



Education Committee

Wednesday, November 18, 2015

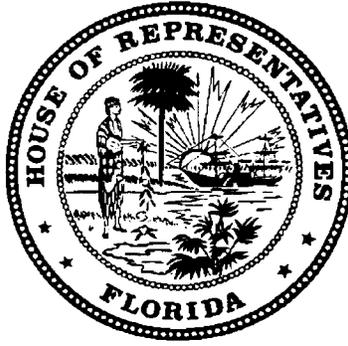
9:00 a.m. – 11:00 a.m.

102 HOB

Meeting Packet

Steve Crisafulli
Speaker

H. Marlene O'Toole
Chair



AGENDA

Education Committee
Wednesday, November 18, 2015
9:00 a.m. – 11:00 a.m.

102 HOB

- I. Call to Order and Roll Call – Chair O’Toole
- II. Welcome – Chair O’Toole
- III. Workshop on the following:
 - Extracurricular Activities
 - Child Care and Development Block Grant
- IV. Closing Remarks and Adjournment

Extracurricular Activities

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YEAR

1 A bill to be entitled
 2 An act relating to extracurricular activities;
 3 amending s. 1002.20, F.S.; conforming cross-
 4 references; revising provisions related to
 5 participation in extracurricular activities; amending
 6 s. 1006.15, F.S.; providing definitions; revising
 7 academic eligibility requirements; specifying grounds
 8 for student ineligibility for participation in
 9 interscholastic athletics; specifying conditions under
 10 which students who are enrolled in public schools,
 11 certain private schools, or home education programs
 12 may participate in the extracurricular activities of a
 13 public school; deleting obsolete provisions; \amending
 14 s. 1006.20, F.S.; providing requirements regarding
 15 fees and admission prices; authorizing member schools
 16 to join other associations; revising provisions
 17 regarding eligibility, transfer, and recruiting;
 18 providing procedures for resolving student eligibility
 19 disputes; deleting provisions relating to the FHSAA's
 20 appeals committees; deleting requirements with respect
 21 to amendments to the FHSAA's bylaws; amending s.
 22 1002.33, conforming cross-references; providing an
 23 effective date.

24
 25 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Subsections (17) and (18) of section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(a) Eligibility.—Eligibility requirements for all students participating in interscholastic high school athletic competition must allow a student to be eligible in the school in which he or she first enrolls each school year, the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred ~~with approval of the district school board,~~ in accordance with ~~the provisions of s. 1006.20~~ 1006.20(2)(a).

(b) Medical evaluation.—Students must satisfactorily pass a medical evaluation each year before participating in athletics, unless the parent objects in writing based on religious tenets or practices, in accordance with ~~the provisions of s. 1006.20~~ 1006.20(2)(d).

(18) EXTRACURRICULAR ACTIVITIES.—In accordance with the

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YEAR

51 ~~provisions of s. 1006.15:~~

52 (a) Eligibility.—Students who meet specified academic and
 53 conduct requirements are eligible to participate in
 54 extracurricular activities.

55 (b) Participation ~~Home education students.~~—All public
 56 school students, including those enrolled in public schools of
 57 choice and virtual education, all home education students, and
 58 students attending an unaffiliated private school may
 59 participate in any extracurricular activity not offered by the
 60 student's school or home education program at any public school
 61 in the school district in which the student resides or a public
 62 school in another school district which the student could choose
 63 to attend pursuant to an interdistrict controlled open
 64 enrollment policy ~~who meet specified academic and conduct~~
 65 ~~requirements are eligible to participate in extracurricular~~
 66 ~~activities at the public school to which the student would be~~
 67 ~~assigned or could choose to attend according to district school~~
 68 ~~board policies, or may develop an agreement to participate at a~~
 69 ~~private school.~~

70 (c) ~~Charter school students.~~—~~Charter school students who~~
 71 ~~meet specified academic and conduct requirements are eligible to~~
 72 ~~participate in extracurricular activities at the public school~~
 73 ~~to which the student would be assigned or could choose to attend~~
 74 ~~according to district school board policies, unless such~~
 75 ~~activity is provided by the student's charter school.~~

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ORIGINAL

YEAR

76 ~~(d) Florida Virtual School full-time students. Florida~~
 77 ~~Virtual School full-time students who meet specified academic~~
 78 ~~and conduct requirements are eligible to participate in~~
 79 ~~extracurricular activities at the public school to which the~~
 80 ~~student would be assigned or could choose to attend according to~~
 81 ~~district school board policies.~~

82 ~~(c)(e) Discrimination prohibited.~~ Organizations that
 83 regulate or govern extracurricular activities of public schools
 84 shall not discriminate against any eligible student based on an
 85 educational choice of public, private, or home education.

86 Section 2. Subsections (2) through (8) of section 1006.15,
 87 Florida Statutes, are amended to read:

88 1006.15 Student standards for eligibility to participate
 89 participation in interscholastic and intrascholastic
 90 extracurricular student activities; regulation.

91 (3) As used in this part section, the term:

92 (a) "Eligible to participate" includes participating in
 93 extracurricular activities through tryouts, off-season
 94 conditioning, summer workouts, preseason conditioning, in-season
 95 practice, or contests. However, such participation may be
 96 limited if activity is at maximum capacity or if the student
 97 does not have the requisite skill and ability to participate.

98 (b) "Extracurricular activity" means a any school-
 99 authorized or education-related activity occurring during or
 100 outside the regular instructional school day.

BILL

ORIGINAL

YEAR

101 (c) "Home education cooperative" means a parent-directed
 102 group of individual home education students that provides
 103 opportunities for interscholastic competition to those students.

104 (d) "Nonprofit association" means the nonprofit
 105 association that governs interscholastic athletic competition in
 106 this state pursuant to s. 1006.20.

107 (e) "Public school student" means a student who is
 108 attending a traditional public school, charter school, magnet
 109 school, alternative school, developmental research laboratory
 110 school, other public school of choice, or public virtual school.

111 (f) "Unaffiliated private school" means a private school
 112 that is not a member of the nonprofit association.

113 (4)(3)(a) A student is ~~To be~~ eligible to participate in
 114 interscholastic extracurricular ~~student~~ activities if the, a
 115 student ~~must:~~

116 1. Maintains ~~Maintain~~ a grade point average of 2.0 or
 117 above on a 4.0 scale, or its equivalent, in the previous
 118 semester or a cumulative grade point average of 2.0 or above on
 119 a 4.0 scale, or its equivalent, ~~in the courses required by s.~~
 120 ~~1002.3105(5) or s. 1003.4282.~~

121 2. Executes ~~Execute~~ and fulfills ~~fulfill~~ the requirements
 122 of an academic performance contract between the student, the
 123 district school board or private school, the appropriate
 124 governing association, and the student's parents, ~~if the~~
 125 student's cumulative grade point average falls below 2.0, or its

Extracurricular Activities

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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YEAR

126 equivalent, on a 4.0 scale ~~in the courses required by s.~~
 127 ~~1002.3105(5) or s. 1003.4282.~~ At a minimum, the contract must
 128 require that the student attend summer school, or its graded
 129 equivalent, between grades 9 and 10 or grades 10 and 11, as
 130 necessary.

131 3. ~~Has~~ Have a cumulative grade point average of 2.0 or
 132 above on a 4.0 scale, or its equivalent, ~~in the courses required~~
 133 ~~by s. 1002.3105(5) or s. 1003.4282~~ during his or her junior or
 134 senior year.

