



1 A bill to be entitled
2 An act relating to early learning and child care
3 regulation; changing the term "school readiness
4 program" to "child care and development program," the
5 term "school readiness" to "child care and
6 development," the term "family day care home" to
7 "family child care home," and the term "family day
8 care" to "family child care"; providing a directive to
9 the Division of Law Revision and Information; amending
10 ss. 125.0109 and 166.0445, F.S.; including large
11 family child care homes in local zoning regulation
12 requirements; amending s. 402.302, F.S.; revising the
13 definition of the term "substantial compliance";
14 amending s. 402.3025, F.S.; providing requirements for
15 nonpublic schools delivering certain Voluntary
16 Prekindergarten Education (VPK) and child care and
17 development programs; amending s. 402.305, F.S.;
18 revising certain minimum standards for child care
19 facilities; authorizing the Department of Children and
20 Families to adopt rules for compliance by certain
21 programs not licensed by the department; creating s.
22 402.3085, F.S.; authorizing the Department of Children
23 and Families or local licensing agencies to issue a
24 certificate of substantial compliance with minimum
25 child care licensing standards; requiring certain



26 providers to obtain the certificate in order to offer
27 VPK or child care and development programs; amending
28 s. 402.311, F.S.; providing for inspection of programs
29 regulated by the department; amending s. 402.3115,
30 F.S.; providing for abbreviated inspections of
31 specified child care homes; requiring rulemaking;
32 amending s. 402.313, F.S.; revising provisions for
33 licensure, registration, and operation of family day
34 care homes, including requirements for staffing,
35 training, and background screening; amending s.
36 402.3131, F.S.; revising requirements for large family
37 child care homes; amending s. 402.316, F.S., relating
38 to exemptions from child care facility licensing
39 standards; requiring a child care facility operating
40 as a provider of certain VPK or child care programs to
41 comply with minimum standards; providing penalties for
42 failure to disclose or for use of certain information;
43 requiring a fee for inspection and compliance
44 activities; amending s. 627.70161, F.S.; revising
45 restrictions on residential property insurance
46 coverage to include coverage for large family child
47 care homes; amending s. 1001.213, F.S.; providing
48 additional duties of the Office of Early Learning;
49 amending s. 1002.53, F.S.; revising requirements for
50 application and determination of eligibility to enroll



CS/CS/HB 7069, Engrossed 1

2014

51 | in the VPK program; amending s. 1002.55, F.S.;

52 | revising requirements for a school-year

53 | prekindergarten program delivered by a private

54 | prekindergarten provider, including requirements for

55 | providers, instructors, and child care personnel;

56 | providing requirements in the case of provider

57 | violations; amending s. 1002.59, F.S.; correcting a

58 | cross-reference; amending ss. 1002.61 and 1002.63,

59 | F.S.; providing requirements for a charter school

60 | delivering a summer prekindergarten program or a

61 | school-year prekindergarten program; revising

62 | employment requirements and educational credentials of

63 | certain instructional personnel; amending s. 1002.71,

64 | F.S.; revising information that must be reported to

65 | parents; amending s. 1002.75, F.S.; revising

66 | provisions included in the standard statewide VPK

67 | program provider contract; amending s. 1002.77, F.S.;

68 | revising the purpose and meetings of the Florida Early

69 | Learning Advisory Council; amending s. 1002.81, F.S.;

70 | revising certain school readiness program definitions;

71 | amending s. 1002.82, F.S.; revising powers and duties

72 | of the Office of Early Learning; revising provisions

73 | included in the standard statewide school readiness

74 | program provider contract; amending s. 1002.84, F.S.;

75 | revising powers and duties of early learning



CS/CS/HB 7069, Engrossed 1

2014

76 coalitions; amending s. 1002.87, F.S.; revising
77 student eligibility and enrollment requirements for
78 the school readiness program; amending s. 1002.88,
79 F.S.; revising eligibility requirements for delivering
80 the school readiness program; providing requirements
81 in the case of provider violations; providing child
82 care personnel requirements; amending s. 1002.89,
83 F.S.; revising the use of funds for the school
84 readiness program; amending s. 1002.91, F.S.;
85 prohibiting an early learning coalition from
86 contracting with specified persons; amending s.
87 1002.94, F.S.; revising establishment of a community
88 child care task force by an early learning coalition;
89 requiring the Office of Early Learning to conduct a
90 pilot project to study the impact of assessing the
91 early literacy skills of certain VPK program
92 participants; requiring reports to the Governor and
93 Legislature; providing an appropriation and
94 authorizing positions; providing an effective date.

95
96 Be It Enacted by the Legislature of the State of Florida:

97
98 Section 1. The Division of Law Revision and Information is
99 requested to prepare a reviser's bill for the 2015 Regular
100 Session of the Legislature to change the term "school readiness



CS/CS/HB 7069, Engrossed 1

2014

101 program" to "child care and development program," the term
102 "school readiness" to "child care and development," the term
103 "family day care home" to "family child care home," and the term
104 "family day care" to "family child care" wherever the terms
105 appear in the Florida Statutes.

106 Section 2. Section 125.0109, Florida Statutes, is amended
107 to read:

108 125.0109 Family child day care homes and large family
109 child care homes; local zoning regulation.—The operation of a
110 residence as a family child day care home or large family child
111 care home, as defined in s. 402.302, licensed or registered
112 pursuant to s. 402.313 or s. 402.3131, as applicable, as defined
113 by law, registered or licensed with the Department of Children
114 and Family Services shall constitute a valid residential use for
115 purposes of any local zoning regulations, and no such regulation
116 shall require the owner or operator of such family child day
117 care home or large family child care home to obtain any special
118 exemption or use permit or waiver, or to pay any special fee in
119 excess of \$50, to operate in an area zoned for residential use.

120 Section 3. Section 166.0445, Florida Statutes, is amended
121 to read:

122 166.0445 Family child day care homes and large family
123 child care homes; local zoning regulation.—The operation of a
124 residence as a family child day care home or large family child
125 care home, as defined in s. 402.302, licensed or registered



CS/CS/HB 7069, Engrossed 1

2014

126 pursuant to s. 402.313 or s. 402.3131, as applicable, as defined
127 ~~by law, registered or licensed with the Department of Children~~
128 ~~and Family Services~~ shall constitute a valid residential use for
129 purposes of any local zoning regulations, and no such regulation
130 shall require the owner or operator of such family child day
131 care home or large family child care home to obtain any special
132 exemption or use permit or waiver, or to pay any special fee in
133 excess of \$50, to operate in an area zoned for residential use.

134 Section 4. Subsections (8) and (17) of section 402.302,
135 Florida Statutes, are amended to read:

136 402.302 Definitions.—As used in this chapter, the term:

137 (8) "Family child day care home" means an occupied
138 residence in which child care is regularly provided for children
139 from at least two unrelated families and which receives a
140 payment, fee, or grant for any of the children receiving care,
141 whether or not operated for profit. Household children under 13
142 years of age, when on the premises of the family child day care
143 home or on a field trip with children enrolled in child care,
144 shall be included in the overall capacity of the licensed home.
145 A family child day care home shall be allowed to provide care
146 for one of the following groups of children, which shall include
147 household children under 13 years of age:

148 (a) A maximum of four children from birth to 12 months of
149 age.

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



CS/CS/HB 7069, Engrossed 1

2014

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

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

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

157 (17) "Substantial compliance" means, for purposes of
158 programs operating under s. 1002.55, s. 1002.61, or s. 1002.88,
159 ~~that level of adherence to adopted standards~~ which is sufficient
160 to safeguard the health, safety, and well-being of all children
161 under care. The standards must address requirements found in s.
162 402.305 and are limited to supervision, transportation, access,
163 health-related requirements, food and nutrition, personnel
164 screening, records, and enforcement of these standards. The
165 standards must not limit or exclude the curriculum provided by a
166 faith-based provider or nonpublic school. Substantial compliance
167 ~~is greater than minimal adherence but not to the level of~~
168 ~~absolute adherence. Where a violation or variation is identified~~
169 ~~as the type which impacts, or can be reasonably expected within~~
170 ~~90 days to impact, the health, safety, or well-being of a child,~~
171 ~~there is no substantial compliance.~~

172 Section 5. Paragraphs (d) and (e) of subsection (2) of
173 section 402.3025, Florida Statutes, are amended to read:

174 402.3025 Public and nonpublic schools.—For the purposes of
175 ss. 402.301-402.319, the following shall apply:



CS/CS/HB 7069, Engrossed 1

2014

176 (2) NONPUBLIC SCHOOLS.—

177 (d)1. Nonpublic schools delivering programs under s.
178 1002.55, s. 1002.61, or s. 1002.88 ~~Programs for children who are~~
179 ~~at least 3 years of age, but under 5 years of age,~~ which are not
180 licensed under ss. 402.301-402.319 shall substantially comply
181 with the minimum child care standards adopted ~~promulgated~~
182 pursuant to ss. 402.305-402.3057.

183 2. The department or local licensing agency shall enforce
184 compliance with such standards, where possible, to eliminate or
185 minimize duplicative inspections or visits by staff enforcing
186 the minimum child care standards and staff enforcing other
187 standards under the jurisdiction of the department.

188 3. The department or local licensing agency may inspect
189 programs operating under this paragraph and pursue
190 administrative or judicial action under ss. 402.310-402.312
191 against nonpublic schools operating under this paragraph
192 ~~commence and maintain all proper and necessary actions and~~
193 ~~proceedings for any or all of the following purposes:~~

194 a. ~~to protect the health, sanitation, safety, and well-~~
195 ~~being of all children under care.~~

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

197 c. ~~To use corrective action plans, whenever possible, to~~
198 ~~attain compliance prior to the use of more restrictive~~
199 ~~enforcement measures.~~

200 d. ~~To make application for injunction to the proper~~



201 ~~circuit court, and the judge of that court shall have~~
202 ~~jurisdiction upon hearing and for cause shown to grant a~~
203 ~~temporary or permanent injunction, or both, restraining any~~
204 ~~person from violating or continuing to violate any of the~~
205 ~~provisions of ss. 402.301-402.319. Any violation of this section~~
206 ~~or of the standards applied under ss. 402.305-402.3057 which~~
207 ~~threatens harm to any child in the school's programs for~~
208 ~~children who are at least 3 years of age, but are under 5 years~~
209 ~~of age, or repeated violations of this section or the standards~~
210 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~
211 ~~injunction to close a program in a school.~~

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

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

218 a. Fail, by false statement, misrepresentation,
219 impersonation, or other fraudulent means, to disclose in any
220 required written documentation for exclusion from licensure
221 pursuant to this section a material fact used in making a
222 determination as to such exclusion; or

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



CS/CS/HB 7069, Engrossed 1

2014

226 sections or release such information to any other person for any
227 purpose other than screening for employment as specified in
228 those sections.

229 5. It is a felony of the third degree, punishable as
230 provided in s. 775.082, s. 775.083, or s. 775.084, for any
231 person willfully, knowingly, or intentionally to use information
232 from the juvenile records of any person obtained under s.
233 402.305 or s. 402.3055 for any purpose other than screening for
234 employment as specified in those sections or to release
235 information from such records to any other person for any
236 purpose other than screening for employment as specified in
237 those sections.

238 6. The inclusion of nonpublic schools within options
239 available under ss. 1002.55, 1002.61, and 1002.88 does not
240 expand the regulatory authority of the state, its officers, any
241 local licensing agency, or any early learning coalition to
242 impose any additional regulation of nonpublic schools beyond
243 those reasonably necessary to enforce requirements expressly set
244 forth in this paragraph.

245 ~~(c) The department and the nonpublic school accrediting~~
246 ~~agencies are encouraged to develop agreements to facilitate the~~
247 ~~enforcement of the minimum child care standards as they relate~~
248 ~~to the schools which the agencies accredit.~~

249 Section 6. Paragraphs (a) and (d) of subsection (2),
250 paragraph (b) of subsection (9), and subsections (10) and (18)



CS/CS/HB 7069, Engrossed 1

2014

251 of section 402.305, Florida Statutes, are amended, and
252 subsection (19) is added to that section, to read:

253 402.305 Licensing standards; child care facilities.—

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

256 (a) Good moral character based upon screening, according
257 to the level 2 screening requirements of. ~~This screening shall~~
258 ~~be conducted as provided in chapter 435, using the level 2~~
259 ~~standards for screening set forth in that chapter.~~ In addition
260 to the offenses listed in s. 435.04, all child care personnel
261 required to undergo background screening pursuant to this
262 section must not have an arrest awaiting final disposition for,
263 must not have been found guilty of, regardless of adjudication,
264 or entered a plea of nolo contendere or guilty to, and must not
265 have been adjudicated delinquent and the record not have been
266 sealed or expunged for an offense specified in s. 39.205. Before
267 employing child care personnel subject to this section, the
268 employer must conduct employment history checks of each of the
269 personnel's previous employers and document the findings. If
270 unable to contact a previous employer, the employer must
271 document efforts to contact the employer.

