822 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
823 to willfully, knowingly, or intentionally use information from
824 the juvenile records of a person obtained under s. 402.305 or s.
825 402.3055 for a purpose other than screening for employment as
826 specified in those sections or to release information from such

827 records to any other person for a purpose other than screening
828 for employment as specified in those sections.

829 (5) The department shall establish a fee for inspection
830 and compliance activities performed pursuant to this section in
831 an amount sufficient to cover costs. However, the amount of such
832 fee for the inspection of a program may not exceed the fee
833 imposed for child care licensure pursuant to s. 402.315.

834 (6) The inclusion of a child care facility operating under
835 subsection (1) as a provider of a program described in s.
836 1002.55, s. 1002.61, or s. 1002.88 does not expand the
837 regulatory authority of the state, its officers, any local
838 licensing agency, or any early learning coalition to impose any
839 additional regulation of child care facilities beyond those
840 reasonably necessary to enforce requirements expressly included
841 in this section.

842 Section 13. Section 627.70161, Florida Statutes, is
843 amended to read:

844 627.70161 Residential property insurance coverage; family
845 child ~~day~~ care homes and large family child care homes
846 insurance.—

847 (1) PURPOSE AND INTENT.—The Legislature recognizes that
848 family child ~~day~~ care homes and large family child care homes
849 fulfill a vital role in providing child care in Florida. It is
850 the intent of the Legislature that residential property
851 insurance coverage should not be canceled, denied, or nonrenewed
852 solely because child ~~on the basis of the family day care~~

853 | services are provided at the residence. The Legislature also
854 | recognizes that the potential liability of residential property
855 | insurers is substantially increased by the rendition of child
856 | care services on the premises. The Legislature therefore finds
857 | that there is a public need to specify that contractual
858 | liabilities associated ~~that arise in connection~~ with the
859 | operation of a the family child day care home or large family
860 | child care home are excluded from residential property insurance
861 | policies unless they are specifically included in such coverage.

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

863 | (a) "Child care" means the care, protection, and
864 | supervision of a child, for a period of up to ~~less than~~ 24 hours
865 | a day on a regular basis, which supplements parental care,
866 | enrichment, and health supervision for the child, in accordance
867 | with his or her individual needs, and for which a payment, fee,
868 | or grant is made for care.

869 | (b) "Family child day care home" has the same meaning as
870 | provided in s. 402.302 ~~means an occupied residence in which~~
871 | ~~child care is regularly provided for children from at least two~~
872 | ~~unrelated families and which receives a payment, fee, or grant~~
873 | ~~for any of the children receiving care, whether or not operated~~
874 | ~~for a profit.~~

875 | (c) "Large family child care home" has the same meaning as
876 | provided in s. 402.302.

877 | (3) FAMILY CHILD DAY CARE; COVERAGE.—A residential
878 | property insurance policy may ~~shall~~ not provide coverage for

879 liability for claims arising out of, or in connection with, the
880 operation of a family child day care home ~~or large family child~~
881 care home, and the insurer shall be under no obligation to
882 defend against lawsuits covering such claims, unless:

883 (a) Specifically covered in a policy; or

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

886 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
887 insurer may not deny, cancel, or refuse to renew a policy for
888 residential property insurance solely on the basis that the
889 policyholder or applicant operates a family child day care home
890 or a large family child care home. In addition to other lawful
891 reasons for refusing to insure, an insurer may deny, cancel, or
892 refuse to renew a policy of a family child day care home ~~or~~
893 large family child care home provider if one or more of the
894 following conditions occur:

895 (a) The policyholder or applicant provides care for more
896 children than authorized for family child day care homes ~~or~~
897 large family child care homes by s. 402.302;

898 (b) The policyholder or applicant fails to maintain a
899 separate commercial liability policy or an endorsement providing
900 liability coverage for ~~the~~ family child day care home ~~or large~~
901 family child care home operations;

902 (c) The policyholder or applicant fails to comply with the
903 family child day care home licensure and registration
904 requirements specified in s. 402.313 or the large family child

905 care home licensure requirements specified in s. 402.3131; or

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

912 Section 14. Subsections (7), (8), and (9) are added to
 913 section 1001.213, Florida Statutes, to read:

914 1001.213 Office of Early Learning.—There is created within
 915 the Office of Independent Education and Parental Choice the
 916 Office of Early Learning, as required under s. 20.15, which
 917 shall be administered by an executive director. The office shall
 918 be fully accountable to the Commissioner of Education but shall:

919 (7) Hire a general counsel who reports directly to the
 920 executive director of the office.

921 (8) Hire an inspector general who reports directly to the
 922 Chief Inspector General pursuant to s. 20.055.

923 (9) By July 1, 2017, develop and implement, in
 924 consultation with early learning coalitions and providers of the
 925 Voluntary Prekindergarten Education Program and the school
 926 readiness program, best practices for providing parental
 927 notifications in the parent's native language to a parent whose
 928 native language is a language other than English.

929 Section 15. Subsection (4) of section 1002.53, Florida
 930 Statutes, is amended to read:

931 1002.53 Voluntary Prekindergarten Education Program;
932 eligibility and enrollment.—

933 (4) (a) Each parent enrolling a child in the Voluntary
934 Prekindergarten Education Program must complete and submit an
935 application to the early learning coalition through the single
936 point of entry established under s. 1002.82 or to a private
937 prekindergarten provider or public school if the provider or
938 school is authorized by the early learning coalition to
939 determine student eligibility for enrollment in the program.

940 (b) The application must be submitted on forms prescribed
941 by the Office of Early Learning and must be accompanied by a
942 certified copy of the child's birth certificate. The forms must
943 include a certification, in substantially the form provided in
944 s. 1002.71(6)(b)2., that the parent chooses the private
945 prekindergarten provider or public school in accordance with
946 this section and directs that payments for the program be made
947 to the provider or school. The Office of Early Learning may
948 authorize alternative methods for submitting proof of the
949 child's age in lieu of a certified copy of the child's birth
950 certificate.

951 (c) If a private prekindergarten provider or public school
952 has been authorized to determine child eligibility and
953 enrollment, upon receipt of an application, the provider or
954 school must:

955 1. Determine the child's eligibility for the program and
956 be responsible for any errors in such determination.

957 2. Retain the original application and a certified copy of
 958 the child's birth certificate or authorized alternative proof of
 959 age on file for at least 5 years.

960
 961 An early learning coalition may audit applications held by a
 962 private prekindergarten provider or public school in the
 963 coalition's service area to determine whether children enrolled
 964 and reported for funding by the provider or school have met the
 965 eligibility criteria in subsection (2).

966 (d)-(e) Each early learning coalition shall coordinate with
 967 each of the school districts within the coalition's county or
 968 multicounty region in the development of procedures for
 969 enrolling children in prekindergarten programs delivered by
 970 public schools, including procedures for making child
 971 eligibility determinations and auditing enrollment records to
 972 confirm that enrolled children have met eligibility
 973 requirements.

974 Section 16. Section 1002.55, Florida Statutes, is amended
 975 to read:

976 1002.55 School-year prekindergarten program delivered by
 977 private prekindergarten providers.—

978 (1) Each early learning coalition shall administer the
 979 Voluntary Prekindergarten Education Program at the county or
 980 regional level for students enrolled under s. 1002.53(3)(a) in a
 981 school-year prekindergarten program delivered by a private
 982 prekindergarten provider. Each early learning coalition shall

983 cooperate with the Office of Early Learning and the Child Care
984 Services Program Office of the Department of Children and
985 Families to reduce paperwork and to avoid duplicating
986 interagency activities, health and safety monitoring, and
987 acquiring and composing data pertaining to child care training
988 and credentialing.

989 (2) Each school-year prekindergarten program delivered by
990 a private prekindergarten provider must comprise at least 540
991 instructional hours.

992 (3) To be eligible to deliver the prekindergarten program,
993 a private prekindergarten provider must meet each of the
994 following requirements:

995 ~~(a) The private prekindergarten provider must be a child~~
996 ~~care facility licensed under s. 402.305, family day care home~~
997 ~~licensed under s. 402.313, large family child care home licensed~~
998 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
999 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
1000 ~~licensure under s. 402.316.~~

1001 (a) ~~(b)~~ The private prekindergarten provider must:

1002 1. Be accredited by an accrediting association that is a
1003 member of the National Council for Private School Accreditation,
1004 or the Florida Association of Academic Nonpublic Schools, or be
1005 accredited by the Southern Association of Colleges and Schools,
1006 or Western Association of Colleges and Schools, or North Central
1007 Association of Colleges and Schools, or Middle States
1008 Association of Colleges and Schools, or New England Association

1009 of Colleges and Schools; and have written accreditation
 1010 standards that meet or exceed the state's licensing requirements
 1011 under s. 402.305, s. 402.313, or s. 402.3131 and require at
 1012 least one onsite visit to the provider or school before
 1013 accreditation is granted;

1014 2. Hold a current Gold Seal Quality Care designation under
 1015 s. 402.281; ~~or~~

1016 3. Be licensed under s. 402.305, s. 402.313, or s.
 1017 402.3131; or

1018 4. Be a child development center located on a military
 1019 installation that is certified by the United States Department
 1020 of Defense.

