LICENSING REGULATIONS

GOVERNING

PINELLAS COUNTY CHILDREN'S CENTERS

Approved by Pinellas County License Board February 26, 2020
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Compiled and printed by

Pinellas County License Board

for Children's Centers and Family Day Care Homes

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LICENSING REGULATIONS
GOVERNING
PINELLAS COUNTY CHILDREN'S CENTERS

These regulations meet or exceed Florida state law including, but not limited to, Chapter 402, Sections 26-319, Florida Statutes and Chapter 65C-22, Florida Administrative Code.

Citations contained to the left of a Pinellas County Regulation contained herein are for origin and reference purpose only and do not indicate that the regulation set forth herein is verbatim to the left-hand citation.

Chapter 61-2681
Amended by Chapters 70-893 and 2007-277, Laws of Florida

Ch 61-2681 AN ACT DEFINING AND REGULATING CHILDREN'S CENTERS AND FAMILY DAY CARE HOMES IN PINELLAS COUNTY; REQUIRING THE PROCUREMENT OF LICENSES AND THE PAYMENT OF AN APPLICATION FEE FOR THE OPERATION OF SUCH CENTERS AND HOMES AND PROVIDING FOR THE GROUNDS AND THE PROCEDURE FOR THE SUSPENSION OR REVOCATION THEREOF; CREATING PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS AND FAMILY DAY CARE HOMES, AND PRESCRIBING ITS MEMBERSHIP, POWERS AND DUTIES, PRESCRIBING MINIMUM STANDARDS FOR THE OPERATION OF SUCH CENTERS AND HOMES AND PROVIDING A PENALTY FOR VIOLATION; AUTHORIZING TAX AND APPROPRIATION BY THE BOARD OF COUNTY COMMISSIONERS; REPEAL CHAPTER 57-1738, LAWS OF FLORIDA; PROVIDING A GRACE PERIOD.

BE IT ENACTED BY THE LEGISLATURE
OF THE STATE OF FLORIDA

Chapter 61-2681 became a law without the Governor's approval.
Filed in Office Secretary of State June 22, 1961.

Chapter 70-893, amending the above became a law without the Governor's approval.
Filed in Office Secretary of State June 21, 1970.

Chapter 2007-277, amending the above became a law with the Governor's approval on June 19, 2007.

Ch 61 S.23. It is declared to be the intent of the legislature that, if any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Child Care Facility Handbook is incorporated by reference in rule 65C-22.001(6), Florida Administrative Code

School-Age Child Care Licensing Handbook is incorporated by reference in rule 65C-22.008 Florida Administrative Code

KEY for LICENSING REGULATIONS
Left Margin References

INF	Standards denoted with **INF** in the left margin are for programs which include children aged two (2) months to two (2) years. Standards for infants are in addition to other licensing regulations.
SA	Standards denoted with **SA** in the left margin are for school age centers.
TPP	Any Standard denoted by **TPP** is an exception to the preceding standard and is for Teen Parenting Child Care Programs. All other standards including those for infants (INF) must be met.

PURPOSE
Ch 61 S.1.

The purpose of this act is to protect the health, safety, and mental development of children cared for in children's centers and family day care homes in Pinellas County as defined below.

DEFINITIONS

Ch 61 S.2.(1)
8/1/07

Children's Center - A children's center includes any day nursery, nursery school, kindergarten, or other facility whatsoever which provides child care, with or without compensation. A children's center provides care for five (5) or more children under thirteen (13) years of age, not related to the operator by blood, marriage, or adoption for less than 24 hours per day per child. This term shall not be construed to include any center under the jurisdiction of the state board of education, except programs for children under three (3) years of age who are not eligible for participation in the programs under existing or successor provisions of Public Law No. 94-142 or Public Law No. 99-457.

Ch 61 S.2.(2)
3/9/05

Day Nursery - A day nursery means a children's center consisting of improved realty, equipment, and staff, conducted for children ranging in age from two (2) months through six (6) years, for the purpose of providing shelter, food, rest, and care and training. Such centers may accept school age children under seventeen (17) years before and after school hours.