135 4. Maintains ~~Maintain~~ satisfactory conduct as prescribed
 136 by the district school board's or private school's code,
 137 ~~including adherence to appropriate dress and other codes of~~
 138 student conduct and complies with sports ethics and substance
 139 abuse policies of the FHSAA policies described in s. 1006.07(2).
 140 If a student is convicted of, or is found to have committed, a
 141 felony or a delinquent act that would have been a felony if
 142 committed by an adult, regardless of whether adjudication is
 143 withheld, the student's participation in ~~inter-scholastic~~
 144 extracurricular activities is contingent upon established and
 145 published district school board or private school policy.

146 5. A home education student satisfies the requirements of
 147 subparagraphs 1. through 3. If the student meets the
 148 requirements of the home education program pursuant to s.
 149 1002.41, and demonstrates educational progress using a method of
 150 evaluation agreed upon by the parent and the school principal

BILL

ORIGINAL

YEAR

151 which may include: review of the student's work by a certified
 152 teacher chosen by the parent; grades earned through
 153 correspondence; grades earned in courses taken at a Florida
 154 College System institution, university, or trade school;
 155 standardized test scores above the 35th percentile; or any other
 156 method designated in s. 1002.41

157 (b)1. A student may only be declared ineligible to
 158 participate in interscholastic athletic competition if:

159 a. The student fails to achieve compliance with paragraph
 160 (a);

161 b. The student has been recruited, as defined by s.
 162 1006.20(2)(b), and sanctions have been imposed against the
 163 responsible parties.

164 c. The student has exhausted 4 years of athletic
 165 eligibility, graduated from high school, or attained the maximum
 166 age established by the nonprofit association, whichever occurs
 167 first;

168 d. The student forfeits his or her amateur status, as
 169 defined by the nonprofit association; or

170 e. The student does not pass a medical evaluation pursuant
 171 to s. 1006.20(2)(c), except as otherwise provided in s.
 172 1006.20(2)(d).

173 (c)1.~~(b)~~ A Any student who is exempt from attending a full
 174 school day based on rules adopted by the district school board
 175 for double session schools or programs, experimental schools, or

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ORIGINAL

YEAR

176 schools operating under emergency conditions must maintain the
 177 grade point average required by this section and pass each class
 178 for which he or she is enrolled.

179 2. A student who transfers from a home education program
 180 to a public or private school before or during the first
 181 semester of the school year is academically eligible to
 182 participate in extracurricular activities during the first
 183 semester if the student has a successful evaluation from the
 184 previous school year pursuant to subparagraph (a)5.

185 3. A public school or private school student who transfers
 186 into a home education program after being declared ineligible
 187 for participation in extracurricular activities pursuant to sub-
 188 subparagraph (b)1.a. is ineligible to participate in such
 189 activities as a home education student until the student has
 190 successfully completed one semester in a home education program
 191 pursuant to s. 1002.41.

192 4. A public school student who transfers to a private
 193 school or another public school, or a private school student who
 194 transfers to a public school or another private school, after
 195 being declared ineligible to participate in extracurricular
 196 activities pursuant to sub-subparagraph (b)1.a. is ineligible to
 197 participate in such activities until the student has
 198 successfully completed one semester at the school to which he or
 199 she transfers and meets the requirements of paragraph (a).

200 (d)-(e) A public school student, a student attending an

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ORIGINAL

YEAR

201 unaffiliated private school, or a ~~An individual~~ home education
 202 student is eligible to participate in an extracurricular
 203 activity that is not offered by the student's school or home
 204 education program. Participation may occur at any ~~the~~ public
 205 school in the school district in which the student resides ~~to~~
 206 ~~which the student would be assigned according to district school~~
 207 ~~board attendance area policies or~~ a public school in another
 208 school district which the student could choose to attend
 209 pursuant to an ~~district or~~ interdistrict controlled open
 210 enrollment policy. A home education student ~~provisions, or~~ may
 211 also develop an agreement to participate at a private school, ~~in~~
 212 the interscholastic or extracurricular activities of that
 213 school. In order to participate under this paragraph, a student
 214 must meet, ~~provided the following conditions are met:~~

215 1. ~~The home education student must meet the requirements~~
 216 ~~of the home education program pursuant to s. 1002.41.~~

217 2. ~~During the period of participation at a school, the~~
 218 ~~home education student must demonstrate educational progress as~~
 219 ~~required in paragraph (b) in all subjects taken in the home~~
 220 ~~education program by a method of evaluation agreed upon by the~~
 221 ~~parent and the school principal which may include: review of the~~
 222 ~~student's work by a certified teacher chosen by the parent;~~
 223 ~~grades earned through correspondence; grades earned in courses~~
 224 ~~taken at a Florida College System institution, university, or~~
 225 ~~trade school; standardized test scores above the 35th~~

BILL

ORIGINAL

YEAR

226 ~~percentile; or any other method designated in s. 1002.41.~~

227 ~~3. The home education student must meet the same residency~~
 228 ~~requirements as other students in the school at which he or she~~
 229 ~~participates.~~

230 1.4. The home education student must meet the same
 231 standards of acceptance, behavior, and performance as required
 232 of other students in extracurricular activities.

233 2.5. The student must register with the school his or her
 234 intent to participate in interscholastic extracurricular
 235 activities as a representative of the school before the
 236 beginning date of the nonathletic activity or season for the
 237 athletic activity in which he or she wishes to participate. A
 238 ~~home education~~ student must be able to participate in curricular
 239 activities if that is a requirement for an extracurricular
 240 activity.

241 3. A student who is enrolled in an unaffiliated private
 242 school, home education program, a full-time public virtual
 243 school, or any public school that does not offer any
 244 interscholastic athletic programs may only participate in
 245 interscholastic athletics at the public school in which the
 246 student first makes himself or herself a candidate for an
 247 athletic team by engaging in practice.

248 4. The student's parent is responsible for transporting
 249 the student to and from the school at which the student
 250 participates. The school the student attends, the school at

BILL

ORIGINAL

YEAR

251 which the student participates in the extracurricular activity,
 252 the district school board, and the nonprofit association are
 253 exempt from civil liability arising from any injury to the
 254 student which occurs during such transportation.

255 ~~6. A student who transfers from a home education program~~
 256 ~~to a public school before or during the first grading period of~~
 257 ~~the school year is academically eligible to participate in~~
 258 ~~interscholastic extracurricular activities during the first~~
 259 ~~grading period provided the student has a successful evaluation~~
 260 ~~from the previous school year, pursuant to subparagraph 2.~~

261 ~~7. Any public school or private school student who has~~
 262 ~~been unable to maintain academic eligibility for participation~~
 263 ~~in interscholastic extracurricular activities is ineligible to~~
 264 ~~participate in such activities as a home education student until~~
 265 ~~the student has successfully completed one grading period in~~
 266 ~~home education pursuant to subparagraph 2. to become eligible to~~
 267 ~~participate as a home education student.~~

268 ~~(d) An individual charter school student pursuant to s.~~
 269 ~~1002.33 is eligible to participate at the public school to which~~
 270 ~~the student would be assigned according to district school board~~
 271 ~~attendance area policies or which the student could choose to~~
 272 ~~attend, pursuant to district or interdistrict controlled open~~
 273 ~~enrollment provisions, in any interscholastic extracurricular~~
 274 ~~activity of that school, unless such activity is provided by the~~
 275 ~~student's charter school, if the following conditions are met:~~

BILL

ORIGINAL

YEAR

276 1. ~~The charter school student must meet the requirements~~
 277 ~~of the charter school education program as determined by the~~
 278 ~~charter school governing board.~~

279 2. ~~During the period of participation at a school, the~~
 280 ~~charter school student must demonstrate educational progress as~~
 281 ~~required in paragraph (b).~~

282 3. ~~The charter school student must meet the same residency~~
 283 ~~requirements as other students in the school at which he or she~~
 284 ~~participates.~~