1021 (b) The private prekindergarten provider must provide
 1022 basic health and safety on its premises and in its facilities.
 1023 For a nonpublic school or child care facility exempt from
 1024 licensure, certification under s. 402.3085 satisfies this
 1025 requirement. For a child care facility, a licensed family child
 1026 care home, or a large family child care home, compliance with s.
 1027 402.305, s. 402.313, or s. 402.3131, respectively, satisfies
 1028 this requirement. For a facility exempt from licensure,
 1029 compliance with s. 402.316(4) satisfies this requirement and
 1030 demonstrate, before delivering the Voluntary Prekindergarten
 1031 Education Program, as verified by the early learning coalition,
 1032 that the provider meets each of the requirements of the program
 1033 under this part, including, but not limited to, the requirements
 1034 for credentials and background screenings of prekindergarten

1035 ~~instructors under paragraphs (c) and (d), minimum and maximum~~
1036 ~~class sizes under paragraph (f), prekindergarten director~~
1037 ~~credentials under paragraph (g), and a developmentally~~
1038 ~~appropriate curriculum under s. 1002.67(2)(b).~~

1039 (c) The private prekindergarten provider must have, for
1040 each prekindergarten class of 11 children or fewer, at least one
1041 prekindergarten instructor who meets each of the following
1042 requirements:

1043 1. The prekindergarten instructor must hold, at a minimum,
1044 one of the following credentials:

1045 a. A child development associate credential issued by the
1046 National Credentialing Program of the Council for Professional
1047 Recognition; ~~or~~

1048 b. A credential approved by the Department of Children and
1049 Families, pursuant to s. 402.305(3)(c), as being equivalent to
1050 or greater than the credential described in sub-subparagraph a.;

1051 c. An associate or higher degree in child development;

1052 d. An associate or higher degree in an unrelated field, at
1053 least 6 credit hours in early childhood education or child
1054 development, and at least 480 hours of experience in teaching or
1055 providing child care services for children of any age from birth
1056 through 8 years of age;

1057 e. A baccalaureate or higher degree in early childhood
1058 education, prekindergarten or primary education, preschool
1059 education, or family and consumer science;

1060 f. A baccalaureate or higher degree in family and child

1061 science and at least 480 hours of experience in teaching or
1062 providing child care services for children of any age from birth
1063 through 8 years of age;

1064 g. A baccalaureate or higher degree in elementary
1065 education if the prekindergarten instructor has been certified
1066 to teach children of any age from birth through grade 6,
1067 regardless of whether the instructor's educator certificate is
1068 current, and if the instructor is not ineligible to teach in a
1069 public school because his or her educator certificate is
1070 suspended or revoked; or

1071 h. A credential approved by the department as being
1072 equivalent to or greater than a credential described in sub-
1073 subparagraphs a.-f. The department may adopt criteria and
1074 procedures for approving such equivalent credentials.

1075
1076 ~~The Department of Children and Families may adopt rules under~~
1077 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
1078 ~~for approving equivalent credentials under sub-subparagraph b.~~

1079 2. The prekindergarten instructor must successfully
1080 complete an emergent literacy training course and a student
1081 performance standards training course approved by the office as
1082 meeting or exceeding the minimum standards adopted under s.
1083 1002.59. The requirement for completion of the standards
1084 training course shall take effect July 1, 2016 ~~2014~~, and the
1085 course shall be available online.

1086 (d) Each prekindergarten instructor employed by the

1087 private prekindergarten provider must be of good moral
1088 character, must undergo background screening pursuant to s.
1089 402.305(2)(a) ~~be screened using the level 2 screening standards~~
1090 ~~in s. 435.04~~ before employment, must be and rescreened at least
1091 once every 5 years, must be denied employment or terminated if
1092 required under s. 435.06, and must not be ineligible to teach in
1093 a public school because his or her educator certificate is
1094 suspended or revoked.

1095 (e) A private prekindergarten provider may assign a
1096 substitute instructor to temporarily replace a credentialed
1097 instructor if the credentialed instructor assigned to a
1098 prekindergarten class is absent, as long as the substitute
1099 instructor meets the requirements of paragraph (d) ~~is of good~~
1100 ~~moral character and has been screened before employment in~~
1101 ~~accordance with level 2 background screening requirements in~~
1102 ~~chapter 435.~~ The Office of Early Learning shall adopt rules to
1103 implement this paragraph which shall include required
1104 qualifications of substitute instructors and the circumstances
1105 and time limits for which a private prekindergarten provider may
1106 assign a substitute instructor.

1107 (f) Each of the private prekindergarten provider's
1108 prekindergarten classes must be composed of at least 4 students
1109 but may not exceed 20 students. In order to protect the health
1110 and safety of students, each private prekindergarten provider
1111 must also provide appropriate adult supervision for students at
1112 all times and, for each prekindergarten class composed of 12 or

1113 more students, must have, in addition to a prekindergarten
 1114 instructor who meets the requirements of paragraph (c), at least
 1115 one adult prekindergarten instructor who is not required to meet
 1116 those requirements but who must meet each requirement of s.
 1117 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
 1118 requirement imposed on a provider under ss. 402.301-402.319.

1119 (g) The private prekindergarten provider must have a
 1120 prekindergarten director who has a prekindergarten director
 1121 credential that is approved by the office as meeting or
 1122 exceeding the minimum standards adopted under s. 1002.57.
 1123 Successful completion of a child care facility director
 1124 credential under s. 402.305(2)(f) before the establishment of
 1125 the prekindergarten director credential under s. 1002.57 or July
 1126 1, 2006, whichever occurs later, satisfies the requirement for a
 1127 prekindergarten director credential under this paragraph.

1128 (h) The private prekindergarten provider must register
 1129 with the early learning coalition on forms prescribed by the
 1130 Office of Early Learning.

1131 (i) The private prekindergarten provider must execute the
 1132 statewide provider contract prescribed under s. 1002.75, except
 1133 that an individual who owns or operates multiple private
 1134 prekindergarten providers within a coalition's service area may
 1135 execute a single agreement with the coalition on behalf of each
 1136 provider.

1137 (j) The private prekindergarten provider must maintain
 1138 general liability insurance and provide the coalition with

1139 written evidence of general liability insurance coverage,
1140 including coverage for transportation of children if
1141 prekindergarten students are transported by the provider. A
1142 provider must obtain and retain an insurance policy that
1143 provides a minimum of \$100,000 of coverage per occurrence and a
1144 minimum of \$300,000 general aggregate coverage. The office may
1145 authorize lower limits upon request, as appropriate. A provider
1146 must add the coalition as a named certificateholder ~~and as an~~
1147 ~~additional insured~~. A provider must provide the coalition with a
1148 minimum of 10 calendar days' advance written notice of
1149 cancellation of or changes to coverage. The general liability
1150 insurance required by this paragraph must remain in full force
1151 and effect for the entire period of the provider contract with
1152 the coalition.

1153 (k) The private prekindergarten provider must obtain and
1154 maintain any required workers' compensation insurance under
1155 chapter 440 and any required reemployment assistance or
1156 unemployment compensation coverage under chapter 443, unless
1157 exempt under state or federal law.

1158 (l) Notwithstanding paragraph (j), for a private
1159 prekindergarten provider that is a state agency or a subdivision
1160 thereof, as defined in s. 768.28(2), the provider must agree to
1161 notify the coalition of any additional liability coverage
1162 maintained by the provider in addition to that otherwise
1163 established under s. 768.28. The provider shall indemnify the
1164 coalition to the extent permitted by s. 768.28.

1165 (m) A private prekindergarten provider seeking initial or
1166 renewal eligibility to offer the Voluntary Prekindergarten
1167 Education Program is ineligible to offer the program if the
1168 provider has been sanctioned for a Class I violation pursuant to
1169 s. 402.310 during the 12 months before seeking such eligibility.
1170 The provider may reapply to offer the program 12 months after
1171 the date of final disposition of the sanction.

1172 (n) ~~(m)~~ The private prekindergarten provider must deliver
1173 the Voluntary Prekindergarten Education Program in accordance
1174 with this part and have child disciplinary policies that
1175 prohibit children from being subjected to discipline that is
1176 severe, humiliating, frightening, or associated with food, rest,
1177 toileting, spanking, or any other form of physical punishment as
1178 provided in s. 402.305(12).