Ch 61 S.2.(3)

Nursery School - A nursery school means a children's center consisting of improved realty, equipment and staff, conducted for children ranging in age from two (2) years through six (6) years for the purpose of offering an educational program of directed, organized play, and training at the level of the children's growth and development, and providing shelter, food, rest, and care for from two (2) to seven (7) hours per day per child.

Ch 61 S.2.(4)

Kindergarten - A kindergarten means a children's center consisting of improved realty, equipment and staff, conducted for children ranging from five (5) years through seven (7) years in age, for the purpose of offering an educational program of directed, organized play and training at the level of the children's growth and development, and providing shelter, food, rest, and care for from two (2) to seven (7) hours per day per child.

11/19/84

Kindergarten entrance age shall conform to the kindergarten entrance age of the public schools. To enter kindergarten, a child must be five (5) years old on or before September 1 of that school year.

12/4/02
8/1/07

School Age Center - A school age center means a children's center that provides child care for only school age children, for less than 24 hours a day outside regular school hours. To enroll a child younger than a school age child, the children's center must also be licensed as a day nursery.

65C.22.008 (3)

Exemptions - A school-age 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 (a), (c) or (d) below, may be licensed if it chooses to meet all the applicable licensing standards in The School Age Licensing Handbook, March 2017, incorporated here by reference.

65C.22.008 (3)(a)

(a) Program on School Sites. The program is located on a public/nonpublic school site; and:

1. Is operated and staffed directly by that school or through a formal agreement, such as a contract, between the school (or school district, when the latter reserves authority for such agreements) and a provider which names the school/school district as the responsible party for the operation of the program. A lease for space or user agreement, with or without the endorsement of the program by the school/school district, does not meet the

formal agreement requirement.

2. Serves only the school-age children attending the school during the school day. The program may provide services during any out-of-school time, including before school, after school, on teacher planning days, holidays, and intercessions that occur during the school district's academic calendar.
3. Follow the standards set forth by the Florida building Code State Requirements for Public Educational Facilities pursuant to Section 402.305(5), F.S. programs operated in public school facilities, regardless of the operator.

65C-22.008(3)(b)

(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. Does not cater, serve or prepare meals. The program may choose to provide drinks and read-to-eat snacks that are individually pre-packaged and do not require refrigeration.
2. Does not advertise or otherwise represent that the program has attributes of child care, as defined in Section 402.302(1), F.S.
3. Enrollment information shall clearly define the duration of the instructional sessions. Session time may not exceed two hours. If tutoring is provided in multiple academic areas, the total combined session times cannot exceed three hours per day.
4. Does not contract to deliver a school readiness program pursuant to Section 1002.88, F.S.
5. Does not provide transportation directly or through a contract or agreement with an outside entity, during the hours of operation for the purposes of field trips.

65C-22.008(3)(c)

(c) Open Access Program. The program is not designated as a Gold Seal Quality Care provider and meets all of the following criteria:

1. Operates/Serves children for less than four hours per day; however, the program may provide services during any out-of-school time, including before school, after school, on teacher planning days, holidays, and intercessions that occur during the school district's official academic calendar year.
2. Does not advertise or otherwise represent that the program is an afterschool child care program or that the program offers supervision.
3. Allows children to enter and leave the program at any time without permission, prior arrangements, or supervision, and the program does not assume responsibility for supervision.
4. Does not provide transportation, directly or through a contract or agreement with an outside entity, during the hours of operation for the purposes of field trips; and,
5. Does not serve or prepare any meals, or snacks other than drinks and ready-to-eat snacks that are individually pre-packaged and do not require refrigeration.
6. Does not contract to deliver a school readiness program pursuant to Section 1002.88, F.S.

65C-22.008(3)(d)

(d) 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 Child Care Licensing Program 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 www.pclb.org.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.

Ch.65C-22.008(3)e (e) The program is not designated as a Gold Seal Quality Care provider and provides after school care exclusively for children in grades six (6) and above.

Ch.65C-22-008(4) School-age exempt providers shall submit prior to operating and upon request of the Child Care Licensing Program, an Attestation of Compliance with background screening requirements and providers must attest that the program continues to operate in the manner as presented to the Child Care Licensing Program for exemption determination. Prior to any changes in operation, the program shall submit a written notification to the Child Care Licensing Program outlining the proposed changes for a redetermination. 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.