272 (d) Minimum training requirements for child care
273 personnel.

274 1. Such minimum standards for training shall ensure that
275 all child care personnel take an approved 40-clock-hour



CS/CS/HB 7069, Engrossed 1

2014

276 introductory course in child care, which course covers at least
277 the following topic areas:

278 a. State and local rules and regulations which govern
279 child care.

280 b. Health, safety, and nutrition.

281 c. Identifying and reporting child abuse and neglect.

282 d. Child development, including typical and atypical
283 language, cognitive, motor, social, and self-help skills
284 development.

285 e. Observation of developmental behaviors, including using
286 a checklist or other similar observation tools and techniques to
287 determine the child's developmental age level.

288 f. Specialized areas, including computer technology for
289 professional and classroom use and numeracy, early literacy, and
290 language development of children from birth to 5 years of age,
291 as determined by the department, for owner-operators and child
292 care personnel of a child care facility.

293 g. Developmental disabilities, including autism spectrum
294 disorder and Down syndrome, and early identification, use of
295 available state and local resources, classroom integration, and
296 positive behavioral supports for children with developmental
297 disabilities.

298

299 Within 90 days after employment, child care personnel shall
300 begin training to meet the training requirements. Child care



CS/CS/HB 7069, Engrossed 1

2014

301 personnel shall successfully complete such training within 1
302 year after the date on which the training began, as evidenced by
303 passage of a competency examination. Successful completion of
304 the 40-clock-hour introductory course shall articulate into
305 community college credit in early childhood education, pursuant
306 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
307 the required training shall be granted to child care personnel
308 based upon educational credentials or passage of competency
309 examinations. Child care personnel possessing a 2-year degree or
310 higher that includes 6 college credit hours in early childhood
311 development or child growth and development, or a child
312 development associate credential or an equivalent state-approved
313 child development associate credential, or a child development
314 associate waiver certificate shall be automatically exempted
315 from the training requirements in sub-subparagraphs b., d., and
316 e.

317 2. The introductory course in child care shall stress, to
318 the extent possible, an interdisciplinary approach to the study
319 of children.

320 3. The introductory course shall cover recognition and
321 prevention of shaken baby syndrome; prevention of sudden infant
322 death syndrome; recognition and care of infants and toddlers
323 with developmental disabilities, including autism spectrum
324 disorder and Down syndrome; and early childhood brain
325 development within the topic areas identified in this paragraph.



CS/CS/HB 7069, Engrossed 1

2014

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

332 5. Child care personnel shall be required to complete 0.5
333 continuing education unit of approved training or 5 clock hours
334 of equivalent training, as determined by the department, in
335 numeracy, early literacy, and language development of children
336 from birth to 5 years of age one time. The year that this
337 training is completed, it shall fulfill the 0.5 continuing
338 education unit or 5 clock hours of the annual training required
339 in subparagraph 4.

340 6. Procedures for ensuring the training of qualified child
341 care professionals to provide training of child care personnel,
342 including onsite training, shall be included in the minimum
343 standards. It is recommended that the state community child care
344 coordination agencies (central agencies) be contracted by the
345 department to coordinate such training when possible. Other
346 district educational resources, such as community colleges and
347 career programs, can be designated in such areas where central
348 agencies may not exist or are determined not to have the
349 capability to meet the coordination requirements set forth by
350 the department.



CS/CS/HB 7069, Engrossed 1

2014

351 7. Training requirements shall not apply to certain
352 occasional or part-time support staff, including, but not
353 limited to, swimming instructors, piano teachers, dance
354 instructors, and gymnastics instructors.

355 8. The department shall evaluate or contract for an
356 evaluation for the general purpose of determining the status of
357 and means to improve staff training requirements and testing
358 procedures. The evaluation shall be conducted every 2 years. The
359 evaluation shall include, but not be limited to, determining the
360 availability, quality, scope, and sources of current staff
361 training; determining the need for specialty training; and
362 determining ways to increase inservice training and ways to
363 increase the accessibility, quality, and cost-effectiveness of
364 current and proposed staff training. The evaluation methodology
365 shall include a reliable and valid survey of child care
366 personnel.

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

371 (9) ADMISSIONS AND RECORDKEEPING.—

372 (b) ~~During the months of August and September of each~~
373 ~~year,~~ Each child care facility shall provide parents of children
374 enrolling ~~enrolled~~ in the facility detailed information
375 regarding the causes, symptoms, and transmission of the



CS/CS/HB 7069, Engrossed 1

2014

376 influenza virus in an effort to educate those parents regarding
377 the importance of immunizing their children against influenza as
378 recommended by the Advisory Committee on Immunization Practices
379 of the Centers for Disease Control and Prevention.

380 (10) TRANSPORTATION SAFETY.—Minimum standards shall
381 include requirements for child restraints or seat belts in
382 vehicles used by child care facilities, ~~and~~ large family child
383 care homes, and licensed family child care homes to transport
384 children, requirements for annual inspections of the vehicles,
385 limitations on the number of children in the vehicles, and
386 accountability for children being transported.

387 (18) TRANSFER OF OWNERSHIP.—

388 (a) One week before ~~prior to~~ the transfer of ownership of
389 a child care facility, ~~or~~ family child ~~day~~ care home, or large
390 family child care home, the transferor shall notify the parent
391 or caretaker of each child of the impending transfer.

392 (b) The owner of a child care facility, family child care
393 home, or large family child care home may not transfer ownership
394 to a relative of the operator if the operator has had his or her
395 license suspended or revoked by the department pursuant to s.
396 402.310, has received notice from the department that reasonable
397 cause exists to suspend or revoke the license, or has been
398 placed on the United States Department of Agriculture National
399 Disqualified list. For purposes of this paragraph, "relative"
400 means father, mother, son, daughter, grandfather, grandmother,



CS/CS/HB 7069, Engrossed 1

2014

401 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
402 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
403 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
404 stepdaughter, stepbrother, stepsister, half brother, or half
405 sister.

406 (c) ~~(b)~~ The department shall, by rule, establish methods by
407 which notice will be achieved and minimum standards by which to
408 implement this subsection.

409 (19) RULES.—The department may adopt rules to define and
410 enforce substantial compliance with minimum standards for child
411 care facilities for programs operating under s. 1002.55, s.
412 1002.61, or s. 1002.88 that are regulated but not licensed by
413 the department.

414 Section 7. Section 402.3085, Florida Statutes, is created
415 to read:

416 402.3085 Certificate of substantial compliance with
417 minimum child care standards.—Each nonpublic school or provider
418 seeking to operate a program pursuant to s. 402.3025(2) (d) or s.
419 402.316(4), respectively, shall annually obtain a certificate
420 from the department or local licensing agency in the manner and
421 on the forms prescribed by the department or local licensing
422 agency. An annual certificate or a renewal of an annual
423 certificate shall be issued upon an examination of the
424 applicant's premises and records to determine that the applicant
425 is in substantial compliance with the minimum child care



CS/CS/HB 7069, Engrossed 1

2014

426 standards. A provider may not participate in these programs
427 without this certification. Local licensing agencies may apply
428 their own minimum child care standards if the department
429 determines that such standards meet or exceed department
430 standards as provided in s. 402.307.

431 Section 8. Section 402.311, Florida Statutes, is amended
432 to read:

433 402.311 Inspection.—A licensed child care facility or
434 program regulated by the department shall accord to the
435 department or the local licensing agency, whichever is
436 applicable, the privilege of inspection, including access to
437 facilities and personnel and to those records required in s.
438 402.305, at reasonable times during regular business hours, to
439 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.
440 The right of entry and inspection shall also extend to any
441 premises which the department or local licensing agency has
442 reason to believe are being operated or maintained as a child
443 care facility or program ~~without a license~~, but no such entry or
444 inspection of any premises shall be made without the permission
445 of the person in charge thereof unless a warrant is first
446 obtained from the circuit court authorizing same. Any
447 application for a license, application for authorization to
448 operate a child care program which must maintain substantial
449 compliance with child care standards adopted under this chapter,
450 or renewal of such license or authorization ~~made pursuant to~~



CS/CS/HB 7069, Engrossed 1

2014

451 ~~this act~~ or the advertisement to the public for the provision of
452 child care as defined in s. 402.302 shall constitute permission
453 for any entry or inspection of the subject premises ~~for which~~
454 ~~the license is sought in order~~ to facilitate verification of the
455 information submitted on or in connection with the application.
456 In the event a ~~licensed~~ facility or program refuses permission
457 for entry or inspection to the department or local licensing
458 agency, a warrant shall be obtained from the circuit court
459 authorizing same before ~~prior to~~ such entry or inspection. The
460 department or local licensing agency may institute disciplinary
461 proceedings pursuant to s. 402.310~~7~~ for such refusal.

462 Section 9. Section 402.3115, Florida Statutes, is amended
463 to read:

464 402.3115 ~~Elimination of duplicative and unnecessary~~
465 ~~inspections;~~ Abbreviated inspections. ~~The Department of Children~~
466 ~~and Family Services and local governmental agencies that license~~
467 ~~child care facilities shall develop and implement a plan to~~
468 ~~eliminate duplicative and unnecessary inspections of child care~~
469 ~~facilities. In addition,~~ The department and the local licensing
470 ~~governmental~~ agencies shall conduct ~~develop and implement an~~
471 abbreviated inspections of inspection plan for child care
472 facilities licensed under s. 402.305, family child care homes
473 licensed under s. 402.313, and large family child care homes
474 licensed under s. 402.3131 that have had no Class I ~~1~~ or Class
475 II violations ~~2 deficiencies~~, as defined by rule, for at least 2



CS/CS/HB 7069, Engrossed 1

2014

476 consecutive years. The abbreviated inspection must include those
477 elements identified by the department and the local licensing
478 ~~governmental~~ agencies as being key indicators of whether the
479 child care facility continues to provide quality care and
480 programming. The department shall adopt rules establishing
481 criteria and procedures for abbreviated inspections and
482 inspection schedules that provide for both announced and
483 unannounced inspections.

484 Section 10. Section 402.313, Florida Statutes, is amended
485 to read:

486 402.313 Family child day care homes.-

487 (1) A family child day care home must ~~homes shall~~ be
488 licensed under this section ~~act~~ if it is ~~they are~~ presently
489 being licensed under an existing county licensing ordinance, ~~or~~
490 ~~if~~ the board of county commissioners passes a resolution that
491 requires licensure of family child day care homes, or the family
492 child care home is operating a program under s. 1002.55, s.
493 1002.61, or s. 1002.88 ~~be licensed~~. Each licensed or registered
494 family child care home must conspicuously display its license or
495 registration in an area viewable by all parents during hours of
496 operation.

497 (a) If not subject to license, a family child day care
498 home must comply with this section and ~~homes shall~~ register
499 annually with the department, providing the following
500 information:



- 501 1. The name and address of the home.
- 502 2. The name of the operator.
- 503 3. The number of children served.
- 504 4. Proof of a written plan to identify a ~~provide at least~~
505 ~~one other~~ competent adult who has met the screening and training
506 requirements of the department to serve as a designated ~~to be~~
507 ~~available to~~ substitute for the operator ~~in an emergency~~. This
508 plan must ~~shall~~ include the name, address, and telephone number
509 of the designated substitute who will serve in the absence of
510 the operator.
- 511 ~~5. Proof of screening and background checks.~~
- 512 ~~6. Proof of successful completion of the 30-hour training~~
513 ~~course, as evidenced by passage of a competency examination,~~
514 ~~which shall include:~~
- 515 ~~a. State and local rules and regulations that govern child~~
516 ~~care.~~
- 517 ~~b. Health, safety, and nutrition.~~
- 518 ~~c. Identifying and reporting child abuse and neglect.~~
- 519 ~~d. Child development, including typical and atypical~~
520 ~~language development; and cognitive, motor, social, and self-~~
521 ~~help skills development.~~
- 522 ~~e. Observation of developmental behaviors, including using~~
523 ~~a checklist or other similar observation tools and techniques to~~
524 ~~determine a child's developmental level.~~
- 525 ~~f. Specialized areas, including early literacy and~~



CS/CS/HB 7069, Engrossed 1

2014

526 ~~language development of children from birth to 5 years of age,~~
527 ~~as determined by the department, for owner-operators of family~~
528 ~~day care homes.~~

529 5.7. Proof that immunization records are kept current.

530 ~~8. Proof of completion of the required continuing~~
531 ~~education units or clock hours.~~

532

533 Upon receipt of registration information submitted by a family
534 child care home, the department shall verify that the home is in
535 compliance with the background screening requirements of
536 subsection (3) and that the operator and the designated
537 substitute are in compliance with applicable training
538 requirements of subsection (4).