1179 (o) Beginning January 1, 2016, at least 50 percent of the
1180 instructors employed by a prekindergarten provider at each
1181 location, who are responsible for supervising children in care,
1182 must be trained in first aid and infant and child
1183 cardiopulmonary resuscitation, as evidenced by current
1184 documentation of course completion. As a condition of
1185 employment, instructors hired on or after January 1, 2016, must
1186 complete this training within 60 days after employment.

1187 (p) Beginning January 1, 2017, the private prekindergarten
1188 provider must employ child care personnel who hold a high school
1189 diploma or its equivalent and are at least 18 years of age,
1190 unless the personnel are not responsible for supervising

1191 children in care or are under direct supervision.

1192 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
 1193 ~~credentials and courses required under paragraph (3) (c), may~~
 1194 ~~hold one of the following educational credentials:~~

1195 ~~(a) A bachelor's or higher degree in early childhood~~
 1196 ~~education, prekindergarten or primary education, preschool~~
 1197 ~~education, or family and consumer science;~~

1198 ~~(b) A bachelor's or higher degree in elementary education,~~
 1199 ~~if the prekindergarten instructor has been certified to teach~~
 1200 ~~children any age from birth through 6th grade, regardless of~~
 1201 ~~whether the instructor's educator certificate is current, and if~~
 1202 ~~the instructor is not ineligible to teach in a public school~~
 1203 ~~because his or her educator certificate is suspended or revoked;~~

1204 ~~(c) An associate's or higher degree in child development;~~

1205 ~~(d) An associate's or higher degree in an unrelated field,~~
 1206 ~~at least 6 credit hours in early childhood education or child~~
 1207 ~~development, and at least 480 hours of experience in teaching or~~
 1208 ~~providing child care services for children any age from birth~~
 1209 ~~through 8 years of age; or~~

1210 ~~(e) An educational credential approved by the department~~
 1211 ~~as being equivalent to or greater than an educational credential~~
 1212 ~~described in this subsection. The department may adopt criteria~~
 1213 ~~and procedures for approving equivalent educational credentials~~
 1214 ~~under this paragraph.~~

1215 ~~(5) Notwithstanding paragraph (3) (b), a private~~
 1216 ~~prekindergarten provider may not participate in the Voluntary~~

1217 ~~Prekindergarten Education Program if the provider has child~~
 1218 ~~disciplinary policies that do not prohibit children from being~~
 1219 ~~subjected to discipline that is severe, humiliating,~~
 1220 ~~frightening, or associated with food, rest, toileting, spanking,~~
 1221 ~~or any other form of physical punishment as provided in s.~~
 1222 ~~402.305(12).~~

1223 Section 17. Subsection (1) of section 1002.59, Florida
 1224 Statutes, is amended to read:

1225 1002.59 Emergent literacy and performance standards
 1226 training courses.-

1227 (1) The office shall adopt minimum standards for one or
 1228 more training courses in emergent literacy for prekindergarten
 1229 instructors. Each course must comprise 5 clock hours and provide
 1230 instruction in strategies and techniques to address the age-
 1231 appropriate progress of prekindergarten students in developing
 1232 emergent literacy skills, including oral communication,
 1233 knowledge of print and letters, phonemic and phonological
 1234 awareness, and vocabulary and comprehension development. Each
 1235 course must also provide resources containing strategies that
 1236 allow students with disabilities and other special needs to
 1237 derive maximum benefit from the Voluntary Prekindergarten
 1238 Education Program. Successful completion of an emergent literacy
 1239 training course approved under this section satisfies
 1240 requirements for approved training in early literacy and
 1241 language development under ss. 402.305(2)(d)5., 402.313(6)(a)2.
 1242 ~~402.313(6)~~, and 402.3131(5).

1243 Section 18. Subsections (4) through (7) of section
 1244 1002.61, Florida Statutes, are amended to read:

1245 1002.61 Summer prekindergarten program delivered by public
 1246 schools and private prekindergarten providers.—

1247 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
 1248 Each public school and private prekindergarten provider that
 1249 delivers the summer prekindergarten program must have, for each
 1250 prekindergarten class, at least one prekindergarten instructor
 1251 who is a certified teacher or holds one of the educational
 1252 credentials specified in s. 1002.55(3)(c)1.e.-h. ~~s.~~
 1253 ~~1002.55(4)(a) or (b).~~ As used in this subsection, the term
 1254 "certified teacher" means a teacher holding a valid Florida
 1255 educator certificate under s. 1012.56 who has the qualifications
 1256 required by the district school board to instruct students in
 1257 the summer prekindergarten program. In selecting instructional
 1258 staff for the summer prekindergarten program, each school
 1259 district shall give priority to teachers who have experience or
 1260 coursework in early childhood education.

1261 (5) Each prekindergarten instructor employed by a ~~public~~
 1262 ~~school or~~ private prekindergarten provider delivering the summer
 1263 prekindergarten program must be of good moral character, must
 1264 undergo background screening pursuant to s. 402.305(2)(a) be
 1265 ~~screened using the level 2 screening standards in s. 435.04~~
 1266 before employment, must be ~~and~~ rescreened at least once every 5
 1267 years, and must be denied employment or terminated if required
 1268 under s. 435.06. Each prekindergarten instructor employed by a

1269 public school delivering the summer prekindergarten program, and
 1270 must satisfy the ~~not be ineligible to teach in a public school~~
 1271 ~~because his or her educator certificate is suspended or revoked.~~
 1272 ~~This subsection does not supersede~~ employment requirements for
 1273 instructional personnel in public schools as provided in s.
 1274 1012.32 ~~which are more stringent than the requirements of this~~
 1275 ~~subsection.~~

1276 (6) A public school or private prekindergarten provider
 1277 may assign a substitute instructor to temporarily replace a
 1278 credentialed instructor if the credentialed instructor assigned
 1279 to a prekindergarten class is absent, as long as the substitute
 1280 instructor meets the requirements of subsection (5) ~~is of good~~
 1281 ~~moral character and has been screened before employment in~~
 1282 ~~accordance with level 2 background screening requirements in~~
 1283 ~~chapter 435. This subsection does not supersede employment~~
 1284 ~~requirements for instructional personnel in public schools which~~
 1285 ~~are more stringent than the requirements of this subsection.~~ The
 1286 Office of Early Learning shall adopt rules to implement this
 1287 subsection which must ~~shall~~ include required qualifications of
 1288 substitute instructors and the circumstances and time limits for
 1289 which a public school or private prekindergarten provider may
 1290 assign a substitute instructor.

1291 (7) Notwithstanding ss. 1002.55(3)(e) ~~ss. 1002.55(3)(f)~~
 1292 and 1002.63(7), each prekindergarten class in the summer
 1293 prekindergarten program, regardless of whether the class is a
 1294 public school's or private prekindergarten provider's class,

1295 must be composed of at least 4 students but may not exceed 12
 1296 students ~~beginning with the 2009 summer session~~. In order to
 1297 protect the health and safety of students, each public school or
 1298 private prekindergarten provider must also provide appropriate
 1299 adult supervision for students at all times. This subsection
 1300 does not supersede any requirement imposed on a provider under
 1301 ss. 402.301-402.319.

1302 Section 19. Subsection (8) of section 1002.63, Florida
 1303 Statutes, is renumbered as subsection (9), subsections (5) and
 1304 (6) are amended, and a new subsection (8) is added to that
 1305 section, to read:

1306 1002.63 School-year prekindergarten program delivered by
 1307 public schools.—

1308 (5) Each prekindergarten instructor employed by a public
 1309 school delivering the school-year prekindergarten program must
 1310 satisfy the ~~be of good moral character, must be screened using~~
 1311 ~~the level 2 screening standards in s. 435.04 before employment~~
 1312 ~~and rescreened at least once every 5 years, must be denied~~
 1313 ~~employment or terminated if required under s. 435.06, and must~~
 1314 ~~not be ineligible to teach in a public school because his or her~~
 1315 ~~educator certificate is suspended or revoked. This subsection~~
 1316 ~~does not supersede~~ employment requirements for instructional
 1317 personnel in public schools as provided in s. 1012.32 ~~which are~~
 1318 ~~more stringent than the requirements of this subsection.~~

1319 (6) A public school prekindergarten provider may assign a
 1320 substitute instructor to temporarily replace a credentialed

1321 instructor if the credentialed instructor assigned to a
 1322 prekindergarten class is absent, as long as the substitute
 1323 instructor meets the requirements of subsection (5) ~~is of good~~
 1324 ~~moral character and has been screened before employment in~~
 1325 ~~accordance with level 2 background screening requirements in~~
 1326 ~~chapter 435. This subsection does not supersede employment~~
 1327 ~~requirements for instructional personnel in public schools which~~
 1328 ~~are more stringent than the requirements of this subsection.~~ The
 1329 Office of Early Learning shall adopt rules to implement this
 1330 subsection which must ~~shall~~ include required qualifications of
 1331 substitute instructors and the circumstances and time limits for
 1332 which a public school prekindergarten provider may assign a
 1333 substitute instructor.