Ch 65C-25.001(2) **Specialized Children's Centers for Mildly-Ill Children -** Specialized Children's Centers for Mildly-Ill Children means a specialized children's center that provides child care for mildly-ill children. A children's center may separately license a distinct and separate part of the premises as a specialized children's center for mildly-ill children.

CC Facility Handbook 1.2 **Active** - Active means the status of a candidate's awarded credential or certification in which requirements have been successfully met.

CC Facility Handbook 1.2 **Age Appropriate** – means of the right size, child sized, or adapted so that a child can use safely, and suitable to the chronological age range and developmental characteristics of a specific age group of children or child. This means the materials/equipment should interest and challenge children in terms of their age and abilities. Any materials/equipment with a specified age range by the manufacturer must be followed when used by children.

CC Facility Handbook 1.2 **Before-School and After School Site** refers to a program, regardless of location, that provides child care for children who are at least 5 years old and are enrolled in and attend a kindergarten program or grades one and above during a school district's academic calendar year. This is limited to programs that provide care only before and after the recognized hours of a district's school day and on teacher planning days, holidays, and intercessions that occur during the school district's official academic calendar year.

CC Facility Handbook 1.2 **Begin Training for Child Care Personnel** – refers to a candidate's commencement of at least one of the child care training courses listed in section 402.305(2)(e)1, F.S. within the first 90 days of employment in the child care industry.

CC Facility Handbook 1.2 **Birth Through Five Child Care Credential** is equivalent to a child development associate credential, pursuant to 402.305(3)(b), F.S., and offered through one of the following programs: Florida Child Care Professional Credential (FCCPC), Florida Department of Education Child Care Apprenticeship Certificate (CCAC), and Florida Department of Education Early Childhood Professional Certificate (ECPC). Issuance of a Birth Through Five Child Care Credential certifies successful completion of a department-approved training program that consists of a minimum of 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight years, and a formal observation. Credentials must be documented on CF-FSP Form 5270, Florida Child Care Professional Credential Certificate, which is incorporated by reference in 65C-22.001(8)(j), F.A.C.
A copy of CF-FSP 5270 may be obtained from the Department of Children and Families

website at www.myflfamilies.com/childcare. Active credentials are valid for five years from the date of issuance. A list of approved and recognized Birth Through Five Child Care Credential programs may be obtained from DCF's website at www.myflfamilies.com/childcare.

8/3/05

Capacity - Capacity means license capacity which is the maximum number of children allowed in attendance at any given time.

CC Facility Handbook 1.2

Caterer – means a duly-licensed food service business that provides ready-to-be-served meals to a provider. A copy of the license or permit must be in the children's center and available for review by the licensing authority.

2/3/03
8/1/07

Child Care - Child care as it pertains to children's centers and family day care homes means the care, protection and supervision of a child under thirteen (13) years of age, away from his or her home for a period of less than 24 hours a day on a regular basis, with or without compensation. Child care supplements parental care, health supervision, and safety, and may include enrichment and/or education for the child, in accordance with his or her needs. For the purpose of licensure, child care does not include occasional or sporadic care. Child care as it pertains to children's centers and family day care homes does not include statutorily exempt programs.

Ch 65C-25.001(1)
6/4/03

Child Care for Mildly-Ill Children - Child Care for Mildly-Ill Children means the care of children with short term illness or symptoms of illness or disability, provided in a Specialized Children's Center for Mildly-Ill Children either as an exclusive service in a children's center specialized for this purpose, or as a component of other child care services offered in a distinct part of a regularly licensed children's center, for a period of less than 12 hours a day. *(*Refer to *Licensing Regulations Governing Pinellas County Specialized Children's Centers for Mildly-Ill Children.)*

Ch 402.302(3)

Child Care Personnel - Child care personnel means all owners, operators, employees, and volunteers working in a children's center. The term does not include persons who work in a children's center after hours when children are not present or parents of children in a children's center.