285 4. ~~The charter school student must meet the same standards~~
 286 ~~of acceptance, behavior, and performance that are required of~~
 287 ~~other students in extracurricular activities.~~

288 5. ~~The charter school student must register with the~~
 289 ~~school his or her intent to participate in interscholastic~~
 290 ~~extracurricular activities as a representative of the school~~
 291 ~~before the beginning date of the season for the activity in~~
 292 ~~which he or she wishes to participate. A charter school student~~
 293 ~~must be able to participate in curricular activities if that is~~
 294 ~~a requirement for an extracurricular activity.~~

295 6. ~~A student who transfers from a charter school program~~
 296 ~~to a traditional public school before or during the first~~
 297 ~~grading period of the school year is academically eligible to~~
 298 ~~participate in interscholastic extracurricular activities during~~
 299 ~~the first grading period if the student has a successful~~
 300 ~~evaluation from the previous school year, pursuant to~~

BILL

ORIGINAL

YEAR

301 ~~subparagraph 2.~~

302 ~~7. Any public school or private school student who has~~
 303 ~~been unable to maintain academic eligibility for participation~~
 304 ~~in interscholastic extracurricular activities is ineligible to~~
 305 ~~participate in such activities as a charter school student until~~
 306 ~~the student has successfully completed one grading period in a~~
 307 ~~charter school pursuant to subparagraph 2. to become eligible to~~
 308 ~~participate as a charter school student.~~

309 ~~(c) A student of the Florida Virtual School full-time~~
 310 ~~program may participate in any interscholastic extracurricular~~
 311 ~~activity at the public school to which the student would be~~
 312 ~~assigned according to district school board attendance area~~
 313 ~~policies or which the student could choose to attend, pursuant~~
 314 ~~to district or interdistrict controlled open enrollment~~
 315 ~~policies, if the student:~~

316 ~~1. During the period of participation in the~~
 317 ~~interscholastic extracurricular activity, meets the requirements~~
 318 ~~in paragraph (a).~~

319 ~~2. Meets any additional requirements as determined by the~~
 320 ~~board of trustees of the Florida Virtual School.~~

321 ~~3. Meets the same residency requirements as other students~~
 322 ~~in the school at which he or she participates.~~

323 ~~4. Meets the same standards of acceptance, behavior, and~~
 324 ~~performance that are required of other students in~~
 325 ~~extracurricular activities.~~

BILL

ORIGINAL

YEAR

326 ~~5. Registers his or her intent to participate in~~
 327 ~~interscholastic extracurricular activities with the school~~
 328 ~~before the beginning date of the season for the activity in~~
 329 ~~which he or she wishes to participate. A Florida Virtual School~~
 330 ~~student must be able to participate in curricular activities if~~
 331 ~~that is a requirement for an extracurricular activity.~~

332 ~~(f) A student who transfers from the Florida Virtual~~
 333 ~~School full time program to a traditional public school before~~
 334 ~~or during the first grading period of the school year is~~
 335 ~~academically eligible to participate in interscholastic~~
 336 ~~extracurricular activities during the first grading period if~~
 337 ~~the student has a successful evaluation from the previous school~~
 338 ~~year pursuant to paragraph (a).~~

339 ~~(g) A public school or private school student who has been~~
 340 ~~unable to maintain academic eligibility for participation in~~
 341 ~~interscholastic extracurricular activities is ineligible to~~
 342 ~~participate in such activities as a Florida Virtual School~~
 343 ~~student until the student successfully completes one grading~~
 344 ~~period in the Florida Virtual School pursuant to paragraph (a).~~

345 (5)(4) The student standards for participation in
 346 interscholastic extracurricular activities must be applied
 347 beginning with the student's first semester of the 9th grade.
 348 Each student must meet such other requirements for participation
 349 as may be established by the district school board; however,
 350 such requirements must apply on an equal basis to all students

BILL

ORIGINAL

YEAR

351 ~~and a district school board may not make~~ establish requirements
 352 ~~for participation in interscholastic extracurricular activities~~
 353 ~~which make participation in such activities less accessible to a~~ transfer student or a student enrolled in a public school of
 354 choice, an unaffiliated private school, or a home education
 355 program students than to other students. A district school board
 356 or private school shall equitably apply its transfer policies
 357 regardless of the reason for the transfer and shall not
 358 establish transfer student eligibility policies which are more
 359 stringent than the policies established by the nonprofit
 360 association ~~Except as set forth in paragraph (3)(c), evaluation~~
 361 ~~processes or requirements that are placed on home education~~
 362 ~~student participants may not go beyond those that apply under s.~~
 363 ~~1002.41 to home education students generally.~~

365 ~~(8)(a) The Florida High School Athletic Association~~
 366 ~~(FHSAA), in cooperation with each district school board, shall~~
 367 ~~facilitate a program in which a middle school or high school~~
 368 ~~student who attends a private school shall be eligible to~~
 369 ~~participate in an interscholastic or intrascholastic sport at a~~
 370 ~~public high school, a public middle school, or a 6-12 public~~
 371 ~~school that is zoned for the physical address at which the~~
 372 ~~student resides if:~~

373 ~~1. The private school in which the student is enrolled is~~
 374 ~~not a member of the FHSAA and does not offer an interscholastic~~
 375 ~~or intrascholastic athletic program.~~

BILL

ORIGINAL

YEAR

376 ~~2. The private school student meets the guidelines for the~~
 377 ~~conduct of the program established by the FHSAA's board of~~
 378 ~~directors and the district school board. At a minimum, such~~
 379 ~~guidelines shall provide:~~

380 ~~a. A deadline for each sport by which the private school~~
 381 ~~student's parents must register with the public school in~~
 382 ~~writing their intent for their child to participate at that~~
 383 ~~school in the sport.~~

384 ~~b. Requirements for a private school student to~~
 385 ~~participate, including, but not limited to, meeting the same~~
 386 ~~standards of eligibility, acceptance, behavior, educational~~
 387 ~~progress, and performance which apply to other students~~
 388 ~~participating in interscholastic or intrascholastic sports at a~~
 389 ~~public school or FHSAA member private school.~~

390 ~~(b) The parents of a private school student participating~~
 391 ~~in a public school sport under this subsection are responsible~~
 392 ~~for transporting their child to and from the public school at~~
 393 ~~which the student participates. The private school the student~~
 394 ~~attends, the public school at which the student participates in~~
 395 ~~a sport, the district school board, and the FHSAA are exempt~~
 396 ~~from civil liability arising from any injury that occurs to the~~
 397 ~~student during such transportation.~~

398 ~~(c) For each academic year, a private school student may~~
 399 ~~only participate at the public school in which the student is~~
 400 ~~first registered under sub-subparagraph (a)2.a. or makes himself~~

BILL

ORIGINAL

YEAR

401 ~~or herself a candidate for an athletic team by engaging in a~~
 402 ~~practice.~~

403 ~~(d) The athletic director of each participating FHSAA~~
 404 ~~member public school shall maintain the student records~~
 405 ~~necessary for eligibility, compliance, and participation in the~~
 406 ~~program.~~

407 ~~(e) Any non-FHSAA member private school that has a student~~
 408 ~~who wishes to participate in this program must make all student~~
 409 ~~records, including, but not limited to, academic, financial,~~
 410 ~~disciplinary, and attendance records, available upon request of~~
 411 ~~the FHSAA.~~

412 ~~(f) A student must apply to participate in this program~~
 413 ~~through the FHSAA program application process.~~

414 ~~(g) Only students who are enrolled in non-FHSAA member~~
 415 ~~private schools consisting of 125 students or fewer are eligible~~
 416 ~~to participate in the program in any given academic year.~~