1334 (8) Public schools offering prekindergarten programs
 1335 pursuant to this section and s. 1002.61 must comply with the
 1336 health and safety requirements applicable to public schools
 1337 under ss. 1003.22 and 1013.12.

1338 Section 20. Paragraphs (a) and (c) of subsection (3) of
 1339 section 1002.67, Florida Statutes, are amended, and paragraph
 1340 (d) is added to that subsection, to read:

1341 1002.67 Performance standards; curricula and
 1342 accountability.—

1343 (3) (a) Contingent upon legislative appropriation, each
 1344 private prekindergarten provider and public school in the
 1345 Voluntary Prekindergarten Education Program must implement an
 1346 evidence-based pre- and post-assessment that has been approved

1347 by the office ~~rule of the State Board of Education.~~

1348 (c) The pre- and post-assessment must be administered by
 1349 individuals meeting requirements established by the office ~~rule~~
 1350 ~~of the State Board of Education.~~

1351 (d) The pre- and post-assessment data must be used in
 1352 calculating the private prekindergarten provider's or public
 1353 school's kindergarten readiness rate pursuant to s. 1002.69(5).

1354 Section 21. Subsection (1) of section 1002.69, Florida
 1355 Statutes, is amended to read:

1356 1002.69 Statewide kindergarten screening; kindergarten
 1357 readiness rates; state-approved prekindergarten enrollment
 1358 screening; good cause exemption.—

1359 (1) The department shall adopt a statewide kindergarten
 1360 screening that assesses the readiness of each student for
 1361 kindergarten based upon the performance standards adopted by the
 1362 office ~~department~~ under s. 1002.67(1) for the Voluntary
 1363 Prekindergarten Education Program. The department shall require
 1364 that each school district administer the statewide kindergarten
 1365 screening to each kindergarten student in the school district
 1366 within the first 30 school days of each school year. Nonpublic
 1367 schools may administer the statewide kindergarten screening to
 1368 each kindergarten student in a nonpublic school who was enrolled
 1369 in the Voluntary Prekindergarten Education Program.

1370 Section 22. Paragraph (a) of subsection (6) of section
 1371 1002.71, Florida Statutes, is amended to read:

1372 1002.71 Funding; financial and attendance reporting.—

1373 (6) (a) Each parent enrolling his or her child in the
 1374 Voluntary Prekindergarten Education Program must agree to comply
 1375 with the attendance policy of the private prekindergarten
 1376 provider or district school board, as applicable. Upon
 1377 enrollment of the child, the private prekindergarten provider or
 1378 public school, as applicable, must provide the child's parent
 1379 with program information, including, but not limited to, child
 1380 development, expectations for parent engagement, the daily
 1381 schedule, and the ~~a copy of the provider's or school district's~~
 1382 attendance policy, which must include procedures for contacting
 1383 a parent on the second consecutive day a child is absent for
 1384 which the reason is unknown as applicable.

1385 Section 23. Subsection (1) of section 1002.75, Florida
 1386 Statutes, is amended to read:

1387 1002.75 Office of Early Learning; powers and duties.—

1388 (1) The Office of Early Learning shall adopt by rule a
 1389 standard statewide provider contract to be used with each
 1390 Voluntary Prekindergarten Education Program provider, with
 1391 standardized attachments by provider type. The office shall
 1392 publish a copy of the standard statewide provider contract on
 1393 its website. The standard statewide contract must ~~shall~~ include,
 1394 at a minimum, provisions that:

1395 (a) Specify the grounds for provider probation,
 1396 termination for cause, and immediate ~~emergency~~ termination of
 1397 the contract. A coalition shall immediately terminate the
 1398 contract if the provider is sanctioned for a Class I violation

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1399 pursuant to s. 402.310 or issued an emergency suspension order
1400 by the Department of Children and Families or local licensing
1401 agency or an injunction by the circuit court pursuant to s.
1402 402.312 for those actions or inactions of a provider that pose
1403 an immediate and serious danger to the health, safety, or
1404 welfare of children. The standard statewide contract must shall
1405 also include appropriate due process procedures. During the
1406 pendency of an appeal of a termination, the A provider may not
1407 continue to offer its services during the pendency of an appeal
1408 of a termination that is not the result of an emergency
1409 suspension order, injunction, or sanction for a Class I
1410 violation. For a termination resulting from a sanction for a
1411 class I violation, the provider may reapply to offer the program
1412 12 months after the date of final disposition of the sanction. A
1413 provider that has its contract terminated for another reason may
1414 reapply to offer the program 12 months after the date of
1415 termination of the contract.

1416 (b) Require each private prekindergarten provider to
1417 notify the parent of each child in care if it is cited for a
1418 Class I violation as defined by rule of the Department of
1419 Children and Families or its equivalent as defined by local
1420 licensing agency requirements. Such notice shall describe each
1421 violation with specificity in simple language and include a copy
1422 of the citation and the contact information of the Department of
1423 Children and Families or local licensing agency where the parent
1424 may obtain additional information regarding the citation. Notice

1425 by the provider must be provided electronically or in writing to
1426 the parent by the close of the next business day following
1427 receipt of the citation. A private prekindergarten provider must
1428 conspicuously post each citation for a violation that results in
1429 disciplinary action on the premises in an area visible to
1430 parents pursuant to s. 402.3125(1)(b). Additionally, such a
1431 provider must post each inspection report on the premises in an
1432 area visible to parents, and such report must remain posted
1433 until the next inspection report is available.

1434 (c) Specify that child care personnel employed by the
1435 provider who are responsible for supervising children in care
1436 must be trained in developmentally appropriate practices aligned
1437 to the age and needs of children over which the personnel are
1438 assigned supervision duties. This requirement is met by the
1439 completion of developmentally appropriate practice courses
1440 administered by the Department of Children and Families under s.
1441 402.305(2)(d)1. within 30 days after being assigned such
1442 children if the child care personnel has not previously
1443 completed the training.

1444
1445 Any provision imposed upon a provider that is inconsistent with,
1446 or prohibited by, law is void and unenforceable.

1447 Section 24. Subsections (1), (3), and (5) of section
1448 1002.77, Florida Statutes, are amended to read:

1449 1002.77 Florida Early Learning Advisory Council.—

1450 (1) There is created the Florida Early Learning Advisory

1451 Council within the Office of Early Learning. The purpose of the
1452 advisory council is to provide written input ~~submit~~
1453 ~~recommendations~~ to the executive director ~~office~~ on early
1454 learning best practices, including ~~recommendations relating to~~
1455 ~~the most effective~~ program administration; ~~of the Voluntary~~
1456 ~~Prekindergarten Education Program under this part and the school~~
1457 ~~readiness program under part VI of this chapter. The advisory~~
1458 ~~council shall periodically analyze and provide recommendations~~
1459 ~~to the office on the~~ effective and efficient use of local,
1460 state, and federal funds; ~~the content of~~ professional
1461 development training programs; and ~~best practices for the~~
1462 ~~development and implementation of~~ coalition plans pursuant to s.
1463 1002.85.

1464 (3) The advisory council shall meet at least quarterly
1465 upon the call of the executive director ~~but may meet as often as~~
1466 ~~necessary to carry out its duties and responsibilities. The~~
1467 executive director is encouraged to ~~advisory council may use~~
1468 communications media technology ~~any method of telecommunications~~
1469 to conduct meetings in accordance with s. 120.54(5)(b) ~~,~~
1470 ~~including establishing a quorum through telecommunications, only~~
1471 ~~if the public is given proper notice of a telecommunications~~
1472 ~~meeting and reasonable access to observe and, when appropriate,~~
1473 ~~participate.~~

1474 (5) The Office of Early Learning shall provide staff and
1475 administrative support for the advisory council as determined by
1476 the executive director.

1477 Section 25. Paragraph (f) of subsection (1) and
 1478 subsections (8) and (16) of section 1002.81, Florida Statutes,
 1479 are amended to read:

1480 1002.81 Definitions.—Consistent with the requirements of
 1481 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1482 (1) "At-risk child" means:

1483 (f) A child in the custody of a parent who is considered
 1484 homeless as verified by a designated lead agency on the homeless
 1485 assistance continuum of care established under ss. 420.622-
 1486 420.624 Department of Children and Families certified homeless
 1487 shelter.

1488 (8) "Family income" means the combined gross income,
 1489 whether earned or unearned, that is derived from any source by
 1490 all family or household members who are 18 years of age or older
 1491 who are currently residing together in the same dwelling unit.
 1492 The term does not include:

1493 (a) Income earned by a currently enrolled high school
 1494 student who, since attaining the age of 18 years, or a student
 1495 with a disability who, since attaining the age of 22 years, has
 1496 not terminated school enrollment or received a high school
 1497 diploma, high school equivalency diploma, special diploma, or
 1498 certificate of high school completion.