Ch 402.302(3)

For purposes of screening, the term includes any member, over the age of twelve (12) years, of a children's center operator's family, or person, over the age of twelve (12) years, residing with a children's center operator if the children's center is located in or adjacent to the home of the operator or if the family member of, or person residing with, the children's center operator has any direct contact with the children in the children's center during its hours of operation. Members of the operator's family or persons residing with the operator, who are between the age of twelve (12) years and eighteen (18) years shall not be required to be fingerprinted but shall be screened for delinquency records. For purposes of screening, the term also includes persons who work in child care programs which provide care for children fifteen (15) hours or more each week in public or nonpublic schools, summer day camps, family day care homes, or those programs for which the License Board has granted religious exemption. The term does not include public or nonpublic school personnel who are providing care during regular school hours, or after hours for activities related to a school's program for grades kindergarten through twelve (12).

Ch 402.302(3)
8/3/05

A volunteer who assists on an intermittent basis for less than ten (10) hours per month is not included in the term "personnel" for the purposes of screening and training if a person who meets the screening requirement of s. 402.305(2) is always present and has the volunteer in his or her line of sight. A volunteer who is included in the adult-child ratio must meet child care staff requirements.

Ch 402.302(3)

Students who observe and participate in a children's center as part of their required course work shall not be considered child care personnel, provided such observation and participation are on an intermittent basis and a person who meets the screening requirement of s. 402.305(2) is always present and has the student in his or her line of sight.

Ch 61 S.2.(8) **Child Care Staff -** Child care staff means all persons who participate daily in direct care, teaching or training children cared for by any children's center.

Ch 402.3054(1) **Child Enrichment Service Provider -** Child enrichment service provider means an individual who provides enrichment activities, such as language training, music instruction, educational instruction, and other experiences, to specific children during a specific time that is not part of the regular program in a children's center.

Ch 402.3054(2) The child's parent shall provide written consent before a child may participate in activities conducted by a child enrichment service provider that are not part of the regular program of the children's center. A child enrichment service provider receives compensation from the child's parent or from the children's center, and shall not be considered a volunteer or child care personnel.

SA Facility Handbook 1.2 *CC Facility Handbook 1.2* **Classroom/Room/Designated Space –** means a learning space or room in which care is provided or classes are held where learning can take place uninterrupted by outside distractions. The designation of space as a classroom must be reviewed and approved by the licensing authority prior to its use as such. If floor to ceiling walls are not present, the classroom walls must be defined by stable barriers, and must adhere to the requirements for such barriers as outlined in this section.

SA Facility Handbook 1.2 *CC Facility Handbook 1.2* **College Degree** – means a degree obtained from an institution accredited by an agency that is recognized as an accrediting agency by the U.S. Department of Education. If a college degree is earned outside the U.S., it must be evaluated by a credential evaluation agency approved by the Bureau of Educators Certification or an accredited college/university and determined to be equivalent to a U.S. degree.

CC Facility Handbook 1.2 **Continuing Education Unit (CEU) –** Continuing Education Unit (CEU) means a standard unit of measure of coursework used for training and credential purposes. The department will accept CEUs for training offered by DCF, Office of Early Learning, from educational institutions accredited and recognized by the U.S. Department of Education, organizations accredited by the International Association of Continuing Education and Training (IACET), or from nationally affiliated member based state professional organizations, see definition below. CEUs awarded for training and credential purposed will be calculated at a rate of 1 continuing education unit for every 10 hours of contact training.

Ch 402.302(5) **Department –** Department means the Department of Children and Family Services.

CC Facility Handbook 1.2 **Director –** "Director" means "operator" as defined in Section 402.301(13)F.S. and is the onsite administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a children's center.

CC Facility Handbook 1.2 **Director Credential –** is a department-approved comprehensive credential that consists of education and experiential requirements as referenced in Section 4.7 of the CC Facility Handbook.

CC Facility Handbook 1.2 **Direct Supervision –** means actively watching and directing children's activities within the same room or designated outdoor play area, during transportation, any activity outside of the children's center, and responding to the needs of each child while in care.

CC Facility Handbook 1.2 **Disposable –** means an article intended by the manufacturer to be used once and then thrown away.

Ch 402.302(5) **Drop-in Child Care –** Drop-in child care means child care provided occasionally in a children's center, in a shopping mall or business establishment where a child is in care for no more than a four (4) hour period and the parent remains on the premises of the shopping mall or business establishment at all times. Drop-in child care arrangements shall meet all requirements for a children's center unless specifically exempted.