417 Section 3. Section 1006.20, Florida Statutes, is amended
 418 to read:

419 1006.20 Athletics in public K-12 schools.—

420 (1) GOVERNING NONPROFIT ASSOCIATION ORGANIZATION.—The
 421 Florida High School Athletic Association (FHSAA) is designated
 422 ~~as~~ the governing nonprofit association for purposes of
 423 membership in the National Federation of State High School
 424 Associations ~~organization of athletics in Florida public~~
 425 ~~schools. If, at any time,~~ the FHSAA fails to meet the provisions

BILL

ORIGINAL

YEAR

426 of this ~~part section~~, the commissioner, with the approval of the
 427 State Board of Education, shall designate ~~another~~ a nonprofit
 428 association ~~organization~~ to govern interscholastic athletic
 429 competition in this state and serve as Florida's voting member
 430 association of the National Federation of State High School
 431 Associations ~~athletics with the approval of the State Board of~~
 432 ~~Education~~. The FHSAA is not a state agency as defined in s.
 433 120.52 but is. ~~The FHSAA shall be subject to ss. 1006.15-~~
 434 1006.19. Any special event fees, sanctioning fees, including
 435 third-party sanctioning fees, or contest receipts collected
 436 annually by the FHSAA may not exceed its actual costs to perform
 437 the function or duty that is the subject of or justification for
 438 the fee the provisions of s. 1006.19. The FHSAA shall offer
 439 spectators seeking admission to interscholastic athletic
 440 competitions the option of purchasing a single-day pass or a
 441 multiple-day pass that is at a cost below that which one would
 442 pay on a per-event basis for the same number of contests. A
 443 ~~private school that wishes to engage in high school athletic~~
 444 ~~competition with a public high school may become a member of the~~
 445 ~~FHSAA~~. Any high school in the state, including private schools,
 446 traditional public schools, charter schools, virtual schools,
 447 and home education cooperatives, may become a member of the
 448 FHSAA and participate in the activities of the FHSAA. ~~However,~~
 449 Membership in the FHSAA is not mandatory for any school. The
 450 FHSAA shall allow a school the option of joining the association

BILL

ORIGINAL

YEAR

451 as a full-time member or on a per-sport basis and may not
 452 prohibit or discourage any school from simultaneously
 453 maintaining membership in the FHSAA and another athletic
 454 association. The FHSAA may not:

455 1. ~~deny~~ Deny or discourage interscholastic athletic
 456 competition between its member schools and nonmember ~~non-FHSAA~~
 457 ~~member Florida~~ schools, including members of another athletic
 458 association governing organization, and may not take

459 2. Engage in any retributory or discriminatory action
 460 against any of its member schools that seek to participate in
 461 interscholastic athletic competition with nonmember ~~non-FHSAA~~
 462 ~~member Florida~~ schools or become members in other associations
 463 for a sport for which they are not a member of the FHSAA. The
 464 FHSAA may not unreasonably withhold

465 3. Withhold its approval of an application to become an
 466 affiliate member of the National Federation of State High School
 467 Associations submitted by any other association ~~organization~~
 468 that governs interscholastic athletic competition in this state
 469 which meets the requirements of the National Federation of State
 470 High School Associations. The commissioner may identify other
 471 associations that govern interscholastic athletic competition in
 472 compliance with the requirements of the National Federation of
 473 State High School Associations. ~~The bylaws of the FHSAA are the~~
 474 ~~rules by which high school athletic programs in its member~~
 475 ~~schools, and the students who participate in them, are governed,~~

BILL

ORIGINAL

YEAR

476 ~~unless otherwise specifically provided by statute.~~ For the
 477 purposes of this section, "high school" includes grades 6
 478 through 12.

479 (2) STUDENT ELIGIBILITY REQUIREMENTS; RECRUITING ADOPTION
 480 ~~OF BYLAWS, POLICIES; ELIGIBILITY DISPUTE RESOLUTION, OR~~
 481 GUIDELINES.—The FHSAA shall:

482 (a) ~~The FHSAA shall adopt bylaws that, unless specifically~~
 483 ~~provided by statute,~~ Establish eligibility requirements for all
 484 students who participate in interscholastic high school athletic
 485 competition in its member schools. A ~~The bylaws governing~~
 486 ~~residence and transfer shall allow the student~~ is ~~to be~~ eligible
 487 in the school in which he or she first enrolls each school year
 488 or the school in which the student makes himself or herself a
 489 candidate for an athletic team by engaging in a practice before
 490 ~~prior to enrolling in the school.~~ A student who transfers ~~The~~
 491 ~~bylaws shall also allow the student to be eligible in the school~~
 492 ~~to which the student has transferred during the school year~~ is
 493 eligible in the school to which he or she transfers ~~if the~~
 494 ~~transfer is made by a deadline established by the FHSAA, which~~
 495 ~~may not be prior to the date authorized for the beginning of~~
 496 ~~practice for the sport. These transfers shall be allowed~~
 497 ~~pursuant to the district school board policies in the case of~~
 498 ~~transfer to a public school or pursuant to the private school~~
 499 ~~policies in the case of transfer to a private school. The~~
 500 ~~student shall be eligible in that school so long as he or she~~

BILL

ORIGINAL

YEAR

501 ~~remains enrolled in that school. Subsequent eligibility shall be~~
 502 ~~determined and enforced through the FHSAA's bylaws. Requirements~~
 503 ~~governing eligibility and transfer between member schools shall~~
 504 ~~be applied similarly to public school students and private~~
 505 ~~school students.~~

506 (b) ~~The FHSAA shall adopt bylaws that specifically~~
 507 ~~Prohibit the recruiting of students for athletic purposes and-~~
 508 ~~The bylaws shall prescribe penalties and an appeals process for~~
 509 ~~athletic recruiting violations. Recruiting is any effort by a~~
 510 ~~school employee or athletic department staff member to pressure,~~
 511 ~~urge, or entice a student to attend that school for the purpose~~
 512 ~~of participating in interscholastic athletic competition as~~
 513 ~~determined by a neutral third party based upon a preponderance~~
 514 ~~of the evidence.~~

515 1. If it is determined that a school has recruited a
 516 student in violation of FHSAA bylaws, the FHSAA may require the
 517 school to participate in a higher classification for the sport
 518 in which the recruited student competes for a minimum of one
 519 classification cycle, in addition to any other appropriate fine
 520 and sanction imposed on the school, its coaches, or adult
 521 representatives who commit violate recruiting violations rules.

522 2. Any recruitment by an adult in violation of FHSAA bylaws
 523 shall result in forfeiture of every competition in which the
 524 recruited student participates and escalating punishment, as
 525 follows:

BILL

ORIGINAL

YEAR

- 526 a. First offense results in a \$5,000 fine.
 527 b. Second offense results in a \$7,500 fine and if the
 528 individual is employed by the school district, suspension
 529 without pay from any coaching, directing or advertising of any
 530 extracurricular activity for 12 months.
 531 c. Third offense results in a \$10,000 fine and if the
 532 individual holds a temporary or professional certificate
 533 required by ss. 1012.55 or 1012.56, the FHSAA shall refer the
 534 violation to the department for investigation pursuant to s.
 535 1012.796. If the complaint is upheld, the educator's certificate
 536 must be revoked for a period of 3 years, in addition to the
 537 available penalties in s. 1012.796.

538
 539 A student may only ~~not~~ be declared ineligible based on a
 540 recruiting violation if of recruiting rules unless the student
 541 or parent has the FHSAA has imposed sanctions against the
 542 individuals or member school engaging in recruiting falsified
 543 any enrollment or eligibility document or accepted any benefit
 544 or any promise of benefit if such benefit is not generally
 545 available to the school's students or family members or is based
 546 in any way on athletic interest, potential, or performance.