1499 (b) Income earned by a teen parent residing in the same
 1500 residence as a separate family unit.

1501 (c) Selected items from the state's Child Care and
 1502 Development Fund Plan, such as ~~The term also does not include~~

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1503 food stamp benefits, documented child support and alimony
1504 payments paid out of the home, or federal housing assistance
1505 payments issued directly to a landlord or the associated
1506 utilities expenses.

1507 (16) "Working family" means:

1508 (a) A single-parent family in which the parent with whom
1509 the child resides is employed or engaged in eligible work or
1510 education activities for at least 20 hours per week or is exempt
1511 from work requirements due to age or disability, as determined
1512 and documented by a physician licensed under chapter 458 or
1513 chapter 459;

1514 (b) A two-parent family in which both parents with whom
1515 the child resides are employed or engaged in eligible work or
1516 education activities for a combined total of at least 40 hours
1517 per week; ~~or~~

1518 (c) A two-parent family in which one of the parents with
1519 whom the child resides is exempt from work requirements due to
1520 age or disability, as determined and documented by a physician
1521 licensed under chapter 458 or chapter 459, and one parent is
1522 employed or engaged in eligible work or education activities at
1523 least 20 hours per week; or

1524 (d) A two-parent family in which both of the parents with
1525 whom the child resides are exempt from work requirements due to
1526 age or disability, as determined and documented by a physician
1527 licensed under chapter 458 or chapter 459.

1528 Section 26. Paragraphs (b), (j), (m), and (p) of

1529 subsection (2) and subsection (5) of section 1002.82, Florida
 1530 Statutes, are amended, and subsection (8) is added to that
 1531 section, to read:

1532 1002.82 Office of Early Learning; powers and duties.—

1533 (2) The office shall:

1534 (b) Preserve parental choice by permitting parents to
 1535 choose from a variety of child care categories authorized in s.
 1536 1002.88(1)(a), ~~including center-based care, family child care,~~
 1537 ~~and informal child care~~ to the extent authorized in the state's
 1538 Child Care and Development Fund Plan as approved by the United
 1539 States Department of Health and Human Services pursuant to 45
 1540 C.F.R. s. 98.18. Care and curriculum by a faith-based provider
 1541 may not be limited or excluded in any of these categories.

1542 (j) Develop and adopt standards and benchmarks that
 1543 address the age-appropriate progress of children in the
 1544 development of school readiness skills. The standards for
 1545 children from birth to 5 years of age in the school readiness
 1546 program must be aligned with the performance standards adopted
 1547 for children in the Voluntary Prekindergarten Education Program
 1548 and must address the following domains:

- 1549 1. Approaches to learning.
- 1550 2. Cognitive development and general knowledge.
- 1551 3. Numeracy, language, and communication.
- 1552 4. Physical development.
- 1553 5. Self-regulation.

1554

1555 By July 1, 2016, the office shall develop and implement an
1556 online training course on the performance standards described in
1557 this paragraph for school readiness program provider personnel.

1558 (m) Adopt by rule a standard statewide provider contract
1559 to be used with each school readiness program provider, with
1560 standardized attachments by provider type. The office shall
1561 publish a copy of the standard statewide provider contract on
1562 its website. The standard statewide contract must ~~shall~~ include,
1563 at a minimum, provisions that:

1564 1. Specify the grounds for provider probation, termination
1565 for cause, and immediate emergency termination of the contract.
1566 A coalition shall immediately terminate the contract if the
1567 provider is sanctioned for a class I violation pursuant to s.
1568 402.310 or issued an emergency suspension order by the
1569 Department of Children and Families or local licensing agency or
1570 an injunction by the Circuit Court pursuant to s. 402.312 for
1571 those actions or inactions of a provider that pose an immediate
1572 and serious danger to the health, safety, or welfare of the
1573 children. The standard statewide provider contract must ~~shall~~
1574 ~~also~~ include appropriate due process procedures. ~~During the~~
1575 ~~pendency of an appeal of a termination, the~~ A provider may ~~not~~
1576 continue to offer its services during the pendency of an appeal
1577 of a termination that is not the result of an emergency
1578 suspension order, injunction, or sanction for a class I
1579 violation. For a termination resulting from a sanction for a
1580 class I violation, the provider may reapply to offer the program

1581 12 months after the date of final disposition of the sanction. A
1582 provider that has its contract terminated for another reason may
1583 reapply to offer the program 12 months after the date of
1584 termination of the contract.

1585 2. Require each provider that is eligible to deliver the
1586 school readiness program pursuant to s. 1002.88(1)(a) to notify
1587 the parent of each child in care if it is cited for a class I
1588 violation as defined by rule of the Department of Children and
1589 Families or its equivalent as defined by local licensing agency
1590 requirements. Such notice shall describe each violation with
1591 specificity in simple language and include a copy of the
1592 citation and the contact information of the Department of
1593 Children and Families or the local licensing agency where the
1594 parent may obtain additional information regarding the citation.
1595 Notice by the provider must be provided electronically or in
1596 writing to the parent by the close of the next business day
1597 following receipt of the citation. A provider must conspicuously
1598 post each citation for a violation that results in disciplinary
1599 action on the premises in an area visible to parents pursuant to
1600 s. 402.3125(1)(b). Additionally, such a provider must post each
1601 inspection report on the premises in an area visible to parents,
1602 and such report must remain posted until the next inspection
1603 report is available.

1604 3. Specify that child care personnel employed by the
1605 provider who are responsible for supervising children in care
1606 must be trained in developmentally appropriate practices aligned

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1607 to the age and needs of children over which the personnel are
1608 assigned supervision duties. This requirement is met by
1609 completion of developmentally appropriate practice courses
1610 administered by the Department of Children and Families under s.
1611 402.305(2)(d)1. within 30 days after being assigned such
1612 children if the child care personnel has not previously
1613 completed the training.

1614 4. Require child care personnel who are employed by the
1615 provider to complete an online training course on the
1616 performance standards adopted pursuant to paragraph (j).

1617
1618 Any provision imposed upon a provider that is inconsistent with,
1619 or prohibited by, law is void and unenforceable.

1620 (p) Monitor and evaluate the performance of each early
1621 learning coalition in administering the school readiness program
1622 and the Voluntary Prekindergarten Education Program, ensuring
1623 proper payments for school readiness program and Voluntary
1624 Prekindergarten Education Program services, and implementing the
1625 coalition's school readiness program plan, and administering the
1626 Voluntary Prekindergarten Education Program. These monitoring
1627 and performance evaluations must include, at a minimum, onsite
1628 monitoring of each coalition's finances, management, operations,
1629 and programs.

1630 (5) Annually, by January 1 ~~of each year,~~ the office shall
1631 ~~annually~~ publish on its website a report of its activities
1632 conducted under this section. The report must include a summary

1633 of the coalitions' annual reports, a statewide summary, and the
1634 following:

1635 (a) An analysis of early learning activities throughout
1636 the state, including the school readiness program and the
1637 Voluntary Prekindergarten Education Program.

1638 1. The total and average number of children served in the
1639 school readiness program, enumerated by age, eligibility
1640 priority category, and coalition, and the total number of
1641 children served in the Voluntary Prekindergarten Education
1642 Program.

1643 2. A summary of expenditures by coalition, by fund source,
1644 including a breakdown by coalition of the percentage of
1645 expenditures for administrative activities, quality activities,
1646 nondirect services, and direct services for children.

1647 3. A description of the office's and each coalition's
1648 expenditures by fund source for the quality and enhancement
1649 activities described in s. 1002.89(6)(b). Such description must
1650 specify the activity funded; the rationale for funding the
1651 activity; the effectiveness of the activity; and the number of
1652 providers, staff, or parents who participated in the activity.

1653 4. A summary of annual findings and collections related to
1654 provider fraud and parent fraud.

1655 5. Data regarding the coalitions' delivery of early
1656 learning programs.

1657 6. The total number of children disenrolled statewide and
1658 the reason for disenrollment.

1659 7. The total number of providers by provider type.

1660 8. The total number of provider contracts revoked and the

1661 reasons for revocation.

1662 (b) A summary of the activities and detailed expenditures

1663 related to the Child Care ~~Executive~~ Partnership Program.

1664 (8) The office shall post on its website links to the

1665 child care provider database maintained by the Department of

1666 Children and Families.

1667 Section 27. Subsections (8) and (20) of section 1002.84,

1668 Florida Statutes, are amended to read:

1669 1002.84 Early learning coalitions; school readiness powers

1670 and duties.—Each early learning coalition shall:

1671 (8) Establish a parent sliding fee scale that requires a

1672 parent copayment to participate in the school readiness program.