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

541 (c) The department may provide technical assistance to
542 counties and operators of family child day care homes ~~home~~
543 ~~providers~~ to enable counties and operators ~~family day care~~
544 ~~providers~~ to achieve compliance with family child day care home
545 ~~homes~~ standards.

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

549 (3) Child care personnel in family child day care homes
550 are ~~shall be~~ subject to the applicable screening provisions



551 contained in ss. 402.305(2) and 402.3055. For purposes of
552 screening in family child day care homes, the term "child care
553 personnel" includes the operator, the designated substitute, any
554 member over the age of 12 years of a family child day care home
555 operator's family, or persons over the age of 12 years residing
556 with the operator in the family child day care home. Members of
557 the operator's family, or persons residing with the operator,
558 who are between the ages of 12 years and 18 years shall not be
559 required to be fingerprinted~~,~~ but shall be screened for
560 delinquency records.

561 (4) (a) Before licensure and before caring for children,
562 operators of family child day care homes and an individual
563 serving as a substitute for the operator who works 40 hours or
564 more per month on average must:

565 1. Successfully complete an approved 30-clock-hour
566 introductory course in child care, as evidenced by passage of a
567 competency examination, ~~before caring for children.~~ The course
568 must include:

569 a. State and local rules and regulations that govern child
570 care.

571 b. Health, safety, and nutrition.

572 c. Identifying and reporting child abuse and neglect.

573 d. Child development, including typical and atypical
574 language development, and cognitive, motor, social, and
575 executive functioning skills development.



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

579 f. Specialized areas, including numeracy, early literacy,
580 and language development of children from birth to 5 years of
581 age, as determined by the department, for operators of family
582 child care homes.

583 ~~(5) In order to further develop their child care skills~~
584 ~~and, if appropriate, their administrative skills, operators of~~
585 ~~family day care homes shall be required to complete an~~
586 ~~additional 1 continuing education unit of approved training or~~
587 ~~10 clock hours of equivalent training, as determined by the~~
588 ~~department, annually.~~

589 ~~2.(6) Operators of family day care homes shall be required~~
590 ~~to~~ Complete 0.5 continuing education unit of approved training
591 in numeracy, early literacy, and language development of
592 children from birth to 5 years of age one time. For an operator,
593 the year that this training is completed, it shall fulfill the
594 0.5 continuing education unit or 5 clock hours of the annual
595 training required in paragraph (c) subsection (5).

596 3. Complete training in first aid and infant and child
597 cardiopulmonary resuscitation as evidenced by current
598 documentation of course completion.

599 (b) Before licensure and before caring for children,
600 family child care home substitutes who work fewer than 40 hours



601 per month on average must complete the department's 6-clock-hour
602 Family Child Care Home Rules and Regulations training, as
603 evidenced by successful completion of a competency examination
604 and first aid and infant and child cardiopulmonary resuscitation
605 training under subparagraph (a)3. A substitute who has
606 successfully completed the 3-clock-hour Fundamentals of Child
607 Care training established by rules of the department or the 30-
608 clock-hour training under subparagraph (a)1. is not required to
609 complete the 6-clock-hour Family Child Care Home Rules and
610 Regulations training.

611 (c) Operators of family day care homes must annually
612 complete an additional 1 continuing education unit of approved
613 training regarding child care and administrative skills or 10
614 clock hours of equivalent training, as determined by the
615 department.

616 (5)-(7) Operators of family child day care homes must ~~shall~~
617 ~~be required~~ annually ~~to~~ complete a health and safety home
618 inspection self-evaluation checklist developed by the department
619 in conjunction with the statewide resource and referral program.
620 The completed checklist shall be signed by the operator of the
621 family child day care home and provided to parents as
622 certification that basic health and safety standards are being
623 met.

624 (6)-(8) Operators of family child day care homes ~~home~~
625 ~~operators~~ may avail themselves of supportive services offered by



626 the department.

627 ~~(7)-(9)~~ The department shall prepare a brochure on family
628 child day care for distribution by the department and by local
629 licensing agencies, if appropriate, to family child day care
630 homes for distribution to parents using ~~utilizing~~ such child
631 care, and to all interested persons, including physicians and
632 other health professionals; mental health professionals; school
633 teachers or other school personnel; social workers or other
634 professional child care, foster care, residential, or
635 institutional workers; and law enforcement officers. The
636 brochure shall, at a minimum, contain the following information:

637 (a) A brief description of the requirements for family
638 child day care registration, training, and background
639 ~~fingerprinting and~~ screening.

640 (b) A listing of those counties that require licensure of
641 family child day care homes. Such counties shall provide an
642 addendum to the brochure that provides a brief description of
643 the licensure requirements or may provide a brochure in lieu of
644 the one described in this subsection, provided it contains all
645 the required information on licensure and the required
646 information in the subsequent paragraphs.

647 (c) A statement indicating that information about the
648 family child day care home's compliance with applicable state or
649 local requirements can be obtained from ~~by telephoning~~ the
650 department ~~office~~ or ~~the office of~~ the local licensing agency,



CS/CS/HB 7069, Engrossed 1

2014

651 including the, if appropriate, at a telephone number or numbers
652 and website address for the department or local licensing
653 agency, as applicable ~~which shall be affixed to the brochure.~~

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

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

664 ~~(8)(10)~~ On an annual basis, the department shall evaluate
665 the registration and licensure system for family child day care
666 homes. Such evaluation shall, at a minimum, address the
667 following:

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

670 (b) The number of children being served in both registered
671 and licensed family child day care homes and any available slots
672 in such homes.

673 (c) The number of complaints received concerning family
674 child day care, the nature of the complaints, and the resolution
675 of such complaints.



CS/CS/HB 7069, Engrossed 1

2014

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

679

680 The evaluation shall be used ~~utilized~~ by the department in any
681 administrative modifications or adjustments to be made in the
682 registration of family child ~~day~~ care homes or in any
683 legislative requests for modifications to the system of
684 registration or to other requirements for family child ~~day~~ care
685 homes.

686 ~~(11) In order to inform the public of the state~~
687 ~~requirement for registration of family day care homes as well as~~
688 ~~the other requirements for such homes to legally operate in the~~
689 ~~state, the department shall institute a media campaign to~~
690 ~~accomplish this end. Such a campaign shall include, at a~~
691 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
692 ~~and television advertisements.~~

693 (9) ~~(12)~~ Notwithstanding any other state or local law or
694 ordinance, any family child ~~day~~ care home licensed pursuant to
695 this chapter or pursuant to a county ordinance shall be charged
696 the utility rates accorded to a residential home. A licensed
697 family child ~~day~~ care home may not be charged commercial utility
698 rates.

699 (10) ~~(13)~~ The department shall, by rule, establish minimum
700 standards for family child ~~day~~ care homes that are required to



CS/CS/HB 7069, Engrossed 1

2014

701 be licensed by county licensing ordinance or county licensing
702 resolution or that voluntarily choose to be licensed. The
703 standards should include requirements for staffing, training,
704 maintenance of immunization records, minimum health and safety
705 standards, reduced standards for the regulation of child care
706 during evening hours by municipalities and counties, and
707 enforcement of standards. Additionally, the department shall, by
708 rule, adopt procedures for verifying a registered family child
709 care home's compliance with background screening and training
710 requirements.

711 ~~(11)-(14) During the months of August and September of each~~
712 ~~year,~~ Each family child day care home shall provide parents of
713 children enrolling ~~enrolled~~ in the home detailed information
714 regarding the causes, symptoms, and transmission of the
715 influenza virus in an effort to educate those parents regarding
716 the importance of immunizing their children against influenza as
717 recommended by the Advisory Committee on Immunization Practices
718 of the Centers for Disease Control and Prevention.

719 Section 11. Subsections (3), (5), and (9) of section
720 402.3131, Florida Statutes, are amended, and subsection (10) is
721 added to that section, to read:

722 402.3131 Large family child care homes.—

723 (3) Operators of large family child care homes must
724 successfully complete an approved 40-clock-hour introductory
725 course in group child care, including numeracy, early literacy,



726 and language development of children from birth to 5 years of
727 age, as evidenced by passage of a competency examination.

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

731 (5) Operators of large family child care homes shall be
732 required to complete 0.5 continuing education unit of approved
733 training or 5 clock hours of equivalent training, as determined
734 by the department, in numeracy, early literacy, and language
735 development of children from birth to 5 years of age one time.
736 The year that this training is completed, it shall fulfill the
737 0.5 continuing education unit or 5 clock hours of the annual
738 training required in subsection (4).

739 (9) ~~During the months of August and September of each~~
740 ~~year,~~ Each large family child care home shall provide parents of
741 children enrolling ~~enrolled~~ in the home detailed information
742 regarding the causes, symptoms, and transmission of the
743 influenza virus in an effort to educate those parents regarding
744 the importance of immunizing their children against influenza as
745 recommended by the Advisory Committee on Immunization Practices
746 of the Centers for Disease Control and Prevention.

747 (10) Notwithstanding any other state or local law or
748 ordinance, any large family child care home licensed pursuant to
749 this chapter or pursuant to a county ordinance shall be charged
750 the utility rates accorded to a residential home. Such a home



CS/CS/HB 7069, Engrossed 1

2014

751 may not be charged commercial utility rates.

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

754 402.316 Exemptions.—

755 (4) A child care facility operating under subsection (1)
756 that is applying to operate or is operating as a provider of a
757 program described in s. 1002.55, s. 1002.61, or s. 1002.88 must
758 substantially comply with the minimum standards for child care
759 facilities adopted pursuant to ss. 402.305-402.3057 and must
760 allow the department or local licensing agency access to monitor
761 and enforce compliance with such standards.

762 (a) The department or local licensing agency may pursue
763 administrative or judicial action under ss. 402.310-402.312 and
764 the rules adopted under those sections against any child care
765 facility operating under this subsection to enforce substantial
766 compliance with child care facility minimum standards or to
767 protect the health, safety, and well-being of any children in
768 the facility's care. A child care facility operating under this
769 subsection is subject to ss. 402.310-402.312 and the rules
770 adopted under those sections to the same extent as a child care
771 facility licensed under ss. 402.301-402.319.

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

775 1. Fail, by false statement, misrepresentation,



CS/CS/HB 7069, Engrossed 1

2014

776 impersonation, or other fraudulent means, to disclose in any
777 required written documentation for exclusion from licensure
778 pursuant to this section a material fact used in making a
779 determination as to such exclusion; or

780 2. Use information from the criminal records obtained
781 under s. 402.305 or s. 402.3055 for a purpose other than
782 screening that person for employment as specified in those
783 sections or to release such information to any other person for
784 a purpose other than screening for employment as specified in
785 those sections.

786 (c) It is a felony of the third degree, punishable as
787 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
788 willfully, knowingly, or intentionally to use information from
789 the juvenile records of a person obtained under s. 402.305 or s.
790 402.3055 for a purpose other than screening for employment as
791 specified in those sections or to release information from such
792 records to any other person for a purpose other than screening
793 for employment as specified in those sections.

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

799 (6) The inclusion of a child care facility operating under
800 subsection (1) as a provider of a program described in s.



CS/CS/HB 7069, Engrossed 1

2014

801 1002.55, s. 1002.61, or s. 1002.88 does not expand the
802 regulatory authority of the state, its officers, any local
803 licensing agency, or any early learning coalition to impose any
804 additional regulation of child care facilities beyond those
805 reasonably necessary to enforce requirements expressly set forth
806 in this section.

807 Section 13. Section 627.70161, Florida Statutes, is
808 amended to read:

809 627.70161 Residential property insurance coverage; family
810 child ~~day~~ care homes and large family child care homes
811 insurance.—

812 (1) PURPOSE AND INTENT.—The Legislature recognizes that
813 family child ~~day~~ care homes and large family child care homes
814 fulfill a vital role in providing child care in Florida. It is
815 the intent of the Legislature that residential property
816 insurance coverage should not be canceled, denied, or nonrenewed
817 solely because child ~~on the basis of the family day care~~
818 services are provided at the residence. The Legislature also
819 recognizes that the potential liability of residential property
820 insurers is substantially increased by the rendition of child
821 care services on the premises. The Legislature therefore finds
822 that there is a public need to specify that contractual
823 liabilities associated ~~that arise in connection~~ with the
824 operation of a ~~the~~ family child ~~day~~ care home or large family
825 child care home are excluded from residential property insurance



CS/CS/HB 7069, Engrossed 1

2014

826 policies unless they are specifically included in such coverage.