547 (f) The FHSAA shall adopt bylaws that establish sanctions
 548 for coaches who have committed major violations of the FHSAA's
 549 bylaws and policies.

- 550 1. Major violations include, but are not limited to,

BILL

ORIGINAL

YEAR

551 knowingly allowing an ineligible student to participate in a
 552 contest representing a member school in an interscholastic
 553 contest or committing a violation of the FHSAA's recruiting or
 554 sports ethics ~~sportsmanship~~ policies.

555 2. Sanctions placed upon an individual coach may include,
 556 but are not limited to, prohibiting or suspending the coach from
 557 coaching, participating in, or attending any athletic activity
 558 sponsored, recognized, or sanctioned by the FHSAA and the member
 559 school for which the coach committed the violation. If a coach
 560 is sanctioned by the FHSAA and the coach transfers to another
 561 member school, those sanctions remain in full force and effect
 562 during the term of the sanction.

563 3. If a member school is assessed a financial penalty as a
 564 result of a coach committing a major violation, the coach shall
 565 reimburse the member school before being allowed to coach,
 566 participate in, or attend any athletic activity sponsored,
 567 recognized, or sanctioned by the FHSAA and a member school.

568 4. The FHSAA shall establish a due process procedure for
 569 coaches sanctioned under this paragraph, ~~consistent with the~~
 570 ~~appeals procedures set forth in subsection (7).~~

571 (g) Provide a process for the resolution of student
 572 eligibility disputes. The FHSAA shall provide an opportunity to
 573 resolve eligibility issues through an informal conference
 574 procedure. The FHSAA must provide written notice to the student
 575 athlete, parent, and member school stating specific findings of

BILL

ORIGINAL

YEAR

576 fact that support a determination of ineligibility. The student
 577 athlete must request an informal conference if he or she intends
 578 to contest the charges. The informal conference must be held
 579 within 10 days after receipt of the student athlete's request.
 580 If the eligibility dispute is not resolved at the informal
 581 conference, the FHSAA shall provide a process for the timely and
 582 cost-effective resolution of an eligibility dispute using a
 583 neutral third party, including the use of retired or former
 584 judges, mediation, or arbitration. The neutral third party shall
 585 be selected by the parent of the student athlete from a list
 586 maintained by the FHSAA. A final determination regarding the
 587 eligibility dispute must be issued no later than 30 days after
 588 the informal conference. The FHSAA shall adopt bylaws
 589 ~~establishing the process for resolving eligibility disputes must~~
 590 ~~and standards by which FHSAA determinations of eligibility are~~
 591 ~~made. Such bylaws shall provide that:~~
 592 1. Ineligibility must be established by a preponderance of
 593 the clear and convincing evidence.†
 594 2. Student athletes, parents, and schools must have notice
 595 of the initiation of any investigation or other inquiry into
 596 eligibility and may present, to the investigator and to the
 597 individual or body making the eligibility determination, any
 598 information or evidence that is credible, persuasive, and of a
 599 kind reasonably prudent persons rely upon in the conduct of
 600 serious affairs.†

BILL

ORIGINAL

YEAR

601 3. An investigator may not determine matters of
 602 eligibility but must submit information and evidence to the
 603 individual or body designated by the FHSAA ~~executive director or~~
 604 ~~a person designated by the executive director or by the board of~~
 605 ~~directors~~ for an unbiased and objective determination of
 606 eligibility. ~~and~~

607 4. A determination of ineligibility must be made in
 608 writing, setting forth the findings of fact and specific
 609 violation upon which the decision is based.

610 5. Any proceedings concerning student athlete eligibility
 611 must be held in the county in which the student athlete resides
 612 and may be conducted by telephone, videoconference, or other
 613 electronic means.

614 6. A student athlete may not be declared ineligible to
 615 participate in interscholastic athletic competition until a
 616 final decision is issued by the neutral third party unless the
 617 determination of ineligibility is based on s. 1006.15(4)(b)1.c.,
 618 d., or e. It is the responsibility of the member school to
 619 assess the facts underlying the eligibility dispute and any
 620 potential penalties that may result from a determination of
 621 ineligibility in deciding whether to allow the student athlete
 622 to continue to participate before a final eligibility
 623 determination.

624 ~~(h) In lieu of bylaws adopted under paragraph (g), the~~
 625 ~~FHSAA may adopt bylaws providing as a minimum the procedural~~

BILL

ORIGINAL

YEAR

626 ~~safeguards of ss. 120.569 and 120.57, making appropriate~~
 627 ~~provision for appointment of unbiased and qualified hearing~~
 628 ~~officers.~~

629 ~~(i) The FHSAA bylaws may not limit the competition of~~
 630 ~~student athletes prospectively for rule violations of their~~
 631 ~~school or its coaches or their adult representatives. The FHSAA~~
 632 ~~bylaws may not unfairly punish student athletes for eligibility~~
 633 ~~or recruiting violations perpetrated by a teammate, coach, or~~
 634 ~~administrator. Contests may not be forfeited for inadvertent~~
 635 ~~eligibility violations unless the coach or a school~~
 636 ~~administrator should have known of the violation. Contests may~~
 637 ~~not be forfeited for other eligibility violations or recruiting~~
 638 ~~violations in excess of the number of contests that the coaches~~
 639 ~~and adult representatives responsible for the violations are~~

640 ~~(7) APPEALS.—~~

641 ~~(a) The FHSAA shall establish a procedure of due process~~
 642 ~~which ensures each student the opportunity to appeal an~~
 643 ~~unfavorable ruling with regard to his or her eligibility to~~
 644 ~~compete. The initial appeal shall be made to a committee on~~
 645 ~~appeals within the administrative region in which the student~~
 646 ~~lives. The FHSAA's bylaws shall establish the number, size, and~~
 647 ~~composition of each committee on appeals.~~

648 ~~(b) No member of the board of directors is eligible to~~
 649 ~~serve on a committee on appeals.~~

650 ~~(c) Members of a committee on appeals shall serve terms of~~

BILL

ORIGINAL

YEAR

651 ~~3 years and are eligible to succeed themselves only once. A~~
 652 ~~member of a committee on appeals may serve a maximum of 6~~
 653 ~~consecutive years. The FHSAA's bylaws shall establish a rotation~~
 654 ~~of terms to ensure that a majority of the members' terms do not~~
 655 ~~expire concurrently.~~

656 ~~(d) The authority and duties of a committee on appeals~~
 657 ~~shall be to consider requests by member schools seeking~~
 658 ~~exceptions to bylaws and regulations, to hear undue hardship~~
 659 ~~eligibility cases filed by member schools on behalf of student~~
 660 ~~athletes, and to hear appeals filed by member schools or student~~
 661 ~~athletes.~~

662 ~~(e) A student athlete or member school that receives an~~
 663 ~~unfavorable ruling from a committee on appeals shall be entitled~~
 664 ~~to appeal that decision to the board of directors at its next~~
 665 ~~regularly scheduled meeting or called meeting. The board of~~
 666 ~~directors shall have the authority to uphold, reverse, or amend~~
 667 ~~the decision of the committee on appeals. In all such cases, the~~
 668 ~~decision of the board of directors shall be final.~~

669 ~~(f) The FHSAA shall expedite the appeals process on~~
 670 ~~determinations of ineligibility so that disposition of the~~
 671 ~~appeal can be made before the end of the applicable sports~~
 672 ~~season, if possible.~~

673 ~~(g) In any appeal from a decision on eligibility made by~~
 674 ~~the executive director or a designee, a school or student~~
 675 ~~athlete filing the appeal must be permitted to present~~

