

NOTICE OF PROPOSED RULE

DEPARTMENT OF CHILDREN AND FAMILIES Office of Licensing

RULE NO.: RULE TITLE:
65C-22.008 School Age Child Care.

PURPOSE AND EFFECT: Amendments update the licensing standards and adds requirements for safe school officers in the School Age Child Care Facility Handbook.

SUMMARY: Amendments: (1) clarifies language, (2) adds CARES as method of submitting application, and (3) incorporates amended Handbook.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 402.305 FS.

LAW IMPLEMENTED: 402.305 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com or 850-488-2381.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-22.008 School Age Child Care.

(1) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form 5272, May 2019, Application for a License to Operate a School-Age Child Care Facility, which is incorporated by reference. CF-FSP Form 5272 may be obtained from the Department's website at www.myflfamilies.com/services/child-family/child-care ~~www.myflfamilies.com/childcare~~ or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10468>. In lieu of a standard application, the

applicant may complete an online process through the Department's Child Care Administration, Regulation, and Enforcement System (CARES), which can be accessed at <https://cares.myflfamilies.com/security/login>.

(2) No change.

(3) Exemptions: A school-age child care program is not required to be licensed as long as the program complies with the minimum background screening requirements provided in Sections 402.305 and 402.3055, F.S., and if the program demonstrates that conditions of one of the following criteria outlined in paragraphs (a)-(e), below, are met. A school-age program exempted under paragraph (3)(a), (c), or (d), below, may become licensed if it chooses to meet all of the applicable licensing standards in subsection (5), below.

(a) No change.

(b) Instruction/Tutorial Programs. The program is not designated as a Gold Seal Quality Care provider and has a single instructional/tutorial purpose and that purpose is the only service that the program provides. Some examples of these programs include, but are not limited to, tutoring; a computer class; a ballet class; a karate class; baseball instruction or other sport; the program cannot provide any service beyond the instructional and tutorial/academic activity; and:

1. through 2. No change.

3. Enrollment information shall clearly define the duration of the instructional sessions. Session time per child may not exceed two hours per day. If tutoring is provided in multiple academic areas, the total combined session times cannot exceed three hours per day.

4. through 5. No change.

(c) No change.

(d) National Organization Programs. Any program that is not designated as a Gold Seal Quality Care provider and is providing care for school aged children that is operated by, or in affiliation with a national membership non-profit or not for profit organization that certifies membership organizations, as of February 1, 2017, in at least ten states, that was created for the purpose of providing activities that contribute to the development of good character or good sportsmanship or to the education or cultural development of minors in this state, that charges a membership fee for children and may receive grant funding for services. Such is certified by its national association as complying with the association's purposes, procedures, minimum standards and mandatory requirements for all of its before school, after school or out-of-school time programs. The program must notify the Department prior to operating and

annually, thereafter, of any operation of before school, after school or out-of-school time programs, provide verification of certification and good standing by its national association for all of its before school, after school or out of school time programs, and complete an annual attestation for compliance with background screening requirements. The Attestation of Compliance, CF-FSP 5218A, May 2019, is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10465>. Failure by a program to comply with such reporting, providing required verifications, and screening requirements shall result in the loss of the program's exemption from licensure.

(e) Grades Six and Above Programs. The program is not designated as a Gold Seal Quality Care provider and provides child care exclusively for children in grades six and above.

(4) No change.

(5) School-Age Child Care Standards. School age child care programs must follow the standards found in the School-Age Child Care Facility Handbook, (December 2025) ~~October 2021~~, incorporated herein by reference. The handbook may be obtained from the Department's website at www.myflfamilies.com/services/child-family/child-care ~~www.myflfamilies.com/childcare~~ or from the following link: <https://flrules.org/Gateway/reference.asp?No=Ref-19084> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-13955~~.

~~(6) This rule will be reviewed and repealed, modified, or renewed through the rulemaking process five years from the effective date.~~

Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History-New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, 8-1-13, 3-30-17, 6-12-19, 1-9-22, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Courtney Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Taylor N. Hatch

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2025

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 15, 2025