CC Facility Handbook 1.2 **Early Childhood Education –** refers to coursework, certification, a credential or degree specific to children ages birth through eight (8).

8/3/05 **Enforcement Plan –** Enforcement plan means a plan of progressive enforcement actions approved by the Board, consisting of incremental steps of intervention when reoccurring noncompliance is documented or an incident of serious risk to a child(ren) has occurred in a children's center, family day care home, and/or a large family child care home.

8/3/05 **Evening Care –** Evening care means child care provided between 6:00 pm - 12:00 am.

12/6/00
Ch 402.301(5)
Ch 402.302(2)(d)
8/3/05

Exemption from Licensing of Religiously Affiliated Children's Centers – Exemption from Licensing of Religiously Affiliated Children's Centers means a children's center that may request religious exemption if it is an integral part of a church or parochial school conducting regularly scheduled classes, courses of study or educational programs accredited by or a member of an organization which publishes and requires compliance with its standards for health, safety, and sanitation; provided, however, that such a center shall meet minimum requirements of the Pinellas County License Board, the applicable local governing body, as to health, safety, and sanitation, and the screening requirements as published in *Licensing Regulations Governing Pinellas County Children's Centers*, and that the center submits proof of membership in an organization which publishes and requires compliance with its standards for health, safety, and sanitation. The exemption shall be in effect as long as compliance with these guidelines is maintained. Nothing shall give any governmental agency jurisdiction or authority to regulate, supervise, or in any way be involved in any Sunday School, Sabbath School, Bible Schools normally conducted during vacation periods, or religious services or any nursery service or other program conducted during religious or church services primarily for the convenience of those attending such services.

SA Facility Handbook 1.2
CC Facility Handbook 1.2 **Fall/Use zone** – means the surface area under and around a piece of playground equipment onto which a child would be expected to land when falling from, or exiting, the playground equipment. The use zone must extend a minimum of 6 feet in all directions from the perimeter of the playground equipment, unless manufacturer specifications for safe usage requires less fall/use zone material.

CC Facility Handbook 1.2 **Field Trip –** means any trip away from the children's center. Field trips commence when child care personnel and children leave the children's center's premises, whether by vehicle or by walking.

SA Facility Handbook 1.2
CC Facility Handbook 1.2 **Foster Grandparents –** are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs. Foster grandparents are not counted in the staff-to-child ratio. Foster grandparents are required to have 100% attendance of the following Department of Children and Family Services' training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. This requirement can be met by either instructor-led or online training and does not require a competency exam. Foster grandparents must begin training within 30 days of working in the child care industry in any licensed Florida child care facility, family day care home or large family child care home. Training must be completed within one (1) year from the date of working in the child care industry in any licensed Florida child care facility. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher's aides, group leaders or other similar positions.

SA Facility Handbook 1.2
CC Facility Handbook 1.2 **High School Diploma, GED -** means a diploma or GED or their equivalent as recognized and accredited by the U.S. Department of Education or its equivalent at the state level. If a high school diploma is earned outside the U.S., it must be translated and evaluated by someone who is a member of the American Translators Association, a credential evaluation agency approved by the Bureau of Educators Certification, or an accredited college/university and must be determined to be equivalent to a U.S. high school diploma or GED or their equivalent. High school diplomas issued by private schools that are

registered with the Florida Department of Education will be accepted.

CC Facility Handbook 1.2
SA Facility Handbook 1.2
Immediate – means occurring, acting or accomplished without loss or interval of time.

CC Facility Handbook 1.2
Inactive - Inactive means the status of a candidate's awarded credential or certification that is no longer active; however, remains eligible for renewal.

Ch 402.302(10)
Indoor Recreational Children's Center - Indoor recreational children's center means an indoor commercial facility which is established for the primary purpose of entertaining children in a planned fitness environment through equipment, games, and activities in conjunction with food service and which provides child care for a particular child no more than four (4) hours on any one day. An indoor recreational children's center must be licensed as a children's center under Licensing Regulations, but is exempt from the minimum outdoor-square-footage-per-child requirement specified, if the indoor recreational children's center has, at a minimum, 3,000 square feet of usable indoor floor space.