BILL

ORIGINAL

YEAR

676 ~~information and evidence that was not available at the time of~~
 677 ~~the initial determination or if the determination was not made~~
 678 ~~by an unbiased, objective individual using a process allowing~~
 679 ~~full due process rights to be heard and to present evidence. If~~
 680 ~~evidence is presented on appeal, a de novo decision must be made~~
 681 ~~by the committee or board hearing the appeal, or the~~
 682 ~~determination may be suspended and the matter remanded for a new~~
 683 ~~determination based on all the evidence. If a de novo decision~~
 684 ~~is made on appeal, the decision must be made in writing, setting~~
 685 ~~forth the findings of fact and specific violation upon which the~~
 686 ~~decision is based. If a de novo decision is not required, the~~
 687 ~~decision appealed must be set aside if the decision on~~
 688 ~~ineligibility was not based on clear and convincing evidence.~~
 689 ~~Any further appeal shall be considered on a record that includes~~
 690 ~~all evidence presented.~~

691 Section 4. Subsections (1) and (5) of section 1012.795,
 692 Florida Statutes, are amended to read:

693 1012.795 Education Practices Commission; authority to
 694 discipline.-

695 (1) The Education Practices Commission may suspend the
 696 educator certificate of any person as defined in s. 1012.01(2)
 697 or (3) for up to 5 years, thereby denying that person the right
 698 to teach or otherwise be employed by a district school board or
 699 public school in any capacity requiring direct contact with
 700 students for that period of time, after which the holder may

BILL

ORIGINAL

YEAR

701 return to teaching as provided in subsection (4); may revoke the
 702 educator certificate of any person, thereby denying that person
 703 the right to teach or otherwise be employed by a district school
 704 board or public school in any capacity requiring direct contact
 705 with students for up to 10 years, with reinstatement subject to
 706 the provisions of subsection (4); may revoke permanently the
 707 educator certificate of any person thereby denying that person
 708 the right to teach or otherwise be employed by a district school
 709 board or public school in any capacity requiring direct contact
 710 with students; may suspend the educator certificate, upon an
 711 order of the court or notice by the Department of Revenue
 712 relating to the payment of child support; or may impose any
 713 other penalty provided by law, if the person:

714 (a) Obtained or attempted to obtain an educator
 715 certificate by fraudulent means.

716 (b) Knowingly failed to report actual or suspected child
 717 abuse as required in s. 1006.061 or report alleged misconduct by
 718 instructional personnel or school administrators which affects
 719 the health, safety, or welfare of a student as required in s.
 720 1012.796.

721 (c) Has proved to be incompetent to teach or to perform
 722 duties as an employee of the public school system or to teach in
 723 or to operate a private school.

724 (d) Has been guilty of gross immorality or an act
 725 involving moral turpitude as defined by rule of the State Board

Extracurricular Activities

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

BILL

ORIGINAL

YEAR

726 of Education.

727 (e) Has had an educator certificate sanctioned by
728 revocation, suspension, or surrender in another state.

729 (f) Has been convicted or found guilty of, or entered a
730 plea of guilty to, regardless of adjudication of guilt, a
731 misdemeanor, felony, or any other criminal charge, other than a
732 minor traffic violation.

733 (g) Upon investigation, has been found guilty of personal
734 conduct that seriously reduces that person's effectiveness as an
735 employee of the district school board.

736 (h) Has breached a contract, as provided in s. 1012.33(2)
737 or s. 1012.335.

738 (i) Has been the subject of a court order or notice by the
739 Department of Revenue pursuant to s. 409.2598 directing the
740 Education Practices Commission to suspend the certificate as a
741 result of noncompliance with a child support order, a subpoena,
742 an order to show cause, or a written agreement with the
743 Department of Revenue.

744 (j) Has violated the Principles of Professional Conduct
745 for the Education Profession prescribed by State Board of
746 Education rules.

747 (k) Has otherwise violated the provisions of law, the
748 penalty for which is the revocation of the educator certificate.

749 (l) Has violated any order of the Education Practices
750 Commission.

BILL

ORIGINAL

YEAR

751 (m) Has been the subject of a court order or plea
 752 agreement in any jurisdiction which requires the
 753 certificateholder to surrender or otherwise relinquish his or
 754 her educator's certificate. A surrender or relinquishment shall
 755 be for permanent revocation of the certificate. A person may not
 756 surrender or otherwise relinquish his or her certificate prior
 757 to a finding of probable cause by the commissioner as provided
 758 in s. 1012.796.

759 (n) Has been disqualified from educator certification
 760 under s. 1012.315.

761 (o) Has committed a third recruiting offense as determined
 762 by the Florida High School Athletic Association pursuant to s.
 763 1006.20(2)(b).

764 (5) Each district school superintendent and the governing
 765 authority of each university lab school, state-supported school,
 766 or private school, and the Florida High School Athletic
 767 Association shall report to the department the name of any
 768 person certified pursuant to this chapter or employed and
 769 qualified pursuant to s. 1012.39:

770 (a) Who has been convicted of, or who has pled nolo
 771 contendere to, a misdemeanor, felony, or any other criminal
 772 charge, other than a minor traffic infraction;

773 (b) Who that official has reason to believe has committed
 774 or is found to have committed any act which would be a ground
 775 for revocation or suspension under subsection (1); or

BILL

ORIGINAL

YEAR

776 (c) Who has been dismissed or severed from employment because
 777 of conduct involving any immoral, unnatural, or lascivious act.

778 Section 5. Subsections (3) and (7) of section 1012.796,
 779 Florida Statutes, are amended to read:

780 1012.796 Complaints against teachers and administrators;
 781 procedure; penalties.—

782 (3) The department staff shall advise the commissioner
 783 concerning the findings of the investigation, and of all
 784 referrals by the Florida High School Athletic Association
 785 pursuant to ss. 1006.20(2)(b) and 1012.795. The department
 786 general counsel or members of that staff shall review the
 787 investigation, or referral, and advise the commissioner
 788 concerning probable cause or lack thereof. The determination of
 789 probable cause shall be made by the commissioner. The
 790 commissioner shall provide an opportunity for a conference, if
 791 requested, prior to determining probable cause. The commissioner
 792 may enter into deferred prosecution agreements in lieu of
 793 finding probable cause if, in his or her judgment, such
 794 agreements are in the best interests of the department, the
 795 certificateholder, and the public. Such deferred prosecution
 796 agreements shall become effective when filed with the clerk of
 797 the Education Practices Commission. However, a deferred
 798 prosecution agreement shall not be entered into if there is
 799 probable cause to believe that a recruiting offense, felony or
 800 an act of moral turpitude, as defined by rule of the State Board

BILL

ORIGINAL

YEAR

801 of Education, has occurred. Upon finding no probable cause, the
 802 commissioner shall dismiss the complaint.

803 Section 6. Subsection (11) of section 1002.33, Florida
 804 Statutes, is amended to read:

805 1002.33 Charter schools.—

806 (11) PARTICIPATION IN ~~INTERSCHOLASTIC~~ EXTRACURRICULAR
 807 ACTIVITIES.—A charter school student is eligible to participate
 808 in an ~~interseholastie~~ extracurricular activity at another the
 809 public school ~~to which the student would be otherwise assigned~~
 810 ~~to attend~~ pursuant to s. 1006.15 ~~1006.15(3)(d)~~.

