

Committee Substitute for
Committee Substitute for Senate Bill No. 1550

An act relating to child care; amending s. 402.3131, F.S.; increasing the introductory course requirement for operators of large family child care homes; requiring a competency examination upon successful completion of required training; providing for community college credit; amending s. 402.305, F.S.; revising minimum training requirements for child care personnel; requiring a competency examination upon successful completion of the required training; providing for community college credit; providing an automatic exemption from certain training requirements for personnel having specified degrees, credentials, courses, or waivers in specified areas; providing for an extension until 2004 to implement the child care facility director credential requirement; amending s. 402.313, F.S.; requiring a competency examination for operators of family day care homes upon successful completion of the required training; requiring the Department of Children and Family Services to establish standards by rule for training for family day care homes that have voluntarily chosen to be licensed or must be licensed due to county ordinance or resolution; authorizing the department to modify certain child care training requirements to provide for articulation into community college credit; amending s. 110.151, F.S.; authorizing the creation of public-private child care sites; providing an effective date.

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

Section 1. Subsection (3) of section 402.3131, Florida Statutes, is amended to read:

402.3131 Large family child care homes.—

(3) Operators of large family child care homes must successfully complete ~~shall take~~ an approved 40-clock-hour introductory course in group child care, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, as approved by the Articulation Coordinating Committee pursuant to s. 229.551(1)(g).

Section 2. Paragraph (d) and (f) of subsection (2) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

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

(d) Minimum training requirements for child care personnel.

1. ~~Such minimum standards for training shall ensure that all child care personnel and operators of family day care homes serving at-risk children in a subsidized child care program pursuant to s. 402.3015 take an approved 40-clock-hour introductory course in child care, which course covers at least the following topic areas:~~

- a. State and local rules and regulations which govern child care.
- b. Health, safety, and nutrition.
- c. Identifying and reporting child abuse and neglect.
- d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.
- e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.
- f. Specialized areas, including computer technology for professional and classroom use, as determined by the department, for owner-operators and child care personnel of a child care facility.

~~Within 90 days after of employment, child care personnel shall begin training to meet the training requirements. Child care personnel and shall successfully complete such training within 1 year after of the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, as approved by the Articulation Coordinating Committee, pursuant to s. 229.551(1)(g). Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.~~

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

3. On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional approved 8 clock hours of inservice training or an equivalent as determined by the department.

4. Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum standards. It is recommended that the

state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and vocational-technical programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.

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

6. ~~The department~~ State Coordinating Council for School Readiness Programs, in coordination with the department, shall evaluate or contract for an evaluation for the general purpose of determining the status of and means to improve staff training requirements and testing procedures. The evaluation shall be ~~completed by October 1, 1992,~~ and conducted every 2 years ~~thereafter~~. The evaluation shall include, but not be limited to, determining the availability, quality, scope, and sources of current staff training; determining the need for specialty training; and determining ways to increase inservice training and ways to increase the accessibility, quality, and cost-effectiveness of current and proposed staff training. The evaluation methodology shall include a reliable and valid survey of child care personnel.

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

(f) By January 1, 2000, a credential for child care facility directors. By January 1, ~~2004~~ 2003, the credential shall be a required minimum standard for licensing.

Section 3. Paragraph (a) of subsection (1) and subsections (4) and (10) of section 402.313, Florida Statutes, are amended to read:

402.313 Family day care homes.—

(1) Family day care homes shall be licensed under this act if they are presently being licensed under an existing county licensing ordinance, if they are participating in the subsidized child care program, or if the board of county commissioners passes a resolution that family day care homes be licensed. If no county authority exists for the licensing of a family day care home, the department shall have the authority to license family day care homes under contract for the purchase-of-service system in the subsidized child care program.

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

1. The name and address of the home.
2. The name of the operator.

3. The number of children served.

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

5. Proof of screening and background checks.

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

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

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

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

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

f. Specialized areas, as determined by the department, for owner-operators of family day care homes.

7. Proof that immunization records are kept current.

(4) Operators of family day care homes must successfully complete ~~shall take~~ an approved 30-clock-hour introductory course in child care, as evidenced by passage of a competency examination. Family day care homes licensed or registered on June 30, 1999, shall have until June 30, 2001, to comply with this course requirement, except that the department shall exempt family day care homes in this category that can demonstrate that the operator has received at least 30 hours of training. Family day care homes initially licensed or registered on or after July 1, 1999, but before October 1, 1999, shall have until October 1, 1999, to comply with the 30-clock-hour course requirement. Family day care homes initially licensed or registered on or after October 1, 1999, must comply with the 30-clock-hour course requirement before caring for children.

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

Section 4. The Department of Children and Family Services may modify the 40-clock-hour introductory course in child care under section 402.305 or section 402.3131, Florida Statutes, to meet the requirements of articulating

the course to community college credit. Any modification must continue to provide that the course satisfies the requirements of section 402.305(2)(d), Florida Statutes.

Section 5. Subsection (6) of section 110.151, Florida Statutes, is amended to read:

110.151 State officers' and employees' child care services.—

(6) In the areas where the state has an insufficient number of employees to justify a worksite center, a state agency may join in a consortium arrangement utilizing available state facilities with not-for profit corporations or other public employers to provide child care services to both public employees and employees of private sector employers. The consortium agreement must first address the unmet child-care needs of the children of the public employees whose employers are members of the consortium, and then address the child-care needs of private-sector employees.

Section 6. This act shall take effect July 1, 2002.

Approved by the Governor June 5, 2002.

Filed in Office Secretary of State June 5, 2002.