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

828 (a) "Child care" means the care, protection, and
829 supervision of a child, for a period up to ~~of less than~~ 24 hours
830 a day on a regular basis, which supplements parental care,
831 enrichment, and health supervision for the child, in accordance
832 with his or her individual needs, and for which a payment, fee,
833 or grant is made for care.

834 (b) "Family child ~~day~~ care home" has the same meaning as
835 provided in s. 402.302(8) ~~means an occupied residence in which~~
836 ~~child care is regularly provided for children from at least two~~
837 ~~unrelated families and which receives a payment, fee, or grant~~
838 ~~for any of the children receiving care, whether or not operated~~
839 ~~for a profit.~~

840 (c) "Large family child care home" has the same meaning as
841 provided in s. 402.302(11).

842 (3) CHILD FAMILY DAY CARE; COVERAGE.—A residential
843 property insurance policy shall not provide coverage for
844 liability for claims arising out of, or in connection with, the
845 operation of a family child ~~day~~ care home or large family child
846 care home, and the insurer shall be under no obligation to
847 defend against lawsuits covering such claims, unless:

848 (a) Specifically covered in a policy; or

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



CS/CS/HB 7069, Engrossed 1

2014

851 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
852 insurer may not deny, cancel, or refuse to renew a policy for
853 residential property insurance solely on the basis that the
854 policyholder or applicant operates a family child day care home
855 or large family child care home. In addition to other lawful
856 reasons for refusing to insure, an insurer may deny, cancel, or
857 refuse to renew a policy of a family child day care home or
858 large family child care home provider if one or more of the
859 following conditions occur:

860 (a) The policyholder or applicant provides care for more
861 children than authorized for family child day care homes or
862 large family child care homes by s. 402.302;

863 (b) The policyholder or applicant fails to maintain a
864 separate commercial liability policy or an endorsement providing
865 liability coverage for ~~the~~ family child day care home or large
866 family child care home operations;

867 (c) The policyholder or applicant fails to comply with the
868 family child day care home licensure and registration
869 requirements specified in s. 402.313 or the large family child
870 care home licensure requirements specified in s. 402.3131; or

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



CS/CS/HB 7069, Engrossed 1

2014

876 insured.

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

879 1001.213 Office of Early Learning.—There is created within
880 the Office of Independent Education and Parental Choice the
881 Office of Early Learning, as required under s. 20.15, which
882 shall be administered by an executive director. The office shall
883 be fully accountable to the Commissioner of Education but shall:

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

886 (8) Hire an inspector general who reports directly to the
887 executive director of the office and to the Chief Inspector
888 General pursuant to s. 14.32.

889 (9) By July 1, 2016, develop and implement, in
890 consultation with early learning coalitions and providers of the
891 Voluntary Prekindergarten Education Program and the child care
892 and development program, best practices for providing parental
893 notifications in the parent's native language to a parent whose
894 native language is a language other than English.

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

897 1002.53 Voluntary Prekindergarten Education Program;
898 eligibility and enrollment.—

899 (4) (a) Each parent enrolling a child in the Voluntary
900 Prekindergarten Education Program must complete and submit an



CS/CS/HB 7069, Engrossed 1

2014

901 application to the early learning coalition through the single
902 point of entry established under s. 1002.82 or to a private
903 prekindergarten provider if the provider is authorized by the
904 early learning coalition to determine student eligibility for
905 enrollment in the program.

906 (b) The application must be submitted on forms prescribed
907 by the Office of Early Learning and must be accompanied by a
908 certified copy of the child's birth certificate. The forms must
909 include a certification, in substantially the form provided in
910 s. 1002.71(6)(b)2., that the parent chooses the private
911 prekindergarten provider or public school in accordance with
912 this section and directs that payments for the program be made
913 to the provider or school. The Office of Early Learning may
914 authorize alternative methods for submitting proof of the
915 child's age in lieu of a certified copy of the child's birth
916 certificate.

917 (c) If a private prekindergarten provider has been
918 authorized to determine child eligibility and enrollment, upon
919 receipt of an application, the provider must:

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

922 2. Retain the original application and certified copy of
923 the child's birth certificate or authorized alternative proof of
924 age on file for at least 5 years.

925



CS/CS/HB 7069, Engrossed 1

2014

926 The early learning coalition may audit applications held by a
927 private prekindergarten provider in the coalition's service area
928 to determine whether children enrolled and reported for funding
929 by the provider have met the eligibility criteria in subsection
930 (2).

931 (d)(e) Each early learning coalition shall coordinate with
932 each of the school districts within the coalition's county or
933 multicounty region in the development of procedures for
934 enrolling children in prekindergarten programs delivered by
935 public schools, including procedures for making child
936 eligibility determinations and auditing enrollment records to
937 confirm that enrolled children have met eligibility
938 requirements.

939 Section 16. Section 1002.55, Florida Statutes, is amended
940 to read:

941 1002.55 School-year prekindergarten program delivered by
942 private prekindergarten providers.—

943 (1) Each early learning coalition shall administer the
944 Voluntary Prekindergarten Education Program at the county or
945 regional level for students enrolled under s. 1002.53(3)(a) in a
946 school-year prekindergarten program delivered by a private
947 prekindergarten provider. Each early learning coalition must
948 cooperate with the Office of Early Learning and the Child Care
949 Services Program Office of the Department of Children and
950 Families to reduce paperwork and to avoid duplicating



951 interagency activities, health and safety monitoring, and
952 acquiring and composing data pertaining to child care training
953 and credentialing.

954 (2) Each school-year prekindergarten program delivered by
955 a private prekindergarten provider must comprise at least 540
956 instructional hours.

957 (3) To be eligible to deliver the prekindergarten program,
958 a private prekindergarten provider must meet each of the
959 following requirements:

960 ~~(a) The private prekindergarten provider must be a child~~
961 ~~care facility licensed under s. 402.305, family day care home~~
962 ~~licensed under s. 402.313, large family child care home licensed~~
963 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
964 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
965 ~~licensure under s. 402.316.~~

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

967 1. Be accredited by an accrediting association that is a
968 member of the National Council for Private School Accreditation,
969 or the Florida Association of Academic Nonpublic Schools, or be
970 accredited by the Southern Association of Colleges and Schools,
971 or Western Association of Colleges and Schools, or North Central
972 Association of Colleges and Schools, or Middle States
973 Association of Colleges and Schools, or New England Association
974 of Colleges and Schools; and have written accreditation
975 standards that meet or exceed the state's licensing requirements



CS/CS/HB 7069, Engrossed 1

2014

976 | under s. 402.305, s. 402.313, or s. 402.3131 and require at
977 | least one onsite visit to the provider or school before
978 | accreditation is granted;

979 | 2. Hold a current Gold Seal Quality Care designation under
980 | s. 402.281; ~~or~~

981 | 3. Be licensed under s. 402.305, s. 402.313, or s.
982 | 402.3131; or

983 | 4. Be a child development center located on a military
984 | installation that is certified by the United States Department
985 | of Defense.

986 | (b) The private prekindergarten provider must provide
987 | basic health and safety on its premises and in its facilities.
988 | For a public school, compliance with ss. 1003.22 and 1013.12
989 | satisfies this requirement. For a nonpublic school, compliance
990 | with s. 402.3025(2)(d) satisfies this requirement. For a child
991 | care facility, a licensed family child care home, or a large
992 | family child care home, compliance with s. 402.305, s. 402.313,
993 | or s. 402.3131, respectively, satisfies this requirement. For a
994 | facility exempt from licensure, compliance with s. 402.316(4)
995 | satisfies this requirement and demonstrate, before delivering
996 | the Voluntary Prekindergarten Education Program, as verified by
997 | the early learning coalition, that the provider meets each of
998 | the requirements of the program under this part, including, but
999 | not limited to, the requirements for credentials and background
1000 | screenings of prekindergarten instructors under paragraphs (c)



CS/CS/HB 7069, Engrossed 1

2014

1001 and ~~(d), minimum and maximum class sizes under paragraph (f),~~
1002 ~~prekindergarten director credentials under paragraph (g), and a~~
1003 ~~developmentally appropriate curriculum under s. 1002.67(2)(b).~~

1004 (c) The private prekindergarten provider must have, for
1005 each prekindergarten class of 11 children or fewer, at least one
1006 prekindergarten instructor who meets each of the following
1007 requirements:

1008 1. The prekindergarten instructor must hold, at a minimum,
1009 one of the following credentials:

1010 a. A child development associate credential issued by the
1011 National Credentialing Program of the Council for Professional
1012 Recognition; ~~or~~

1013 b. A credential approved by the Department of Children and
1014 Families, pursuant to s. 402.305(3)(c), as being equivalent to
1015 or greater than the credential described in sub-subparagraph a.;

1016 c. An associate or higher degree in child development;

1017 d. An associate or higher degree in an unrelated field, at
1018 least 6 credit hours in early childhood education or child
1019 development, and at least 480 hours of experience in teaching or
1020 providing child care services for children any age from birth
1021 through 8 years of age;

1022 e. A baccalaureate or higher degree in early childhood
1023 education, prekindergarten or primary education, preschool
1024 education, or family and consumer science;

1025 f. A baccalaureate or higher degree in family and child



CS/CS/HB 7069, Engrossed 1

2014

1026 science and at least 480 hours of experience in teaching or
1027 providing child care services for children any age from birth
1028 through 8 years of age;

1029 g. A baccalaureate or higher degree in elementary
1030 education if the prekindergarten instructor has been certified
1031 to teach children any age from birth through grade 6, regardless
1032 of whether the instructor's educator certificate is current, and
1033 if the instructor is not ineligible to teach in a public school
1034 because his or her educator certificate is suspended or revoked;
1035 or

1036 h. A credential approved by the department as being
1037 equivalent to or greater than a credential described in sub-
1038 subparagraphs a.-f. The department may adopt criteria and
1039 procedures for approving such equivalent credentials.

1040
1041 ~~The Department of Children and Families may adopt rules under~~
1042 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
1043 ~~for approving equivalent credentials under sub-subparagraph b.~~

1044 2. The prekindergarten instructor must successfully
1045 complete an emergent literacy training course and a student
1046 performance standards training course approved by the office as
1047 meeting or exceeding the minimum standards adopted under s.
1048 1002.59. The requirement for completion of the standards
1049 training course shall take effect July 1, 2015 ~~2014~~, and the
1050 course shall be available online.



1051 3. Beginning January 1, 2015, at least 50 percent of the
1052 instructors employed by a prekindergarten provider at each
1053 location must be trained in first aid and infant and child
1054 cardiopulmonary resuscitation, as evidenced by current
1055 documentation of course completion, unless the instructor is not
1056 responsible for supervising children in care. As a condition of
1057 employment, instructors hired on or after January 1, 2015, must
1058 complete this training within 60 days after employment.

1059 (d) Each prekindergarten instructor employed by the
1060 private prekindergarten provider must be of good moral
1061 character, must undergo background screening pursuant to s.
1062 402.305(2)(a) be screened using the level 2 screening standards
1063 in s. 435.04 before employment, must be and rescreened at least
1064 once every 5 years, must be denied employment or terminated if
1065 required under s. 435.06, and must not be ineligible to teach in
1066 a public school because his or her educator certificate is
1067 suspended or revoked.

1068 (e) A private prekindergarten provider may assign a
1069 substitute instructor to temporarily replace a credentialed
1070 instructor if the credentialed instructor assigned to a
1071 prekindergarten class is absent, as long as the substitute
1072 instructor meets the requirements of paragraph (d) is of good
1073 moral character and has been screened before employment in
1074 accordance with level 2 background screening requirements in
1075 chapter 435. The Office of Early Learning shall adopt rules to



CS/CS/HB 7069, Engrossed 1

2014

1076 | implement this paragraph which shall include required
1077 | qualifications of substitute instructors and the circumstances
1078 | and time limits for which a private prekindergarten provider may
1079 | assign a substitute instructor.

1080 | (f) Each of the private prekindergarten provider's
1081 | prekindergarten classes must be composed of at least 4 students
1082 | but may not exceed 20 students. In order to protect the health
1083 | and safety of students, each private prekindergarten provider
1084 | must also provide appropriate adult supervision for students at
1085 | all times and, for each prekindergarten class composed of 12 or
1086 | more students, must have, in addition to a prekindergarten
1087 | instructor who meets the requirements of paragraph (c), at least
1088 | one adult prekindergarten instructor who is not required to meet
1089 | those requirements but who must meet each requirement of s.
1090 | 402.305(2) ~~paragraph (d)~~. This paragraph does not supersede any
1091 | requirement imposed on a provider under ss. 402.301-402.319.

1092 | (g) Beginning January 1, 2016, the private prekindergarten
1093 | provider must employ child care personnel who hold a high school
1094 | diploma or its equivalent and are at least 18 years of age,
1095 | unless the personnel are not responsible for supervising
1096 | children in care or are under direct supervision.