811 Section 7. This act shall take effect July 1, 2016.

812

**Child Care and
Development Block Grant**

BILL

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to the Child Care and Development
 3 Block Grant Program; amending s. 39.202, F.S.;
 4 specified entities access to the child abuse registry
 5 for purposes of approving providers of school
 6 readiness; amending s. 402.302, F.S.; revising the
 7 definition of screening; amending s. 402.306, F.S.;
 8 requiring the Department of Children and Families and
 9 local licensing agencies to post information relating
 10 school readiness providers; amending s. 402.311, F.S.;
 11 requiring school readiness program providers to
 12 provide access to facilities for purposes of
 13 inspection; amending s. 1002.82, F.S.; requiring the
 14 Office of Early Learning to coordinate with the
 15 Department of Children and Families and local
 16 licensing agencies for inspections of school readiness
 17 program providers; revising the duties of the Office
 18 of Early Learning; amending s. 1002.84, F.S.; revising
 19 requirements for determining copayments; amending s.
 20 1002.88, F.S.; revising requirements for school
 21 readiness program providers; amending s. 1002.92,
 22 F.S.; requiring the Office of Early Learning to make
 23 certain information available on its website;
 24 providing an effective date.
 25

BILL

ORIGINAL

YEAR

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

27

28 Section 1. Paragraph (a) of subsection (2) of section
29 39.202, Florida Statutes, is amended to read:

30 39.202 Confidentiality of reports and records in cases of
31 child abuse or neglect.—

32 (2) Except as provided in subsection (4), access to such
33 records, excluding the name of the reporter which shall be
34 released only as provided in subsection (5), shall be granted
35 only to the following persons, officials, and agencies:

36 (a) Employees, authorized agents, or contract providers of
37 the department, the Department of Health, the Agency for Persons
38 with Disabilities, or county agencies responsible for carrying
39 out:

- 40 1. Child or adult protective investigations;
- 41 2. Ongoing child or adult protective services;
- 42 3. Early intervention and prevention services;
- 43 4. Healthy Start services;
- 44 5. Licensure or approval of adoptive homes, foster homes,
45 child care facilities, facilities licensed under chapter 393, or
46 ~~family day care homes or informal child care providers who~~
47 receive school readiness funding, or other homes used to provide
48 for the care and welfare of children; or
- 49 6. Services for victims of domestic violence when provided
50 by certified domestic violence centers working at the

BILL

ORIGINAL

YEAR

51 department's request as case consultants or with shared clients.

52

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

56 Section 2. Subsection (15) of section 402.302, Florida
57 Statutes, is amended to read:

58 402.302 Definitions.—As used in this chapter, the term:

59 (15) "Screening" means the act of assessing the background
60 of child care personnel and volunteers and includes, but is not
61 limited to, employment history checks, local criminal records
62 checks through local law enforcement agencies, fingerprinting
63 for all purposes and checks in this subsection, statewide
64 criminal records checks through the Department of Law
65 Enforcement, ~~and~~ federal criminal records checks through the
66 Federal Bureau of Investigation, and searches of the National
67 Sex Offender Registry, as well as searches of the state criminal
68 records, sex offender registry and child abuse and neglect
69 registry of any state in which the child care personnel resided
70 during the preceding 5 years.

71 Section 3. Subsection (3) of section 402.306, Florida
72 Statutes, is amended to read:

73 402.306 Designation of licensing agency; dissemination by
74 the department and local licensing agency of information on
75 child care.—

BILL

ORIGINAL

YEAR

76 (3) The department and local licensing agencies, or the
 77 designees thereof, shall be responsible for coordination and
 78 dissemination of information on child care to the community and
 79 shall make available upon request all licensing standards and
 80 procedures, health and safety standards and procedures for
 81 school readiness providers, monitoring and inspection reports,
 82 ~~in addition to~~ the names and addresses of licensed child care
 83 facilities, school readiness program providers and, where
 84 applicable pursuant to s. 402.313, licensed or registered family
 85 day care homes.

86 Section 4. Section 402.311, Florida Statutes, is amended
 87 to read:

88 402.311 Inspection.—A licensed child care facility shall
 89 accord to the department or the local licensing agency,
 90 whichever is applicable, the privilege of inspection, including
 91 access to facilities and personnel and to those records required
 92 in s. 402.305, at reasonable times during regular business
 93 hours, to ensure compliance with the provisions of ss. 402.301-
 94 402.319. A school readiness program provider shall accord to the
 95 department or the local licensing agency, whichever is
 96 applicable, the privilege of inspection, including access to
 97 facilities, personnel, and records to determine compliance with
 98 the requirements of s. 1002.88. The right of entry and
 99 inspection shall also extend to any premises which the
 100 department or local licensing agency has reason to believe are

BILL

ORIGINAL

YEAR

101 being operated or maintained as a child care facility without a
 102 license, but no such entry or inspection of any premises shall
 103 be made without the permission of the person in charge thereof
 104 unless a warrant is first obtained from the circuit court
 105 authorizing same. Any application for a license or renewal made
 106 pursuant to this act or the advertisement to the public for the
 107 provision of child care as defined in s. 402.302 shall
 108 constitute permission for any entry or inspection of the
 109 premises for which the license is sought in order to facilitate
 110 verification of the information submitted on or in connection
 111 with the application. In the event a licensed facility refuses
 112 permission for entry or inspection to the department or local
 113 licensing agency, a warrant shall be obtained from the circuit
 114 court authorizing same prior to such entry or inspection. A
 115 school readiness program provider who refuses permission for
 116 entry or inspection shall have its provider contract terminated
 117 in accordance with s. 1002.82. The department or local licensing
 118 agency may institute disciplinary proceedings pursuant to s.
 119 402.310, for such refusal.

120 Section 5. Paragraphs (i) and (m) of subsection (2) and
 121 paragraph (a) of subsection (5) of section 1002.82, Florida
 122 Statutes, are amended to read:

123 1002.82 Office of Early Learning; powers and duties.—

124 (2) The office shall:

125 (i) Coordinate Develop, ~~in coordination~~ with local

BILL

ORIGINAL

YEAR

126 licensing agencies and the Child Care Services Program Office of
 127 the Department of Children and Families, for inspections of
 128 license-exempt school readiness program providers to monitor
 129 compliance with the ~~and adopt~~ a health and safety checklist
 130 adopted by the office. ~~to be completed by license exempt~~
 131 ~~providers~~ The health and safety checklist shall that does not
 132 exceed the requirements s. 402.305. A license-exempt school
 133 readiness program provider is a provider who seeks to
 134 participate in the school readiness program and is not licensed
 135 by the Department of Children and Families such as public and
 136 nonpublic schools, family day care homes, large family day care
 137 homes, and child care facilities which are an integral part of
 138 church or parochial schools.

139 (s) Establish pre-service and in-service training
 140 requirements that address, at a minimum, school readiness child
 141 development standards, health and safety requirements, and
 142 social-emotional behavior intervention models, which may include
 143 positive behavior intervention and support models.

144 (t) Establish standards for emergency preparedness plans
 145 for child care providers.

146 Section 6. Subsection (8) of section 1002.84, Florida
 147 Statutes, is amended to read:

148 1002.84 Early learning coalitions; school readiness powers
 149 and duties.—Each early learning coalition shall:

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

BILL

ORIGINAL

YEAR

151 parent copayment to participate in the school readiness program.
 152 The copayment shall not be a barrier to families receiving
 153 assistance. Providers are required to collect the parent's
 154 copayment. A coalition may, on a case-by-case basis, waive the
 155 copayment for an at-risk child or temporarily waive the
 156 copayment for a child whose family experiences a natural
 157 disaster or an event that limits the parent's ability to pay,
 158 such as incarceration, placement in residential treatment, or
 159 becoming homeless, or an emergency situation such as a household
 160 fire or burglary, or while the parent is participating in
 161 parenting classes. A parent may not transfer school readiness
 162 program services to another school readiness program provider
 163 until the parent has submitted documentation from the current
 164 school readiness program provider to the early learning
 165 coalition stating that the parent has satisfactorily fulfilled
 166 the copayment obligation.