1673 Providers are required to collect the parent's copayment. A

1674 coalition may, on a case-by-case basis, waive the copayment for

1675 an at-risk child or temporarily waive the copayment for a child

1676 whose family's income is at or below the federal poverty level

1677 and family experiences a natural disaster or an event that

1678 limits the parent's ability to pay, such as incarceration,

1679 placement in residential treatment, ~~or becoming homeless,~~ or an

1680 emergency situation such as a household fire or burglary, or

1681 while the parent is participating in parenting classes. A parent

1682 may not transfer school readiness program services to another

1683 school readiness program provider until the parent has submitted

1684 documentation from the current school readiness program provider

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1685 to the early learning coalition stating that the parent has
1686 satisfactorily fulfilled the copayment obligation.

1687 (20) To increase transparency and accountability, comply
1688 with ~~the requirements of~~ this section before contracting with a
1689 member of the coalition, an employee of the coalition, or a
1690 relative, as defined in s. 112.3143(1) ~~112.3143(1)(e)~~, of a
1691 coalition member or of an employee of the coalition. Such
1692 contracts may not be executed without the approval of the
1693 office. Such contracts, as well as documentation demonstrating
1694 adherence to this section by the coalition, must be approved by
1695 a two-thirds vote of the coalition, a quorum having been
1696 established; all conflicts of interest must be disclosed before
1697 the vote; and any member who may benefit from the contract, or
1698 whose relative may benefit from the contract, must abstain from
1699 the vote. A contract under \$25,000 between an early learning
1700 coalition and a member of that coalition or between a relative,
1701 as defined in s. 112.3143(1) ~~112.3143(1)(e)~~, of a coalition
1702 member or of an employee of the coalition is not required to
1703 have the prior approval of the office but must be approved by a
1704 two-thirds vote of the coalition, a quorum having been
1705 established, and must be reported to the office within 30 days
1706 after approval. If a contract cannot be approved by the office,
1707 a review of the decision to disapprove the contract may be
1708 requested by the early learning coalition or other parties to
1709 the disapproved contract.

1710 Section 28. Paragraphs (c) and (h) of subsection (1) and

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1711 subsections (6) through (8) of section 1002.87, Florida
1712 Statutes, are amended to read:

1713 1002.87 School readiness program; eligibility and
1714 enrollment.—

1715 (1) Effective August 1, 2013, or upon reevaluation of
1716 eligibility for children currently served, whichever is later,
1717 each early learning coalition shall give priority for
1718 participation in the school readiness program as follows:

1719 (c) Priority shall be given next to a child from birth to
1720 the beginning of the school year for which the child is eligible
1721 for admission to kindergarten in a public school under s.
1722 1003.21(1)(a)2. who is from a working family that is
1723 economically disadvantaged, and may include such child's
1724 eligible siblings, beginning with the school year in which the
1725 sibling is eligible for admission to kindergarten in a public
1726 school under s. 1003.21(1)(a)2. until the beginning of the
1727 school year in which the sibling enters ~~is eligible to begin~~ 6th
1728 grade, provided that the first priority for funding an eligible
1729 sibling is local revenues available to the coalition for funding
1730 direct services. However, a child eligible under this paragraph
1731 ceases to be eligible if his or her family income exceeds 200
1732 percent of the federal poverty level.

1733 (h) Priority shall be given next to a child who ~~has~~
1734 ~~special needs,~~ has been determined eligible as an infant or
1735 toddler from birth to 3 years of age with an individualized
1736 family support plan receiving early intervention services or to

1737 ~~as~~ a student with a disability ~~with,~~ has a current individual
1738 education plan with a Florida school district, ~~and is not~~
1739 ~~younger than 3 years of age.~~ A ~~special needs~~ child eligible
1740 under this paragraph remains eligible until the child is
1741 eligible for admission to kindergarten in a public school under
1742 s. 1003.21(1)(a)2.

1743 (6) Eligibility for each child must be reevaluated
1744 annually. Upon reevaluation, a child may not continue to receive
1745 school readiness program services if he or she has ceased to be
1746 eligible under this section. If a child no longer meets
1747 eligibility or program requirements, the coalition must
1748 immediately notify the child's parent and the provider that
1749 funding will end 2 weeks after the date on which the child was
1750 determined to be ineligible or when the current child care
1751 authorization expires, whichever occurs first.

1752 (7) If a coalition disenrolls children from the school
1753 readiness program due to lack of funding or a change in
1754 eligibility priorities, the coalition must disenroll the
1755 children in reverse order of the eligibility priorities listed
1756 in subsection (1) beginning with children from families with the
1757 highest family incomes. A notice of disenrollment must be sent
1758 to the parent and school readiness program provider at least 2
1759 weeks before disenrollment or the expiration of the current
1760 child care authorization, whichever occurs first, to provide
1761 adequate time for the parent to arrange alternative care for the
1762 child. However, an at-risk child receiving services from the

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1763 Child Welfare Program Office of the Department of Children and
1764 Families may not be disenrolled from the program without the
1765 written approval of the Child Welfare Program Office ~~of the~~
1766 ~~Department of Children and Families~~ or the community-based lead
1767 agency.

1768 (8) If a child is absent from the program for 2
1769 consecutive days without parental notification to the program of
1770 such absence, the school readiness program provider shall
1771 contact the parent and determine the cause for the absence and
1772 the expected date of return. If a child is absent from the
1773 program for 5 consecutive days without parental notification to
1774 the program of such absence, the school readiness program
1775 provider shall report the absence to the early learning
1776 coalition for a determination of the need for continued care.

1777 Section 29. Paragraphs (a) through (c) and (l) through (n)
1778 of subsection (1) of section 1002.88, Florida Statutes, are
1779 amended, present subsections (2) and (3) are redesignated as
1780 subsections (4) and (5), respectively, present subsection (2) is
1781 amended, and new subsections (2) and (3) are added to that
1782 section, to read:

1783 1002.88 School readiness program provider standards;
1784 eligibility to deliver the school readiness program.—

1785 (1) To be eligible to deliver the school readiness
1786 program, a school readiness program provider must:

1787 (a) 1. Be a nonpublic school or a child care facility
1788 certified under s. 402.3085;

1789 2. Be a child care facility licensed under s. 402.305;
 1790 3. Be a family child ~~day~~ care home licensed ~~or registered~~
 1791 under s. 402.313;
 1792 4. Be a large family child care home licensed under s.
 1793 402.3131;
 1794 5. Be a child care facility exempt from licensure
 1795 operating under s. 402.316(4);
 1796 6. Be a public school designated by the district school
 1797 board; ~~or nonpublic school exempt from licensure under s.~~
 1798 ~~402.3025, a faith-based child care provider exempt from~~
 1799 ~~licensure under s. 402.316, a before-school or after-school~~
 1800 ~~program described in s. 402.305(1)(c), or~~
 1801 7. Be an informal child care provider to the extent
 1802 authorized in the state's Child Care and Development Fund Plan
 1803 as approved by the United States Department of Health and Human
 1804 Services pursuant to 45 C.F.R. s. 98.18.
 1805 (b) Provide instruction and activities to enhance the age-
 1806 appropriate progress of each child in attaining the child
 1807 development standards adopted by the office pursuant to s.
 1808 1002.82(2)(j). A provider should include activities to foster
 1809 brain development in infants and toddlers; provide an
 1810 environment that is rich in language and music and filled with
 1811 objects of various colors, shapes, textures, and sizes to
 1812 stimulate visual, tactile, auditory, and linguistic senses; and
 1813 include 30 minutes of reading to children each day. A provider
 1814 must provide parents information on child development,

1815 expectations for parent engagement, the daily schedule, and the
1816 attendance policy.

1817 (c) Provide basic health and safety of its premises and
1818 facilities in accordance with applicable licensing and
1819 inspection requirements ~~and compliance with requirements for~~
1820 ~~age-appropriate immunizations of children enrolled in the school~~
1821 ~~readiness program.~~ For a child care facility, a large family
1822 child care home, or a licensed family child day care home,
1823 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies
1824 this requirement. For a public ~~or nonpublic~~ school, compliance
1825 with ~~ss. s. 402.3025 or s. 1003.22~~ and 1013.12 satisfies this
1826 requirement. For a nonpublic school, compliance with s.
1827 402.3025(2)(d) satisfies this requirement. For a facility exempt
1828 from licensure, compliance with s. 402.316(4) satisfies this
1829 requirement. For an informal provider, substantial compliance as
1830 defined in s. 402.302(17) satisfies this requirement. A provider
1831 seeking initial or renewal eligibility to offer the program is
1832 ineligible to offer the program for a period of at least 12
1833 months if the provider has been sanctioned for a Class I
1834 violation pursuant to s. 402.310 during the 12 months before
1835 seeking such eligibility. The provider may reapply to offer the
1836 program 12 months after the date of final disposition of the
1837 sanction. A faith-based child care provider, an informal child
1838 ~~care provider, or a nonpublic school, exempt from licensure~~
1839 ~~under s. 402.316 or s. 402.3025, shall annually complete the~~
1840 ~~health and safety checklist adopted by the office, post the~~

1841 ~~checklist prominently on its premises in plain sight for~~
1842 ~~visitors and parents, and submit it annually to its local early~~
1843 ~~learning coalition.~~

1844 (l) ~~For a provider that is not an informal provider,~~
1845 Maintain general liability insurance and provide the coalition
1846 with written evidence of general liability insurance coverage,
1847 including coverage for transportation of children if school
1848 readiness program children are transported by the provider. A
1849 private provider must obtain and retain an insurance policy that
1850 provides a minimum of \$100,000 of coverage per occurrence and a
1851 minimum of \$300,000 general aggregate coverage. The office may
1852 authorize lower limits upon request, as appropriate. A provider
1853 must add the coalition as a named certificateholder ~~and as an~~
1854 ~~additional insured.~~ A private provider must provide the
1855 coalition with a minimum of 10 calendar days' advance written
1856 notice of cancellation of or changes to coverage. The general
1857 liability insurance required by this paragraph must remain in
1858 full force and effect for the entire period of the provider
1859 contract with the coalition.