1097 | (h) ~~(g)~~ The private prekindergarten provider must have a
1098 | prekindergarten director who has a prekindergarten director
1099 | credential that is approved by the office as meeting or
1100 | exceeding the minimum standards adopted under s. 1002.57.



CS/CS/HB 7069, Engrossed 1

2014

1101 Successful completion of a child care facility director
1102 credential under s. 402.305(2)(f) before the establishment of
1103 the prekindergarten director credential under s. 1002.57 or July
1104 1, 2006, whichever occurs later, satisfies the requirement for a
1105 prekindergarten director credential under this paragraph.

1106 (i)~~(h)~~ The private prekindergarten provider must register
1107 with the early learning coalition on forms prescribed by the
1108 Office of Early Learning.

1109 (j)~~(i)~~ The private prekindergarten provider must execute
1110 the statewide provider contract prescribed under s. 1002.75,
1111 except that an individual who owns or operates multiple private
1112 prekindergarten providers within a coalition's service area may
1113 execute a single agreement with the coalition on behalf of each
1114 provider.

1115 (k)~~(j)~~ The private prekindergarten provider must maintain
1116 general liability insurance and provide the coalition with
1117 written evidence of general liability insurance coverage,
1118 including coverage for transportation of children if
1119 prekindergarten students are transported by the provider. A
1120 provider must obtain and retain an insurance policy that
1121 provides a minimum of \$100,000 of coverage per occurrence and a
1122 minimum of \$300,000 general aggregate coverage. The office may
1123 authorize lower limits upon request, as appropriate. A provider
1124 must add the coalition as a named certificateholder ~~and as an~~
1125 ~~additional insured~~. A provider must provide the coalition with a



CS/CS/HB 7069, Engrossed 1

2014

1126 minimum of 10 calendar days' advance written notice of
1127 cancellation of or changes to coverage. The general liability
1128 insurance required by this paragraph must remain in full force
1129 and effect for the entire period of the provider contract with
1130 the coalition.

1131 (l)~~(k)~~ The private prekindergarten provider must obtain
1132 and maintain any required workers' compensation insurance under
1133 chapter 440 and any required reemployment assistance or
1134 unemployment compensation coverage under chapter 443, unless
1135 exempt under state or federal law.

1136 (m)~~(l)~~ Notwithstanding paragraph (k) ~~(j)~~, for a private
1137 prekindergarten provider that is a state agency or a subdivision
1138 thereof, as defined in s. 768.28(2), the provider must agree to
1139 notify the coalition of any additional liability coverage
1140 maintained by the provider in addition to that otherwise
1141 established under s. 768.28. The provider shall indemnify the
1142 coalition to the extent permitted by s. 768.28.

1143 (n) The private prekindergarten provider shall be denied
1144 initial eligibility to offer the program if the provider has
1145 been cited for a Class I violation in the 12 months before
1146 seeking eligibility. An existing provider that is cited for a
1147 Class I violation may not have its eligibility renewed for 12
1148 months. This paragraph does not apply if the Office of Early
1149 Learning determines that the violation was reported by the
1150 provider and the employee responsible for the violation was



1151 terminated or the violation was corrected by the provider.

1152 (o) ~~(m)~~ The private prekindergarten provider must deliver
1153 the Voluntary Prekindergarten Education Program in accordance
1154 with this part and have child disciplinary policies that
1155 prohibit children from being subjected to discipline that is
1156 severe, humiliating, frightening, or associated with food, rest,
1157 toileting, spanking, or any other form of physical punishment as
1158 provided in s. 402.305(12).

1159 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
1160 ~~credentials and courses required under paragraph (3)(c), may~~
1161 ~~hold one of the following educational credentials:~~

1162 ~~(a) A bachelor's or higher degree in early childhood~~
1163 ~~education, prekindergarten or primary education, preschool~~
1164 ~~education, or family and consumer science;~~

1165 ~~(b) A bachelor's or higher degree in elementary education,~~
1166 ~~if the prekindergarten instructor has been certified to teach~~
1167 ~~children any age from birth through 6th grade, regardless of~~
1168 ~~whether the instructor's educator certificate is current, and if~~
1169 ~~the instructor is not ineligible to teach in a public school~~
1170 ~~because his or her educator certificate is suspended or revoked;~~

1171 ~~(c) An associate's or higher degree in child development;~~

1172 ~~(d) An associate's or higher degree in an unrelated field,~~
1173 ~~at least 6 credit hours in early childhood education or child~~
1174 ~~development, and at least 480 hours of experience in teaching or~~
1175 ~~providing child care services for children any age from birth~~



CS/CS/HB 7069, Engrossed 1

2014

1176 ~~through 8 years of age; or~~

1177 ~~(c) An educational credential approved by the department~~
1178 ~~as being equivalent to or greater than an educational credential~~
1179 ~~described in this subsection. The department may adopt criteria~~
1180 ~~and procedures for approving equivalent educational credentials~~
1181 ~~under this paragraph.~~

1182 ~~(5) Notwithstanding paragraph (3) (b), a private~~
1183 ~~prekindergarten provider may not participate in the Voluntary~~
1184 ~~Prekindergarten Education Program if the provider has child~~
1185 ~~disciplinary policies that do not prohibit children from being~~
1186 ~~subjected to discipline that is severe, humiliating,~~
1187 ~~frightening, or associated with food, rest, toileting, spanking,~~
1188 ~~or any other form of physical punishment as provided in s.~~
1189 ~~402.305(12).~~

1190 Section 17. Subsection (1) of section 1002.59, Florida
1191 Statutes, is amended to read:

1192 1002.59 Emergent literacy and performance standards
1193 training courses.—

1194 (1) The office shall adopt minimum standards for one or
1195 more training courses in emergent literacy for prekindergarten
1196 instructors. Each course must comprise 5 clock hours and provide
1197 instruction in strategies and techniques to address the age-
1198 appropriate progress of prekindergarten students in developing
1199 emergent literacy skills, including oral communication,
1200 knowledge of print and letters, phonemic and phonological



CS/CS/HB 7069, Engrossed 1

2014

1201 awareness, and vocabulary and comprehension development. Each
1202 course must also provide resources containing strategies that
1203 allow students with disabilities and other special needs to
1204 derive maximum benefit from the Voluntary Prekindergarten
1205 Education Program. Successful completion of an emergent literacy
1206 training course approved under this section satisfies
1207 requirements for approved training in early literacy and
1208 language development under ss. 402.305(2)(d)5., 402.313(4)(c)
1209 ~~402.313(6)~~, and 402.3131(5).

1210 Section 18. Paragraph (d) is added to subsection (3) of
1211 section 1002.61, Florida Statutes, and subsections (4) through
1212 (7) of that section are amended, to read:

1213 1002.61 Summer prekindergarten program delivered by public
1214 schools and private prekindergarten providers.—

1215 (3)

1216 (d) Each charter school authorized to deliver the
1217 prekindergarten program pursuant to its charter contract shall
1218 be considered part of the sponsor's overall prekindergarten
1219 program and must meet all requirements of this part applicable
1220 to prekindergarten programs delivered by public schools. The
1221 sponsor shall provide the same level of oversight of the charter
1222 school's prekindergarten program as it provides for other public
1223 schools in the school district. A charter school not authorized
1224 to deliver the summer prekindergarten program pursuant to its
1225 charter contract may deliver the program as a private provider



CS/CS/HB 7069, Engrossed 1

2014

1226 | in accordance with this section.

1227 | (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
1228 | Each public school and private prekindergarten provider that
1229 | delivers the summer prekindergarten program must have, for each
1230 | prekindergarten class, at least one prekindergarten instructor
1231 | who is a certified teacher or holds one of the educational
1232 | credentials specified in s. 1002.55(3)(c)1.e.-h. ~~1002.55(4)(a)~~
1233 | ~~or (b).~~ As used in this subsection, the term "certified teacher"
1234 | means a teacher holding a valid Florida educator certificate
1235 | under s. 1012.56 who has the qualifications required by the
1236 | district school board to instruct students in the summer
1237 | prekindergarten program. In selecting instructional staff for
1238 | the summer prekindergarten program, each school district shall
1239 | give priority to teachers who have experience or coursework in
1240 | early childhood education.

1241 | (5) Each prekindergarten instructor employed by a ~~public~~
1242 | ~~school or~~ private prekindergarten provider delivering the summer
1243 | prekindergarten program must be of good moral character, must
1244 | undergo background screening pursuant to s. 402.305(2)(a) ~~be~~
1245 | ~~screened using the level 2 screening standards in s. 435.04~~
1246 | before employment, must be ~~and~~ rescreened at least once every 5
1247 | years, and must be denied employment or terminated if required
1248 | under s. 435.06. Each prekindergarten instructor employed by a
1249 | public school delivering the summer prekindergarten program, and
1250 | must satisfy the ~~not be ineligible to teach in a public school~~



CS/CS/HB 7069, Engrossed 1

2014

1251 ~~because his or her educator certificate is suspended or revoked.~~
1252 ~~This subsection does not supersede~~ employment requirements for
1253 instructional personnel in public schools as provided in s.
1254 1012.32 ~~which are more stringent than the requirements of this~~
1255 ~~subsection.~~

1256 (6) A public school or private prekindergarten provider
1257 may assign a substitute instructor to temporarily replace a
1258 credentialed instructor if the credentialed instructor assigned
1259 to a prekindergarten class is absent, as long as the substitute
1260 instructor meets the requirements of subsection (5) ~~is of good~~
1261 ~~moral character and has been screened before employment in~~
1262 ~~accordance with level 2 background screening requirements in~~
1263 ~~chapter 435. This subsection does not supersede employment~~
1264 ~~requirements for instructional personnel in public schools which~~
1265 ~~are more stringent than the requirements of this subsection.~~ The
1266 Office of Early Learning shall adopt rules to implement this
1267 subsection which shall include required qualifications of
1268 substitute instructors and the circumstances and time limits for
1269 which a public school or private prekindergarten provider may
1270 assign a substitute instructor.

1271 (7) Notwithstanding ss. 1002.55(3)(f) and 1002.63(7), each
1272 prekindergarten class in the summer prekindergarten program,
1273 regardless of whether the class is a public school's or private
1274 prekindergarten provider's class, must be composed of at least 4
1275 students but may not exceed 12 students ~~beginning with the 2009~~



CS/CS/HB 7069, Engrossed 1

2014

1276 ~~summer session.~~ In order to protect the health and safety of
1277 students, each public school or private prekindergarten provider
1278 must also provide appropriate adult supervision for students at
1279 all times. This subsection does not supersede any requirement
1280 imposed on a provider under ss. 402.301-402.319.

1281 Section 19. Paragraph (c) is added to subsection (3) of
1282 section 1002.63, Florida Statutes, and subsections (5) and (6)
1283 of that section are amended, to read:

1284 1002.63 School-year prekindergarten program delivered by
1285 public schools.-

1286 (3)

1287 (c) Each charter school authorized to deliver the
1288 prekindergarten program pursuant to its charter contract shall
1289 be considered part of the sponsor's overall prekindergarten
1290 program and must meet all requirements of this part applicable
1291 to prekindergarten programs delivered by public schools. The
1292 sponsor shall provide the same level of oversight of the charter
1293 school's prekindergarten program as it provides for other public
1294 schools in the school district. A charter school not authorized
1295 to deliver the prekindergarten program pursuant to its charter
1296 contract may deliver the program as a private provider in
1297 accordance with s. 1002.55.

1298 (5) Each prekindergarten instructor employed by a public
1299 school delivering the school-year prekindergarten program must
1300 satisfy the ~~be of good moral character, must be screened using~~



CS/CS/HB 7069, Engrossed 1

2014

1301 ~~the level 2 screening standards in s. 435.04 before employment~~
1302 ~~and rescreened at least once every 5 years, must be denied~~
1303 ~~employment or terminated if required under s. 435.06, and must~~
1304 ~~not be ineligible to teach in a public school because his or her~~
1305 ~~educator certificate is suspended or revoked. This subsection~~
1306 ~~does not supersede~~ employment requirements for instructional
1307 personnel in public schools as provided in s. 1012.32 ~~which are~~
1308 ~~more stringent than the requirements of this subsection.~~

1309 (6) A public school prekindergarten provider may assign a
1310 substitute instructor to temporarily replace a credentialed
1311 instructor if the credentialed instructor assigned to a
1312 prekindergarten class is absent, as long as the substitute
1313 instructor meets the requirements of subsection (5) ~~is of good~~
1314 ~~moral character and has been screened before employment in~~
1315 ~~accordance with level 2 background screening requirements in~~
1316 ~~chapter 435. This subsection does not supersede employment~~
1317 ~~requirements for instructional personnel in public schools which~~
1318 ~~are more stringent than the requirements of this subsection. The~~
1319 Office of Early Learning shall adopt rules to implement this
1320 subsection which shall include required qualifications of
1321 substitute instructors and the circumstances and time limits for
1322 which a public school prekindergarten provider may assign a
1323 substitute instructor.