167 Section 7. Subsection (1) of section 1002.88, Florida
 168 Statutes, is amended to read:

169 1002.88 School readiness program provider standards;
 170 eligibility to deliver the school readiness program.—

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

173 (a) Be a child care facility licensed under s. 402.305, a
 174 family day care home licensed or registered under s. 402.313, a
 175 large family child care home licensed under s. 402.3131, a

BILL

ORIGINAL

YEAR

176 public school or nonpublic school exempt from licensure under s.
 177 402.3025, a faith-based child care provider exempt from
 178 licensure under s. 402.316, a before-school or after-school
 179 program described in s. 402.305(1)(c), or an informal child care
 180 provider to the extent authorized in the state's Child Care and
 181 Development Fund Plan as approved by the United States
 182 Department of Health and Human Services pursuant to 45 C.F.R. s.
 183 98.18.

184 (b) Provide instruction and activities to enhance the age-
 185 appropriate progress of each child in attaining the child
 186 development standards adopted by the office pursuant to s.
 187 1002.82(2)(j). A provider should include activities to foster
 188 brain development in infants and toddlers; provide an
 189 environment that is rich in language and music and filled with
 190 objects of various colors, shapes, textures, and sizes to
 191 stimulate visual, tactile, auditory, and linguistic senses; and
 192 include 30 minutes of reading to children each day.

193 (c) Provide basic health and safety of its premises and
 194 facilities and compliance with requirements for age-appropriate
 195 immunizations of children enrolled in the school readiness
 196 program. For a provider who is licensed, ~~child care facility, a~~
 197 ~~large family child care home, or a licensed family day care~~
 198 ~~home~~, compliance with s. 402.305, s. 402.3131, or s. 402.313
 199 satisfies this requirement. For a license-exempt provider,
 200 compliance with the health and safety checklist satisfies this

BILL

ORIGINAL

YEAR

201 ~~requirement. For a public or nonpublic school, compliance with~~
 202 ~~s. 402.3025 or s. 1003.22 satisfies this requirement. A faith-~~
 203 ~~based child care provider, an informal child care provider, or a~~
 204 ~~nonpublic school, exempt from licensure under s. 402.316 or s.~~
 205 ~~402.3025, shall annually complete the health and safety~~
 206 ~~checklist adopted by the office, post the checklist prominently~~
 207 ~~on its premises in plain sight for visitors and parents, and~~
 208 ~~submit it annually to its local early learning coalition.~~

209 (d) Provide an appropriate group size and staff-to-
 210 children ratio, pursuant to s. 402.305(4) or s. 402.302(8) or
 211 (11), as applicable, and as verified pursuant to s. 402.311.

212 (e) ~~Provide a healthy and safe environment pursuant to s.~~
 213 ~~402.305(5), (6), and (7), as applicable, and as verified~~
 214 ~~pursuant to s. 402.311. Employ child care personnel, as defined~~
 215 ~~in s. 402.301(3), who have satisfied the screening requirements~~
 216 ~~of chapter 402, fulfilled the training requirements of the~~
 217 ~~office, and executed an affidavit of compliance with the~~
 218 ~~mandatory reporting requirements of s. 39.201.~~

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

221 (g) Implement a character development program to develop
 222 basic values.

223 (h) Collaborate with the respective early learning
 224 coalition to complete initial screening for each child, aged 6
 225 weeks to kindergarten eligibility, within 45 days after the

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ORIGINAL

YEAR

226 | child's first or subsequent enrollment, to identify a child who
 227 | may need individualized supports.

228 | (i) Implement minimum standards for child discipline
 229 | practices that are age-appropriate and consistent with the
 230 | requirements in s. 402.305(12). Such standards must provide that
 231 | children not be subjected to discipline that is severe,
 232 | humiliating, or frightening or discipline that is associated
 233 | with food, rest, or toileting. Spanking or any other form of
 234 | physical punishment is prohibited.

235 | (j) Obtain and keep on file record of the child's
 236 | immunizations, physical development, and other health
 237 | requirements as necessary, including appropriate vision and
 238 | hearing screening and examination, within 30 days after
 239 | enrollment.

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

242 | (l) For a provider that is not an informal provider,
 243 | maintain general liability insurance and provide the coalition
 244 | with written evidence of general liability insurance coverage,
 245 | including coverage for transportation of children if school
 246 | readiness program children are transported by the provider. A
 247 | provider must obtain and retain an insurance policy that
 248 | provides a minimum of \$100,000 of coverage per occurrence and a
 249 | minimum of \$300,000 general aggregate coverage. The office may
 250 | authorize lower limits upon request, as appropriate. A provider

BILL

ORIGINAL

YEAR

251 must add the coalition as a named certificateholder and as an
 252 additional insured. A provider must provide the coalition with a
 253 minimum of 10 calendar days' advance written notice of
 254 cancellation of or changes to coverage. The general liability
 255 insurance required by this paragraph must remain in full force
 256 and effect for the entire period of the provider contract with
 257 the coalition.

258 (m) For a provider that is an informal provider, comply
 259 with the provisions of paragraph (l) or maintain homeowner's
 260 liability insurance and, if applicable, a business rider. If an
 261 informal provider chooses to maintain a homeowner's policy, the
 262 provider must obtain and retain a homeowner's insurance policy
 263 that provides a minimum of \$100,000 of coverage per occurrence
 264 and a minimum of \$300,000 general aggregate coverage. The office
 265 may authorize lower limits upon request, as appropriate. An
 266 informal provider must add the coalition as a named
 267 certificateholder and as an additional insured. An informal
 268 provider must provide the coalition with a minimum of 10
 269 calendar days' advance written notice of cancellation of or
 270 changes to coverage. The general liability insurance required by
 271 this paragraph must remain in full force and effect for the
 272 entire period of the provider's contract with the coalition.

273 (n) Obtain and maintain any required workers' compensation
 274 insurance under chapter 440 and any required reemployment
 275 assistance or unemployment compensation coverage under chapter

BILL

ORIGINAL

YEAR

276 443.

277 (o) Notwithstanding paragraph (l), for a provider that is
 278 a state agency or a subdivision thereof, as defined in s.
 279 768.28(2), agree to notify the coalition of any additional
 280 liability coverage maintained by the provider in addition to
 281 that otherwise established under s. 768.28. The provider shall
 282 indemnify the coalition to the extent permitted by s. 768.28.

283 (p) Execute the standard statewide provider contract
 284 adopted by the office.

285 (q) Operate on a full-time and part-time basis and provide
 286 extended-day and extended-year services to the maximum extent
 287 possible without compromising the quality of the program to meet
 288 the needs of parents who work.

289 (s) Comply with the mandatory reporting requirements of s.
 290 39.201.

291 Section 8. Paragraph (i) is added to subsection (3) of
 292 section 1002.92, Florida Statutes, to read:

293 1002.92 Child care and early childhood resource and
 294 referral.—

295 (3) Child care resource and referral agencies shall
 296 provide the following services:

297 (i) Maintain a website with information and resources that
 298 enable parents to make informed child care choices, including
 299 the child care provider database maintained by the Department of
 300 Children and Families; child care licensing, health, safety, and

BILL

ORIGINAL

YEAR

301 inspection requirements for each type of child care provider;
 302 requirements for child care background screening and the
 303 disqualifying offenses; research and best practices in child
 304 development and state resources regarding social emotional
 305 development, parent and family engagement, healthy eating and
 306 physical activity.

307 Section 9. This act shall take effect July 1, 2016.

DRAFT