CC Facility Handbook 1.2
Initial Screening means a full Level 2 screening which must include, at a minimum, Federal Bureau of Investigation (FBI) and Florida Department of Law Enforcement (FDLE) checks, a search of the criminal history records, sexual predator and sexual offender registry, and child abuse and neglect registry of any state in which the applicant is currently residing or has resided in during the preceding five years.

9/21/87
Infant - In a children's center, the term infant means a child from two (2) months to two (2) years. For teen parenting child care programs, the term "infant" is defined as a child from birth to two (2) years of age.

CC Facility Handbook 1.2
International Association of Continuing Education and Training (IACET) is an accreditation that is recognized by the American National Standards Institute as a standard setting organization for continuing education and training.

Ch 61-2681
License Board - License Board means Pinellas County License Board for Children's Centers and Family Day Care Homes, a special district established by Chapter 61-2681, Amended by Chapter 70-893, 2007-277 Laws of Florida.

8/3/05
Licensing Regulations - Licensing Regulations means *Licensing Regulations Governing Pinellas County Children's Centers.*

Ch 61 S.2.(9)
Maintenance Staff - Maintenance staff means all persons engaged by any children's center, full or part time, in preparation of food, cleaning, janitor service, chauffeuring, or non-supervisory assistance with children.

CC Facility Handbook 1.2
National Early Childhood Credential (NECC) - pursuant to s. 402.305(3)(c), F.S. is an early childhood credential recognized by the Department and recognized by licensing authorities in at least five (5) states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at last two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A National Early Childhood Credential renewal must meet or exceed the renewal requirements for the Florida Child Care Professional Credential. If they renewal requirements do not meet or exceed the FCCPC renewal requirements, individuals will be required to completed an FCCPC renewal. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.

SA Facility Handbook 1.2
CC Facility Handbook 1.2
Nationally Affiliated Member Based State Professional Organization means an organization that has the following characteristics: they are chapters or officially affiliated with a national child care advocacy organization that for over 20 years has provided members with opportunities to use and strengthen leadership/professional skills that benefit children, families, providers and members at the local and state level, offer advocacy opportunities to raise awareness of the importance of child care education through a unified

organization voice, and offer professional development for members through opportunities to access local and state resources and to network with child care and educational professionals. Examples of such organizations are the Florida Association for the Education of Young Children, Inc. and Florida Family Child Care Home Association, Inc. The term member- based state professional organization does not include an organization that provides primarily training opportunities.

Ch 402.3025(2)(a)(b)(c) **Nonpublic School -** Nonpublic school means that programs for children under three (3) years of age shall be deemed to be child care and subject to the provisions of *Licensing Regulations Governing Pinellas County Children's Centers*. Programs for children in five-year-old kindergarten and grades one or above shall not be deemed to be child care and shall not be subject to Licensing Regulations. Programs for children who are at least three (3) years of age, but under five (5) years of age, shall not be deemed to be child care and shall not be subject to Licensing Regulations provided the programs in the schools are operated and staffed directly by the schools, provided a majority of the children enrolled in the schools are five (5) years of age or older, and provided there is compliance with the screening requirements for personnel pursuant to Licensing Regulations I.A.1. A nonpublic school may designate certain programs as child care, in which case these programs shall be subject to the provisions of *Licensing Regulations Governing Pinellas County Children's Centers*.

Ch 402.3025(2)(d)(1) Programs for children who are at least three (3) years of age, but under five (5) years of age, which are not licensed under *Licensing Regulations Governing Pinellas County Children's Centers* shall substantially comply with the minimum child care standards promulgated pursuant to *Licensing Regulations Governing Pinellas County Children's Centers*. "Substantial compliance" means that level of adherence which is sufficient to safeguard the health, safety, and well-being of all children under care. Substantial compliance is greater than minimal adherence, but not to the level of absolute adherence. Where a violation or variation is identified as the type which impacts, or can be reasonably expected within ninety (90) days to impact, the health, safety, or well-being of a child, there is no substantial compliance. For requirements, contact the License Board.

Ch 402.302(17)

Ch 402.302(13) **Operator** - An operator means any onsite person ultimately responsible for the overall operation of a children's center as previously defined, whether or not he or she is the owner or administrator of the children's center. The operator is sometimes referred to as the "director."