1860 (m) For a provider that is an informal provider, comply
1861 with the provisions of paragraph (l) or maintain homeowner's
1862 liability insurance and, if applicable, a business rider. If an
1863 informal provider chooses to maintain a homeowner's policy, the
1864 provider must obtain and retain a homeowner's insurance policy
1865 that provides a minimum of \$100,000 of coverage per occurrence
1866 and a minimum of \$300,000 general aggregate coverage. The office

1867 may authorize lower limits upon request, as appropriate. An
1868 informal provider must add the coalition as a named
1869 certificateholder ~~and as an additional insured~~. An informal
1870 provider must provide the coalition with a minimum of 10
1871 calendar days' advance written notice of cancellation of or
1872 changes to coverage. The general liability insurance required by
1873 this paragraph must remain in full force and effect for the
1874 entire period of the provider's contract with the coalition.

1875 (n) Obtain and maintain any required workers' compensation
1876 insurance under chapter 440 and any required reemployment
1877 assistance or unemployment compensation coverage under chapter
1878 443, unless exempt under state or federal law.

1879 (2) Beginning January 1, 2016, at least 50 percent of the
1880 child care personnel employed by a school readiness provider at
1881 each location, who are responsible for supervising children in
1882 care, must be trained in first aid and infant and child
1883 cardiopulmonary resuscitation, as evidenced by current
1884 documentation of course completion. As a condition of
1885 employment, personnel hired on or after January 1, 2016, must
1886 complete this training within 60 days after employment.

1887 (3) Beginning January 1, 2017, child care personnel
1888 employed by a school readiness program provider must hold a high
1889 school diploma or its equivalent and be at least 18 years of
1890 age, unless the personnel are not responsible for supervising
1891 children in care or are under direct supervision.

1892 (4)~~(2)~~ If a school readiness program provider fails or

1893 refuses to comply with this part or any contractual obligation
 1894 of the statewide provider contract under s. 1002.82(2)(m), the
 1895 coalition may revoke the provider's eligibility to deliver the
 1896 school readiness program or receive state or federal funds under
 1897 this chapter for ~~a period of~~ 5 years.

1898 Section 30. Paragraph (b) of subsection (6) and subsection
 1899 (7) of Section 1002.89, Florida Statutes, are amended to read:

1900 1002.89 School readiness program; funding.—

1901 (6) Costs shall be kept to the minimum necessary for the
 1902 efficient and effective administration of the school readiness
 1903 program with the highest priority of expenditure being direct
 1904 services for eligible children. However, no more than 5 percent
 1905 of the funds described in subsection (5) may be used for
 1906 administrative costs and no more than 22 percent of the funds
 1907 described in subsection (5) may be used in any fiscal year for
 1908 any combination of administrative costs, quality activities, and
 1909 nondirect services as follows:

1910 (b) Activities to improve the quality of child care as
 1911 described in 45 C.F.R. s. 98.51, which must ~~shall~~ be limited to
 1912 the following:

1913 1. Developing, establishing, expanding, operating, and
 1914 coordinating resource and referral programs specifically related
 1915 to the provision of comprehensive consumer education to parents
 1916 and the public to promote informed child care choices specified
 1917 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
 1918 ~~readiness program and parental choice.~~

1919 2. Awarding grants and providing financial support to
 1920 school readiness program providers and their staffs to assist
 1921 them in meeting applicable state requirements for child care
 1922 performance standards, implementing developmentally appropriate
 1923 curricula and related classroom resources that support
 1924 curricula, providing literacy supports, obtaining a license or
 1925 accreditation, and providing professional development, including
 1926 scholarships and other incentives. Any grants awarded pursuant
 1927 to this subparagraph shall comply with ~~the requirements of~~ ss.
 1928 215.971 and 287.058.

1929 3. Providing training, ~~and~~ technical assistance, and
 1930 financial support for school readiness program providers, staff,
 1931 and parents on standards, child screenings, child assessments,
 1932 developmentally appropriate curricula, character development,
 1933 teacher-child interactions, age-appropriate discipline
 1934 practices, health and safety, nutrition, first aid,
 1935 cardiopulmonary resuscitation, the recognition of communicable
 1936 diseases, and child abuse detection and prevention.

1937 4. Providing from among the funds provided for the
 1938 activities described in subparagraphs 1.-3., adequate funding
 1939 for infants and toddlers as necessary to meet federal
 1940 requirements related to expenditures for quality activities for
 1941 infant and toddler care.

1942 5. Improving the monitoring of compliance with, and
 1943 enforcement of, applicable state and local requirements as
 1944 described in and limited by 45 C.F.R. s. 98.40.

1945 6. Responding to Warm-Line requests by providers and
 1946 parents ~~related to school readiness program children~~, including
 1947 providing developmental and health screenings to school
 1948 readiness program children.

1949 (7) Funds appropriated for the school readiness program
 1950 may not be expended for the purchase or improvement of land; for
 1951 the purchase, construction, or permanent improvement of any
 1952 building or facility; or for the purchase of buses. However,
 1953 funds may be expended for minor remodeling necessary for the
 1954 administration of the program and upgrading of child care
 1955 facilities to ensure that providers meet state and local child
 1956 care standards, including applicable health and safety
 1957 requirements.

1958 Section 31. Subsections (3) and (7) of section 1002.91,
 1959 Florida Statutes, are amended to read:

1960 1002.91 Investigations of fraud or overpayment;
 1961 penalties.—

1962 (3) Based on the results of the investigation, the office
 1963 may, ~~in its discretion,~~ refer the investigation to the
 1964 Department of Financial Services ~~for criminal investigation~~ or
 1965 refer the matter to the applicable coalition. Any suspected
 1966 criminal violation identified by the office must be referred to
 1967 the Department of Financial Services or to the appropriate law
 1968 enforcement agency for criminal investigation.

1969 (7) The early learning coalition may not contract with a
 1970 school readiness program provider, ~~or~~ a Voluntary

1971 Prekindergarten Education Program provider, or an individual who
 1972 is on the United States Department of Agriculture National
 1973 Disqualified List. In addition, the coalition may not contract
 1974 with any provider that shares an officer or director with a
 1975 provider that is on the United States Department of Agriculture
 1976 National Disqualified List.

1977 Section 32. Effective upon this act becoming a law,
 1978 section 1002.94, Florida Statutes, is amended to read:

1979 1002.94 Child Care ~~Executive~~ Partnership Program.—

1980 (1) There is created a body politic and corporate known as
 1981 the Child Care ~~Executive~~ Partnership which shall establish and
 1982 govern the Child Care ~~Executive~~ Partnership Program. The purpose
 1983 of the Child Care ~~Executive~~ Partnership Program is to use state
 1984 and federal funds as incentives for matching local funds derived
 1985 from private businesses, local governments, employers,
 1986 charitable foundations, and other not-for-profit entities,
 1987 counties, municipalities, and children's services councils
 1988 established pursuant to s. 125.901 ~~other sources~~ so that Florida
 1989 communities may create local flexible partnerships with
 1990 employers. The Child Care ~~Executive~~ Partnership Program funds
 1991 shall be used at the discretion of local communities to ~~meet the~~
 1992 ~~needs of working parents. A child care purchasing pool shall be~~
 1993 ~~developed with the state, federal, and local funds to~~ provide
 1994 subsidies to low-income working parents whose family income does
 1995 not exceed the allowable income for ~~any~~ federally subsidized
 1996 child care ~~program~~ by establishing child care purchasing pools

1997 using state, federal, and local funds with a dollar-for-dollar
 1998 match from private businesses, employers, charitable
 1999 foundations, and other not-for-profit entities, counties,
 2000 municipalities ~~local government,~~ and children's services
 2001 councils established pursuant to s. 125.901 ~~other matching~~
 2002 ~~contributions.~~ The funds used from the child care purchasing
 2003 pool must be used to supplement or extend the use of existing
 2004 public or private funds for direct services.