1324 Section 20. Paragraph (a) of subsection (6) of section
1325 1002.71, Florida Statutes, is amended to read:



CS/CS/HB 7069, Engrossed 1

2014

1326 1002.71 Funding; financial and attendance reporting.-
1327 (6) (a) Each parent enrolling his or her child in the
1328 Voluntary Prekindergarten Education Program must agree to comply
1329 with the attendance policy of the private prekindergarten
1330 provider or district school board, as applicable. Upon
1331 enrollment of the child, the private prekindergarten provider or
1332 public school, as applicable, must provide the child's parent
1333 with program information, including, but not limited to, child
1334 development, expectations for parent engagement, the daily
1335 schedule, and the ~~a copy of the provider's or school district's~~
1336 attendance policy, which must include procedures for contacting
1337 a parent on the 2nd consecutive day a child is absent for which
1338 the reason is unknown ~~as applicable.~~

1339 Section 21. Subsection (1) of section 1002.75, Florida
1340 Statutes, is amended to read:

1341 1002.75 Office of Early Learning; powers and duties.-

1342 (1) The Office of Early Learning shall adopt by rule a
1343 standard statewide provider contract to be used with each
1344 Voluntary Prekindergarten Education Program provider, with
1345 standardized attachments by provider type. The office shall
1346 publish a copy of the standard statewide provider contract on
1347 its website. The standard statewide contract shall include, at a
1348 minimum, provisions that:

1349 (a) Govern ~~for~~ provider probation, termination for cause,
1350 and emergency termination for those actions or inactions of a



1351 provider that pose an immediate and serious danger to the
1352 health, safety, or welfare of children. The standard statewide
1353 contract shall also include appropriate due process procedures.
1354 During the pendency of an appeal of a termination, the provider
1355 may not continue to offer its services.

1356 (b) Require each private prekindergarten provider to
1357 notify the parent of each child in care if it is cited for a
1358 Class I violation as defined by rule of the Department of
1359 Children and Families. Such notice shall describe each violation
1360 with specificity, in simple language, and include a copy of the
1361 citation and the contact information of the Department of
1362 Children and Families or local licensing agency where the parent
1363 may obtain additional information regarding the citation. Notice
1364 of a Class I violation by the provider must be provided
1365 electronically or in writing to the parent within 24 hours after
1366 receipt of the citation. A private prekindergarten provider must
1367 conspicuously post each citation for a violation that results in
1368 disciplinary action on the premises in an area visible to
1369 parents pursuant to s. 402.3125(1)(b). Additionally, such a
1370 provider must post each inspection report on the premises in an
1371 area visible to parents, which report must remain posted until
1372 the next inspection report is available.

1373 (c) Specify that child care personnel employed by the
1374 provider who are responsible for supervising children in care
1375 must be trained in developmentally appropriate practices aligned



CS/CS/HB 7069, Engrossed 1

2014

1376 to the age and needs of children over which the personnel are
1377 assigned supervision duties. This requirement is met by
1378 completion of developmentally appropriate practice courses
1379 administered by the Department of Children and Families under s.
1380 402.305(2)(d)1. within 30 days after being assigned to children
1381 for which developmentally appropriate practice training has not
1382 been completed by the personnel.

1383
1384 Any provision imposed upon a provider that is inconsistent with,
1385 or prohibited by, law is void and unenforceable.

1386 Section 22. Section 1002.77, Florida Statutes, is amended
1387 to read:

1388 1002.77 Florida Early Learning Advisory Council.—

1389 (1) There is created the Florida Early Learning Advisory
1390 Council within the Office of Early Learning. The purpose of the
1391 advisory council is to provide written input ~~submit~~
1392 ~~recommendations~~ to the executive director ~~office~~ on early
1393 learning best practices, including ~~recommendations relating to~~
1394 ~~the most effective~~ program ~~administration;~~ ~~of the Voluntary~~
1395 ~~Prekindergarten Education Program under this part and the school~~
1396 ~~readiness program under part VI of this chapter. The advisory~~
1397 ~~council shall periodically analyze and provide recommendations~~
1398 ~~to the office on the effective and efficient use of local,~~
1399 ~~state, and federal funds;~~ ~~the content of professional~~
1400 ~~development training programs; and best practices for the~~



CS/CS/HB 7069, Engrossed 1

2014

1401 ~~development and implementation of coalition plans pursuant to s.~~
1402 1002.85.

1403 (2) The advisory council shall be composed of the
1404 following members:

1405 (a) The chair of the advisory council who shall be
1406 appointed by and serve at the pleasure of the Governor.

1407 (b) The chair of each early learning coalition.

1408 (c) One member who shall be appointed by and serve at the
1409 pleasure of the President of the Senate.

1410 (d) One member who shall be appointed by and serve at the
1411 pleasure of the Speaker of the House of Representatives.

1412
1413 The chair of the advisory council appointed by the Governor and
1414 the members appointed by the presiding officers of the
1415 Legislature must be from the business community and be in
1416 compliance with s. 1002.83(5).

1417 (3) The advisory council shall meet at least quarterly
1418 upon the call of the executive director ~~but may meet as often as~~
1419 ~~necessary to carry out its duties and responsibilities.~~ The
1420 executive director is encouraged to ~~advisory council may use~~
1421 communications media technology ~~any method of telecommunications~~
1422 to conduct meetings in accordance with s. 120.54(5)(b) ~~and~~
1423 ~~including establishing a quorum through telecommunications, only~~
1424 ~~if the public is given proper notice of a telecommunications~~
1425 ~~meeting and reasonable access to observe and, when appropriate,~~



CS/CS/HB 7069, Engrossed 1

2014

1426 participate.

1427 (4) (a) Each member of the advisory council may ~~shall~~ serve
1428 without compensation but is entitled to receive reimbursement
1429 for per diem and travel expenses for attendance at council
1430 meetings as provided in s. 112.061.

1431 (b) Each member of the advisory council is subject to the
1432 ethics provisions in part III of chapter 112.

1433 (c) For purposes of tort liability, each member of the
1434 advisory council shall be governed by s. 768.28.

1435 (5) The Office of Early Learning shall provide staff and
1436 administrative support for the advisory council as determined by
1437 the executive director.

1438 Section 23. Paragraph (f) of subsection (1) and
1439 subsections (8) and (16) of section 1002.81, Florida Statutes,
1440 are amended to read:

1441 1002.81 Definitions.—Consistent with the requirements of
1442 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1443 (1) "At-risk child" means:

1444 (f) A child in the custody of a parent who is considered
1445 homeless as verified by a designated lead agency on the homeless
1446 assistance continuum of care established under ss. 420.622-
1447 420.624 Department of Children and Families certified homeless
1448 shelter.

1449 (8) "Family income" means the combined gross income,
1450 whether earned or unearned, that is derived from any source by



1451 all family or household members who are 18 years of age or older
1452 who are currently residing together in the same dwelling unit.

1453 The term does not include:

1454 (a) Income earned by a currently enrolled high school
1455 student who, since attaining the age of 18 years, or a student
1456 with a disability who, since attaining the age of 22 years, has
1457 not terminated school enrollment or received a high school
1458 diploma, high school equivalency diploma, special diploma, or
1459 certificate of high school completion.

1460 (b) Income earned by a teen parent residing in the same
1461 residence as a separate family unit.

1462 (c) Selected items from the Child Care and Development
1463 Fund state plan, such as ~~The term also does not include~~ food
1464 stamp benefits, documented child support and alimony payments
1465 paid out of the home, or federal housing assistance payments
1466 issued directly to a landlord or the associated utilities
1467 expenses.

1468 (16) "Working family" means:

1469 (a) A single-parent family in which the parent with whom
1470 the child resides is employed or engaged in eligible work or
1471 education activities for at least 20 hours per week or is exempt
1472 from work requirements due to age or disability, as determined
1473 and documented by a physician licensed under chapter 458 or
1474 chapter 459;

1475 (b) A two-parent family in which both parents with whom



CS/CS/HB 7069, Engrossed 1

2014

1476 the child resides are employed or engaged in eligible work or
1477 education activities for a combined total of at least 40 hours
1478 per week; ~~or~~

1479 (c) A two-parent family in which one of the parents with
1480 whom the child resides is exempt from work requirements due to
1481 age or disability, as determined and documented by a physician
1482 licensed under chapter 458 or chapter 459, and one parent is
1483 employed or engaged in eligible work or education activities at
1484 least 20 hours per week; or

1485 (d) A two-parent family in which both of the parents with
1486 whom the child resides are exempt from work requirements due to
1487 age or disability, as determined and documented by a physician
1488 licensed under chapter 458 or chapter 459.

1489 Section 24. Paragraphs (b), (j), (m), and (p) of
1490 subsection (2) of section 1002.82, Florida Statutes, are amended
1491 to read:

1492 1002.82 Office of Early Learning; powers and duties.—

1493 (2) The office shall:

1494 (b) Preserve parental choice by permitting parents to
1495 choose from a variety of child care categories authorized in s.
1496 1002.88(1)(a), ~~including center-based care, family child care,~~
1497 ~~and informal child care~~ to the extent authorized in the state's
1498 Child Care and Development Fund Plan as approved by the United
1499 States Department of Health and Human Services pursuant to 45
1500 C.F.R. s. 98.18. Care and curriculum by a faith-based provider



CS/CS/HB 7069, Engrossed 1

2014

1501 may not be limited or excluded in any of these categories.

1502 (j) Develop and adopt standards and benchmarks that
1503 address the age-appropriate progress of children in the
1504 development of child care and development ~~school-readiness~~
1505 skills. The standards for children from birth to 5 years of age
1506 in the child care and development ~~school-readiness~~ program must
1507 be aligned with the performance standards adopted for children
1508 in the Voluntary Prekindergarten Education Program and must
1509 address the following domains:

- 1510 1. Approaches to learning.
- 1511 2. Cognitive development and general knowledge.
- 1512 3. Numeracy, language, and communication.
- 1513 4. Physical development.
- 1514 5. Self-regulation.

1515
1516 By July 1, 2015, the Office of Early Learning shall develop and
1517 implement an online training course on the performance standards
1518 for child care and development program provider personnel.

1519 (m) Adopt by rule a standard statewide provider contract
1520 to be used with each child care and development ~~school-readiness~~
1521 program provider, with standardized attachments by provider
1522 type. The office shall publish a copy of the standard statewide
1523 provider contract on its website. The standard statewide
1524 contract shall include, at a minimum, provisions that:

- 1525 1. Govern ~~for~~ provider probation, termination for cause,



1526 and emergency termination for those actions or inactions of a
1527 provider that pose an immediate and serious danger to the
1528 health, safety, or welfare of the children. The standard
1529 statewide provider contract shall also include appropriate due
1530 process procedures. During the pendency of an appeal of a
1531 termination, the provider may not continue to offer its
1532 services.

1533 2. Require each provider that is eligible to provide the
1534 program pursuant to s. 1002.88(1)(a) to notify the parent of
1535 each child in care if it is cited for a Class I violation as
1536 defined by rule of the Department of Children and Families. Such
1537 notice shall describe each violation with specificity, in simple
1538 language, and include a copy of the citation and the contact
1539 information of the Department of Children and Families or local
1540 licensing agency where the parent may obtain additional
1541 information regarding the citation. Notice of a Class I
1542 violation by the provider must be provided electronically or in
1543 writing to the parent within 24 hours after receipt of the
1544 citation. A provider must conspicuously post each citation for a
1545 violation that results in disciplinary action on the premises in
1546 an area visible to parents pursuant to s. 402.3125(1)(b).
1547 Additionally, such a provider must post each inspection report
1548 on the premises in an area visible to parents, which report must
1549 remain posted until the next inspection report is available.

1550 3. Specify that child care personnel employed by the



CS/CS/HB 7069, Engrossed 1

2014

1551 provider who are responsible for supervising children in care
1552 must be trained in developmentally appropriate practices aligned
1553 to the age and needs of children over which the personnel are
1554 assigned supervision duties. This requirement is met by
1555 completion of developmentally appropriate practice courses
1556 administered by the Department of Children and Families under s.
1557 402.305(2)(d)1. within 30 days after being assigned to children
1558 for which developmentally appropriate practice training has not
1559 been completed by the personnel.

1560 4. Require child care personnel who are employed by the
1561 provider to complete an online training course on the
1562 performance standards adopted pursuant to paragraph (j).

1563
1564 Any provision imposed upon a provider that is inconsistent with,
1565 or prohibited by, law is void and unenforceable.