2005 (2) The Child Care ~~Executive~~ Partnership, staffed by the
 2006 office, shall consist of a total of five members who represent
 2007 private sector corporate businesses that are not child care. ~~a~~
 2008 ~~representative of the Executive Office of The Governor shall~~
 2009 appoint three members, and the President of the Senate and
 2010 Speaker of the House of Representatives shall each appoint one
 2011 member ~~nine members of the corporate or child care community,~~
 2012 ~~appointed by the Governor.~~

2013 (a) Members shall serve for a period of 4 years, ~~except~~
 2014 ~~that the representative of the Executive Office of the Governor~~
 2015 ~~shall serve at the pleasure of the Governor.~~

2016 (b) The Child Care ~~Executive~~ Partnership shall be chaired
 2017 by a member chosen by a majority vote and shall meet at least
 2018 quarterly and at other times upon the call of the chair. The
 2019 Child Care ~~Executive~~ Partnership may use any method of
 2020 telecommunications to conduct meetings, including establishing a
 2021 quorum through telecommunications, only if the public is given

2022 proper notice of a telecommunications meeting and reasonable
 2023 access to observe and, when appropriate, participate.

2024 (c) Members shall serve without compensation, but may be
 2025 reimbursed for per diem and travel expenses in accordance with
 2026 s. 112.061.

2027 (d) The Child Care ~~Executive~~ Partnership shall ~~have all~~
 2028 ~~the powers and authority, not explicitly prohibited by law,~~
 2029 ~~necessary to carry out and effectuate the purposes of this~~
 2030 ~~section, as well as the functions, duties, and responsibilities~~
 2031 ~~of the partnership, including, but not limited to, the~~
 2032 ~~following:~~

2033 1. Establish funding priorities and make ~~Making~~
 2034 recommendations to the office regarding the allocation of funds
 2035 to child care purchasing pools ~~concerning the implementation and~~
 2036 ~~coordination of the school readiness program.~~

2037 2. Solicit, accept, receive, and invest ~~Soliciting,~~
 2038 ~~accepting, receiving, investing, and expending~~ funds from public
 2039 or private sources.

2040 3. Approve ~~Contracting with public or private entities as~~
 2041 ~~necessary.~~

2042 4. ~~Approving~~ an annual budget.

2043 ~~4.5. Submit~~ Providing a report to the Governor, the
 2044 Speaker of the House of Representatives, and the President of
 2045 the Senate on or before December 1 of each year documenting the
 2046 activities specified in this paragraph and identifying the
 2047 sources of contributions.

2048
 2049 ~~Notwithstanding this subsection, the corporate body politic~~
 2050 ~~previously established by prior law is the corporate body~~
 2051 ~~politic for purposes of this section and shall continue in~~
 2052 ~~existence. All member terms of the existing corporate body~~
 2053 ~~politic expire as of June 30, 2013, and new members shall be~~
 2054 ~~appointed beginning July 1, 2013, in accordance with this~~
 2055 ~~subsection.~~

2056 (3) (a) The Legislature shall annually determine the amount
 2057 of state or federal low-income child care funds ~~moneys~~ which
 2058 shall be used to create the Child Care ~~Executive~~ Partnership
 2059 Program child care purchasing pools in counties chosen by the
 2060 ~~Child Care Executive~~ partnership provided that at least two of
 2061 the counties have populations of no more than 300,000. The
 2062 Legislature shall annually review the effectiveness of the Child
 2063 Care Partnership in securing contributions from private
 2064 businesses and the child care purchasing pool program and
 2065 reevaluate the percentage of additional state or federal funds,
 2066 if any, which can be used for the program's expansion.

2067 (b) To ensure a seamless service delivery and ease of
 2068 access for families, the office shall allocate ~~administer~~ the
 2069 child care purchasing pool funds.

2070 (c) The office, ~~in conjunction with the Child Care~~
 2071 ~~Executive Partnership,~~ shall disburse ~~develop procedures for~~
 2072 ~~disbursement of funds to participating early learning coalitions~~
 2073 and the Redlands Christian Migrant Association ~~through the child~~

2074 ~~care purchasing pools.~~ In order to be considered for funding, an
 2075 early learning coalition, the Redlands Christian Migrant
 2076 Association, or the office must commit to:

2077 1. Matching the state purchasing pool funds on a dollar-
 2078 for-dollar basis. Each matching contributor shall provide
 2079 donated funds directly to the early learning coalition, the
 2080 coalition's contracted designee, or the Redlands Christian
 2081 Migrant Association. Funds contributed by child care providers
 2082 for the purpose of providing a child care benefit to employees
 2083 may not be matched until the coalition, the coalition's
 2084 contracted designee, or Redlands Christian Migrant Association
 2085 verifies that each employee who will receive a subsidy is
 2086 employed by the child care provider and has enrolled his or her
 2087 child in child care offered by the provider. Funds contributed
 2088 by a county or municipality may not be matched unless the county
 2089 or municipality includes the contribution in the annual budget
 2090 adopted pursuant to s. 129.03 or s. 166.241, as applicable, and
 2091 clearly and unambiguously identifies the amount of the
 2092 contribution and the Child Care Partnership as the recipient of
 2093 the contribution.

2094 2. Expending only those public funds that are matched by
 2095 private businesses, employers, charitable foundations, and other
 2096 not-for-profit entities, counties, municipalities ~~local~~
 2097 ~~government,~~ and children's services councils established
 2098 pursuant to s. 125.901 ~~other matching contributors~~ who
 2099 contribute to the purchasing pool. Parents shall also pay a fee,

2100 which may not be less than the amount identified in the early
 2101 learning coalition's or the Redlands Christian Migrant
 2102 Association's school readiness program sliding fee scale. Funds
 2103 administered by the Child Care Partnership may not be used to
 2104 subsidize fees charged to parents.

2105 ~~(d) Each early learning coalition shall establish a~~
 2106 ~~community child care task force for each child care purchasing~~
 2107 ~~pool. The task force must be composed of employers, parents,~~
 2108 ~~private child care providers, and one representative from the~~
 2109 ~~local children's services council, if one exists in the area of~~
 2110 ~~the purchasing pool. The early learning coalition is expected to~~
 2111 ~~recruit the task force members from existing child care~~
 2112 ~~councils, commissions, or task forces already operating in the~~
 2113 ~~area of a purchasing pool. A majority of the task force shall~~
 2114 ~~consist of employers.~~

2115 (d)(e) Each participating early learning coalition and the
 2116 Redlands Christian Migrant Association shall develop a plan for
 2117 the use of child care purchasing pool funds. The plan must show
 2118 how many children will be served by the purchasing pool, how
 2119 many will be new to receiving child care services, and how the
 2120 ~~early learning coalition~~ or association intends to attract new
 2121 employers and their employees to the program.

2122 (4) The office shall ~~may~~ adopt ~~any~~ rules to implement and
 2123 administer ~~necessary for the implementation and administration~~
 2124 ~~of~~ this section.

2125 (5) This section is repealed July 1, 2018, unless reviewed
2126 and saved from repeal through reenactment by the Legislature.

2127 Section 33. Effective upon this act becoming law, the
2128 Office of Early Learning may allocate or reallocate funds
2129 provided in the 2014-2015 General Appropriations Act and held by
2130 the Child Care Partnership to prevent disenrollment of children
2131 from the school readiness program or child care funded through
2132 the Child Care Partnership.

2133 Section 34. The Office of Early Learning shall conduct a
2134 2-year pilot project to study the impact of assessing the early
2135 literacy skills of Voluntary Prekindergarten Education Program
2136 participants who are English Language Learners, in both English
2137 and Spanish. The assessments must include, at a minimum, the
2138 first administration of the Florida Assessments for Instruction
2139 in Reading in kindergarten and an appropriate alternative
2140 assessment in Spanish. The study must include a review of the
2141 kindergarten screening results for 2009-2010 and 2010-2011
2142 program participants and their subsequent Florida Comprehensive
2143 Assessment Test scores. The office shall report its findings to
2144 the Governor, the President of the Senate, and the Speaker of
2145 the House of Representatives by July 1, 2016, and July 1, 2017.

2146 Section 35. For the 2015-2016 fiscal year, the sums of
2147 \$1,034,965 in recurring funds and \$11,319 in nonrecurring funds
2148 from the General Revenue Fund, and \$70,800 in recurring funds
2149 from the Operations and Maintenance Trust Fund are appropriated
2150 to the Department of Children and Families, and 18 full-time

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2151 equivalent positions with associated salary rate of 608,446 are
2152 authorized, for the purpose of implementing the regulatory
2153 provisions of this act.

2154 Section 36. Except as otherwise expressly provided in this
2155 act and except for this section, which shall take effect upon
2156 this act becoming a law, this act shall take effect July 1,
2157 2015.