1566 (p) Monitor and evaluate the performance of each early
1567 learning coalition in administering the child care and
1568 development school readiness program and the Voluntary
1569 Prekindergarten Education Program, ensuring proper payments for
1570 child care and development school readiness program and
1571 Voluntary Prekindergarten Education Program services, and
1572 implementing the coalition's child care and development school
1573 readiness program plan, and administering the Voluntary
1574 Prekindergarten Education Program. These monitoring and
1575 performance evaluations must include, at a minimum, onsite



CS/CS/HB 7069, Engrossed 1

2014

1576 monitoring of each coalition's finances, management, operations,
1577 and programs.

1578 Section 25. Subsections (8) and (20) of section 1002.84,
1579 Florida Statutes, are amended to read:

1580 1002.84 Early learning coalitions; child care and
1581 development ~~school-readiness~~ powers and duties.—Each early
1582 learning coalition shall:

1583 (8) Establish a parent sliding fee scale that requires a
1584 parent copayment to participate in the child care and
1585 development ~~school-readiness~~ program. Providers are required to
1586 collect the parent's copayment. A coalition may, on a case-by-
1587 case basis, waive the copayment for an at-risk child or
1588 temporarily waive the copayment for a child whose family's
1589 income is at or below the federal poverty level and family
1590 experiences a natural disaster or an event that limits the
1591 parent's ability to pay, such as incarceration, placement in
1592 residential treatment, ~~or becoming homeless,~~ or an emergency
1593 situation such as a household fire or burglary, or while the
1594 parent is participating in parenting classes. A parent may not
1595 transfer child care and development ~~school-readiness~~ program
1596 services to another child care and development ~~school-readiness~~
1597 program provider until the parent has submitted documentation
1598 from the current child care and development ~~school-readiness~~
1599 program provider to the early learning coalition stating that
1600 the parent has satisfactorily fulfilled the copayment



CS/CS/HB 7069, Engrossed 1

2014

1601 obligation.

1602 (20) To increase transparency and accountability, comply
1603 with ~~the requirements of~~ this section before contracting with a
1604 member of the coalition, an employee of the coalition, or a
1605 relative, as defined in s. 112.3143(1)(b), of a coalition member
1606 or of an employee of the coalition. Such contracts may not be
1607 executed without the approval of the office. Such contracts, as
1608 well as documentation demonstrating adherence to this section by
1609 the coalition, must be approved by a two-thirds vote of the
1610 coalition, a quorum having been established; all conflicts of
1611 interest must be disclosed before the vote; and any member who
1612 may benefit from the contract, or whose relative may benefit
1613 from the contract, must abstain from the vote. A contract under
1614 \$25,000 between an early learning coalition and a member of that
1615 coalition or between a relative, as defined in s.
1616 112.3143(1)(b), of a coalition member or of an employee of the
1617 coalition is not required to have the prior approval of the
1618 office but must be approved by a two-thirds vote of the
1619 coalition, a quorum having been established, and must be
1620 reported to the office within 30 days after approval. If a
1621 contract cannot be approved by the office, a review of the
1622 decision to disapprove the contract may be requested by the
1623 early learning coalition or other parties to the disapproved
1624 contract.

1625 Section 26. Subsections (1), (6), (7), and (8) of section



CS/CS/HB 7069, Engrossed 1

2014

1626 | 1002.87, Florida Statutes, are amended to read:

1627 | 1002.87 Child care and development ~~School readiness~~
1628 | program; eligibility and enrollment.—

1629 | (1) Effective August 1, 2013, or upon reevaluation of
1630 | eligibility for children currently served, whichever is later,
1631 | each early learning coalition shall give priority for
1632 | participation in the child care and development ~~school readiness~~
1633 | program as follows:

1634 | (a) Priority shall be given first to a child younger than
1635 | 13 years of age from a family that includes a parent who is
1636 | receiving temporary cash assistance under chapter 414 and
1637 | subject to the federal work requirements.

1638 | (b) Priority shall be given next to an at-risk child
1639 | younger than 9 years of age.

1640 | (c) Priority shall be given next to a child from birth to
1641 | the beginning of the school year for which the child is eligible
1642 | for admission to kindergarten in a public school under s.

1643 | 1003.21(1)(a)2. who is from a working family that is
1644 | economically disadvantaged, and may include such child's
1645 | eligible siblings, beginning with the school year in which the
1646 | sibling is eligible for admission to kindergarten in a public
1647 | school under s. 1003.21(1)(a)2. until the beginning of the
1648 | school year in which the sibling enters ~~is eligible to begin~~ 6th
1649 | grade, provided that the first priority for funding an eligible
1650 | sibling is local revenues available to the coalition for funding



CS/CS/HB 7069, Engrossed 1

2014

1651 direct services. However, a child eligible under this paragraph
1652 ceases to be eligible if his or her family income exceeds 200
1653 percent of the federal poverty level.

1654 (d) Priority shall be given next to a child of a parent
1655 who transitions from the work program into employment as
1656 described in s. 445.032 from birth to the beginning of the
1657 school year for which the child is eligible for admission to
1658 kindergarten in a public school under s. 1003.21(1)(a)2.

1659 (e) Priority shall be given next to an at-risk child who
1660 is at least 9 years of age but younger than 13 years of age. An
1661 at-risk child whose sibling is enrolled in the school readiness
1662 program within an eligibility priority category listed in
1663 paragraphs (a)-(c) shall be given priority over other children
1664 who are eligible under this paragraph.

1665 (f) Priority shall be given next to a child who is younger
1666 than 13 years of age from a working family that is economically
1667 disadvantaged. A child who is eligible under this paragraph
1668 whose sibling is enrolled in the school readiness program under
1669 paragraph (c) shall be given priority over other children who
1670 are eligible under this paragraph. However, a child eligible
1671 under this paragraph ceases to be eligible if his or her family
1672 income exceeds 200 percent of the federal poverty level.

1673 (g) Priority shall be given next to a child of a parent
1674 who transitions from the work program into employment as
1675 described in s. 445.032 who is younger than 13 years of age.



CS/CS/HB 7069, Engrossed 1

2014

1676 (h) Priority shall be given next to a child who ~~has~~
1677 ~~special needs,~~ has been determined eligible as an infant or
1678 toddler from birth to 3 years of age with an individualized
1679 family support plan receiving early intervention services or as
1680 a student with a disability with, ~~has~~ a current individual
1681 education plan with a Florida school district, ~~and is not~~
1682 ~~younger than 3 years of age.~~ A ~~special needs~~ child eligible
1683 under this paragraph remains eligible until the child is
1684 eligible for admission to kindergarten in a public school under
1685 s. 1003.21(1)(a)2.

1686 (i) Notwithstanding paragraphs (a)-(d), priority shall be
1687 given last to a child who otherwise meets one of the eligibility
1688 criteria in paragraphs (a)-(d) but who is also enrolled
1689 concurrently in the federal Head Start Program and the Voluntary
1690 Prekindergarten Education Program.

1691 (6) Eligibility for each child must be reevaluated
1692 annually. Upon reevaluation, a child may not continue to receive
1693 child care and development ~~school readiness~~ program services if
1694 he or she has ceased to be eligible under this section. If a
1695 child no longer meets eligibility or program requirements, the
1696 coalition must immediately notify the child's parent and the
1697 provider that funding will end 2 weeks after the date on which
1698 the child was determined to be ineligible or when the current
1699 child care authorization expires, whichever occurs first.

1700 (7) If a coalition disenrolls children from the child care



CS/CS/HB 7069, Engrossed 1

2014

1701 and development school-readiness program due to lack of funding
1702 or a change in eligibility priorities, the coalition must
1703 disenroll the children in reverse order of the eligibility
1704 priorities listed in subsection (1) beginning with children from
1705 families with the highest family incomes. A notice of
1706 disenrollment must be sent to the parent and child care and
1707 development school-readiness program provider at least 2 weeks
1708 before disenrollment or the expiration of the current child care
1709 authorization, whichever occurs first, to provide adequate time
1710 for the parent to arrange alternative care for the child.
1711 However, an at-risk child receiving services from the Child
1712 Welfare Program Office of the Department of Children and
1713 Families may not be disenrolled from the program without the
1714 written approval of the Child Welfare Program Office ~~of the~~
1715 ~~Department of Children and Families~~ or the community-based lead
1716 agency.

1717 (8) If a child is absent from the program for 2
1718 consecutive days without parental notification to the program of
1719 such absence, the child care and development program provider
1720 shall contact the parent and determine the cause for absence and
1721 expected date of return. If a child is absent from the program
1722 for 5 consecutive days without parental notification to the
1723 program of such absence, the child care and development school-
1724 readiness program provider shall report the absence to the early
1725 learning coalition for a determination of the need for continued



CS/CS/HB 7069, Engrossed 1

2014

1726 care.

1727 Section 27. Section 1002.88, Florida Statutes, is amended
1728 to read:

1729 1002.88 Child care and development ~~School-readiness~~
1730 program provider standards; eligibility to deliver the child
1731 care and development ~~school-readiness~~ program.-

1732 (1) To be eligible to deliver the child care and
1733 development ~~school-readiness~~ program, a child care and
1734 development ~~school-readiness~~ program provider must:

1735 (a)1. Be a nonpublic school in substantial compliance with
1736 s. 402.3025(2)(d), a child care facility licensed under s.
1737 402.305, a family child ~~day~~ care home licensed ~~or registered~~
1738 under s. 402.313, a large family child care home licensed under
1739 s. 402.3131, or a child care facility exempt from licensure
1740 operating under s. 402.316(4);

1741 2. Be an entity that is part of Florida's education system
1742 under s. 1000.04(1); ~~a public school or nonpublic school exempt~~
1743 ~~from licensure under s. 402.3025, a faith-based child care~~
1744 ~~provider exempt from licensure under s. 402.316, a before-school~~
1745 ~~or after-school program described in s. 402.305(1)(c), or~~

1746 3. Be an informal child care provider to the extent
1747 authorized in the state's Child Care and Development Fund Plan
1748 as approved by the United States Department of Health and Human
1749 Services pursuant to 45 C.F.R. s. 98.18.

1750 (b) Provide instruction and activities to enhance the age-



CS/CS/HB 7069, Engrossed 1

2014

1751 appropriate progress of each child in attaining the child
1752 development standards adopted by the office pursuant to s.
1753 1002.82(2)(j). A provider should include activities to foster
1754 brain development in infants and toddlers; provide an
1755 environment that is rich in language and music and filled with
1756 objects of various colors, shapes, textures, and sizes to
1757 stimulate visual, tactile, auditory, and linguistic senses; and
1758 include 30 minutes of reading to children each day. A provider
1759 must provide parents information on child development,
1760 expectations for parent engagement, the daily schedule, and the
1761 attendance policy.

1762 (c) Provide basic health and safety of its premises and
1763 facilities in accordance with applicable licensing and
1764 inspection requirements ~~and compliance with requirements for~~
1765 ~~age-appropriate immunizations of children enrolled in the school~~
1766 ~~readiness program.~~ For a child care facility, a large family
1767 child care home, or a licensed family child day care home,
1768 compliance with s. 402.305, s. 402.3131, or s. 402.313 satisfies
1769 this requirement. For a public ~~or nonpublic~~ school, compliance
1770 with ss. s. 402.3025 or s. 1003.22 and 1013.12 satisfies this
1771 requirement. For a nonpublic school, compliance with s.
1772 402.3025(2)(d) satisfies this requirement. For a facility exempt
1773 from licensure, compliance with s. 402.316(4) satisfies this
1774 requirement. For an informal provider, substantial compliance as
1775 defined in s. 402.302(17) satisfies this requirement. A provider



1776 shall be denied initial eligibility to offer the program if the
1777 provider has been cited for a Class I violation in the 12 months
1778 before seeking eligibility. An existing provider that is cited
1779 for a Class I violation may not have its eligibility renewed for
1780 12 months. A provider that is cited for a Class I violation may
1781 remain eligible to deliver the program if the Office of Early
1782 Learning determines that the violation was reported by the
1783 provider and the employee responsible for the violation was
1784 terminated or the violation was corrected by the provider. A
1785 ~~faith-based child care provider, an informal child care~~
1786 ~~provider, or a nonpublic school, exempt from licensure under s.~~
1787 ~~402.316 or s. 402.3025, shall annually complete the health and~~
1788 ~~safety checklist adopted by the office, post the checklist~~
1789 ~~prominently on its premises in plain sight for visitors and~~
1790 ~~parents, and submit it annually to its local early learning~~
1791 ~~coalition.~~

1792 (d) Provide an appropriate staff-to-children ratio,
1793 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as
1794 applicable, and as verified pursuant to s. 402.311.

1795 (e) Provide a healthy and safe environment pursuant to s.
1796 402.305(5), (6), and (7), as applicable, and as verified
1797 pursuant to s. 402.311.

1798 (f) Implement one of the curricula approved by the office
1799 that meets the child development standards.

1800 (g) Implement a character development program to develop



CS/CS/HB 7069, Engrossed 1

2014

1801 basic values.

1802 (h) Collaborate with the respective early learning
1803 coalition to complete initial screening for each child, aged 6
1804 weeks to kindergarten eligibility, within 45 days after the
1805 child's first or subsequent enrollment, to identify a child who
1806 may need individualized supports.

1807 (i) Implement minimum standards for child discipline
1808 practices that are age-appropriate and consistent with the
1809 requirements in s. 402.305(12). Such standards must provide that
1810 children not be subjected to discipline that is severe,
1811 humiliating, or frightening or discipline that is associated
1812 with food, rest, or toileting. Spanking or any other form of
1813 physical punishment is prohibited.

1814 (j) Obtain and keep on file record of the child's
1815 immunizations, physical development, and other health
1816 requirements as necessary, including appropriate vision and
1817 hearing screening and examination, within 30 days after
1818 enrollment.

1819 (k) Implement before-school or after-school programs that
1820 meet or exceed the requirements of s. 402.305(5), (6), and (7).

1821 ~~(l) For a provider that is not an informal provider,~~
1822 Maintain general liability insurance and provide the coalition
1823 with written evidence of general liability insurance coverage,
1824 including coverage for transportation of children if child care
1825 and development ~~school readiness~~ program children are



CS/CS/HB 7069, Engrossed 1

2014

1826 transported by the provider. A private provider must obtain and
1827 retain an insurance policy that provides a minimum of \$100,000
1828 of coverage per occurrence and a minimum of \$300,000 general
1829 aggregate coverage. The office may authorize lower limits upon
1830 request, as appropriate. A private provider must add the
1831 coalition as a named certificateholder ~~and as an additional~~
1832 ~~insured~~. A private provider must provide the coalition with a
1833 minimum of 10 calendar days' advance written notice of
1834 cancellation of or changes to coverage. The general liability
1835 insurance required by this paragraph must remain in full force
1836 and effect for the entire period of the provider contract with
1837 the coalition.

1838 (m) For a provider that is an informal provider, comply
1839 with the provisions of paragraph (l) or maintain homeowner's
1840 liability insurance and, if applicable, a business rider. If an
1841 informal provider chooses to maintain a homeowner's policy, the
1842 provider must obtain and retain a homeowner's insurance policy
1843 that provides a minimum of \$100,000 of coverage per occurrence
1844 and a minimum of \$300,000 general aggregate coverage. The office
1845 may authorize lower limits upon request, as appropriate. An
1846 informal provider must add the coalition as a named
1847 certificateholder ~~and as an additional insured~~. An informal
1848 provider must provide the coalition with a minimum of 10
1849 calendar days' advance written notice of cancellation of or
1850 changes to coverage. The general liability insurance required by



1851 | this paragraph must remain in full force and effect for the
1852 | entire period of the provider's contract with the coalition.

1853 | (n) Obtain and maintain any required workers' compensation
1854 | insurance under chapter 440 and any required reemployment
1855 | assistance or unemployment compensation coverage under chapter
1856 | 443, unless exempt under state or federal law.

1857 | (o) Notwithstanding paragraph (l), for a provider that is
1858 | a state agency or a subdivision thereof, as defined in s.
1859 | 768.28(2), agree to notify the coalition of any additional
1860 | liability coverage maintained by the provider in addition to
1861 | that otherwise established under s. 768.28. The provider shall
1862 | indemnify the coalition to the extent permitted by s. 768.28.

1863 | (p) Execute the standard statewide provider contract
1864 | adopted by the office.

1865 | (q) Operate on a full-time and part-time basis and provide
1866 | extended-day and extended-year services to the maximum extent
1867 | possible without compromising the quality of the program to meet
1868 | the needs of parents who work.

1869 | (2) Beginning January 1, 2016, child care personnel
1870 | employed by a child care and development program provider must
1871 | hold a high school diploma or its equivalent and be at least 18
1872 | years of age, unless the personnel are not responsible for
1873 | supervising children in care or are under direct supervision.

1874 | (3) Beginning January 1, 2015, at least 50 percent of the
1875 | child care personnel employed by a child care and development



1876 program provider at each location must be trained in first aid
1877 and infant and child cardiopulmonary resuscitation, as evidenced
1878 by current documentation of course completion, unless the
1879 personnel are not responsible for supervising children in care.
1880 As a condition of employment, personnel hired on or after
1881 January 1, 2015, must complete this training within 60 days
1882 after employment.

1883 (4)(2) If a child care and development school readiness
1884 program provider fails or refuses to comply with this part or
1885 any contractual obligation of the statewide provider contract
1886 under s. 1002.82(2)(m), the coalition may revoke the provider's
1887 eligibility to deliver the child care and development school
1888 readiness program or receive state or federal funds under this
1889 chapter for ~~a period of~~ 5 years.

1890 (5)(3) The office and the coalitions may not:

1891 (a) Impose any requirement on a child care provider or
1892 early childhood education provider that does not deliver
1893 services under the child care and development school readiness
1894 program or receive state or federal funds under this part;

1895 (b) Impose any requirement on a child care and development
1896 school readiness program provider that exceeds the authority
1897 provided under this part or part V of this chapter or rules
1898 adopted pursuant to this part or part V of this chapter; or

1899 (c) Require a provider to administer a preassessment or
1900 postassessment.



CS/CS/HB 7069, Engrossed 1

2014

1901 Section 28. Subsections (6) and (7) of section 1002.89,
1902 Florida Statutes, are amended to read:

1903 1002.89 Child care and development ~~School readiness~~
1904 program; funding.—

1905 (6) Costs shall be kept to the minimum necessary for the
1906 efficient and effective administration of the child care and
1907 development ~~school readiness~~ program with the highest priority
1908 of expenditure being direct services for eligible children.
1909 However, no more than 5 percent of the funds described in
1910 subsection (5) may be used for administrative costs and no more
1911 than 22 percent of the funds described in subsection (5) may be
1912 used in any fiscal year for any combination of administrative
1913 costs, quality activities, and nondirect services as follows:

1914 (a) Administrative costs as described in 45 C.F.R. s.
1915 98.52, which shall include monitoring providers using the
1916 standard methodology adopted under s. 1002.82 to improve
1917 compliance with state and federal regulations and law pursuant
1918 to the requirements of the statewide provider contract adopted
1919 under s. 1002.82(2)(m).

1920 (b) Activities to improve the quality of child care as
1921 described in 45 C.F.R. s. 98.51, which shall be limited to the
1922 following:

1923 1. Developing, establishing, expanding, operating, and
1924 coordinating resource and referral programs specifically related
1925 to the provision of comprehensive consumer education to parents



CS/CS/HB 7069, Engrossed 1

2014

1926 and the public to promote informed child care choices specified
1927 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
1928 ~~readiness program and parental choice.~~

1929 2. Awarding grants and providing financial support to
1930 child care and development ~~school readiness~~ program providers
1931 and their staff to assist them in meeting applicable state
1932 requirements for child care performance standards, implementing
1933 developmentally appropriate curricula and related classroom
1934 resources that support curricula, providing literacy supports,
1935 obtaining a license or accreditation, and providing professional
1936 development, including scholarships and other incentives. Any
1937 grants awarded pursuant to this subparagraph shall comply with
1938 ~~the requirements of~~ ss. 215.971 and 287.058.

1939 3. Providing training, ~~and~~ technical assistance, and
1940 financial support for child care and development ~~school~~
1941 ~~readiness~~ program providers, staff, and parents on standards,
1942 child screenings, child assessments, developmentally appropriate
1943 curricula, character development, teacher-child interactions,
1944 age-appropriate discipline practices, health and safety,
1945 nutrition, first aid, cardiopulmonary resuscitation, the
1946 recognition of communicable diseases, and child abuse detection
1947 and prevention.

1948 4. Providing from among the funds provided for the
1949 activities described in subparagraphs 1.-3., adequate funding
1950 for infants and toddlers as necessary to meet federal



1951 requirements related to expenditures for quality activities for
 1952 infant and toddler care.

1953 5. Improving the monitoring of compliance with, and
 1954 enforcement of, applicable state and local requirements as
 1955 described in and limited by 45 C.F.R. s. 98.40.

1956 6. Responding to Warm-Line requests by providers and
 1957 parents ~~related to school readiness program children~~, including
 1958 providing developmental and health screenings to child care and
 1959 development ~~school readiness~~ program children.

1960 (c) Nondirect services as described in applicable Office
 1961 of Management and Budget instructions are those services not
 1962 defined as administrative, direct, or quality services that are
 1963 required to administer the child care and development ~~school~~
 1964 ~~readiness~~ program. Such services include, but are not limited
 1965 to:

- 1966 1. Assisting families to complete the required application
- 1967 and eligibility documentation.
- 1968 2. Determining child and family eligibility.
- 1969 3. Recruiting eligible child care providers.
- 1970 4. Processing and tracking attendance records.
- 1971 5. Developing and maintaining a statewide child care
- 1972 information system.

1973
 1974 As used in this paragraph, the term "nondirect services" does
 1975 not include payments to child care and development ~~school~~



1976 | ~~readiness~~ program providers for direct services provided to
 1977 | children who are eligible under s. 1002.87, administrative costs
 1978 | as described in paragraph (a), or quality activities as
 1979 | described in paragraph (b).

1980 | (7) Funds appropriated for the child care and development
 1981 | ~~school-readiness~~ program may not be expended for the purchase or
 1982 | improvement of land; for the purchase, construction, or
 1983 | permanent improvement of any building or facility; or for the
 1984 | purchase of buses. However, funds may be expended for minor
 1985 | remodeling necessary for the administration of the program and
 1986 | upgrading of child care facilities to ensure that providers meet
 1987 | state and local child care standards, including applicable
 1988 | health and safety requirements.

1989 | Section 29. Subsection (7) of section 1002.91, Florida
 1990 | Statutes, is amended to read:

1991 | 1002.91 Investigations of fraud or overpayment;
 1992 | penalties.—

1993 | (7) The early learning coalition may not contract with a
 1994 | child care and development ~~school-readiness~~ program provider, ~~or~~
 1995 | a Voluntary Prekindergarten Education Program provider, or an
 1996 | individual who is on the United States Department of Agriculture
 1997 | National Disqualified List. In addition, the coalition may not
 1998 | contract with any provider that shares an officer or director
 1999 | with a provider that is on the United States Department of
 2000 | Agriculture National Disqualified List.



CS/CS/HB 7069, Engrossed 1

2014

2001 Section 30. Paragraph (d) of subsection (3) of section
2002 1002.94, Florida Statutes, is amended to read:

2003 1002.94 Child Care Executive Partnership Program.—
2004 (3)

2005 (d) Each early learning coalition shall establish a
2006 community child care task force ~~for each child care purchasing~~
2007 ~~pool~~. The task force must be composed of employers, parents,
2008 private child care providers, and one representative from the
2009 local children's services council, if one exists in the area ~~of~~
2010 ~~the purchasing pool~~. The early learning coalition is expected to
2011 recruit the task force members from existing child care
2012 councils, commissions, or task forces already operating in the
2013 area ~~of a purchasing pool~~. A majority of the task force shall
2014 consist of employers.

2015 Section 31. The Office of Early Learning shall conduct a
2016 2-year pilot project to study the impact of assessing the early
2017 literacy skills of Voluntary Prekindergarten Education Program
2018 participants who are English Language Learners, in both English
2019 and Spanish. The assessments must include, at a minimum, the
2020 first administration of the Florida Assessments for Instruction
2021 in Reading in kindergarten and an appropriate alternative
2022 assessment in Spanish. The study must include a review of the
2023 kindergarten screening results for 2009-2010 and 2010-2011
2024 program participants and their subsequent Florida Comprehensive
2025 Assessment Test scores. The office shall annually report its



CS/CS/HB 7069, Engrossed 1

2014

2026 findings to the Governor, the President of the Senate, and the
2027 Speaker of the House of Representatives by July 1, 2015, and
2028 July 1, 2016.

2029 Section 32. For the 2014-2015 fiscal year, the sums of
2030 \$1,034,965 in recurring funds and \$11,319 in nonrecurring funds
2031 from the General Revenue Fund, and \$70,800 in recurring funds
2032 from the Operations and Maintenance Trust Fund, are appropriated
2033 to the Department of Children and Families, and 18 full-time
2034 equivalent positions with associated salary rate of 608,446 are
2035 authorized, for the purpose of implementing the regulatory
2036 provisions of this act.

2037 Section 33. This act shall take effect July 1, 2014.