Ch 61 S.2.(6)
8/1/07 **Overnight Care** - Children's centers licensed hereunder shall not provide regular overnight care for children. Overnight care on New Year's Eve and other similar occasions to be specified by the License Board for a number not in excess of the total enrollment authorized on its license is permissive, subject to the determination by the License Board that such overnight care is reasonable under the circumstances.

Potentially hazardous food – means any food that requires time-temperature control
CC Facility Handbook 1.2 (refrigeration or hot holding) and contains ingredients such as milk, milk products, eggs. Meat, poultry, fish, shellfish, cooked plant food (rice, beans, vegetables and baked potatoes), tofu, other soy-protein products, mushrooms, cut melon, cut tomatoes, raw sprouts, and untreated garlic/oil mixtures.

CC Facility Handbook 1.2 **Preparation of Food** includes the selection and portioning or combining of ingredients to create food (including bottle preparation) intended for consumption. This definition is not limited to cooking. Excluded from this definition are warming of pre-prepared bottles and pre-prepared food (such as catered food and food provided by a child's parent or guardian), assisting a child with food provided by the child's parent or guardian, distributing individually pre-packaged snacks, and learning activities provided by a child care program that may include raw or prepared food. A learning activity may not replace a regularly scheduled meal.

SA Facility Handbook 1.2 **Professional Contribution –**for the purpose of Director Credential renewal, demonstrates
CC Facility Handbook 1.2 a dedication to early childhood or school-age education outside of the child care program

responsibilities by engaging in activities that improve the field of early childhood or school-age education. Examples of such a contribution are: active participation in an appropriate professional organization, publishing an article related to early childhood or school-age education, presentation in the field of early childhood or school-age education at a conference, teach courses through an educational institution, participate in an educational research project, completion of ignition or renewal of a Florida-recognized accreditation program, service as a validator or advisor for a Florida-recognized accreditation program, serve as an editor or reviewer for a professional journal or book, or active participation in rule development workshops.

CC Facility Handbook 1.2 **Re-Screening** is the background screening process that is conducted every five years after the date of the initial screening. Re-screening must include national and statewide criminal records checks through the FDLE, a search of the sexual predator and sexual offender registry, and Florida's child abuse and neglect registry.

CC Facility Handbook 1.2 **Sanitize** means the process of destroying or reducing organisms to a safe level. Includes properly cleaned equipment and surfaces, such as sinks and cots. Sanitation shall be accomplished with the application of a chemical sanitizer or the use of hot water or steam. Sanitizing agents much be used according to the manufacturer label. Sanitizing agents used on food contact surfaces must be labeled by the manufacturer safe for use on food contact surfaces and have specific instructions designed for use on food contact surfaces. The manufacturer's directions must be followed.

CC Facility Handbook 1.2 **School-Age Child Care Credential** is equivalent to a child development associate credential, pursuant to 402.305(3)(b), F.S. and offered through one of the following programs: Florida Child Care Professional Credential (FCCPC) and Florida Department of Education School-Age Professional Certificate (SAPC). Issuance of a School-Age Child Care Credential certifies successful completion of a department-approved training program that consists of a minimum of 120 hours of school-age/early childhood instruction, 480 contact hours with school-age children, and formal observations. Credentials must be documented on CF-FSP Form 5270, Florida Child Care Professional Certificate. A copy of CF-FSP 5270 may be obtained from www.myflfamilies.com/childcare. Active credentials are valid for five years from the date of issuance. A list of approved and recognized School-Age Child Care Credential programs may be obtained from www.myflfamilies.com/childcare.

Ch 402.302(16) **Secretary -** Secretary means the Secretary of the Department of Children and Family Services.

CC Facility Handbook 1.2 **Serious Injury** is any injury/incident resulting in death or serious physical or emotional harm to a child that prudently calls for medical attention, including medication errors that present a risk of ineffectiveness or adverse reaction.

SA Facility Handbook 1.2
CC Facility Handbook 1.2 **Stable walls or Barriers** refer to the boundaries that define a classroom space. Walls or barriers must be constructed in a sturdy manner and anchored together, or to the floor or walls. Walls or barriers must be stable and secure and must not pose a threat to falling over. The material for the barriers or walls must be non-hazardous and may not be made of materials such as see-thru or plastic curtains, fabric or mesh materials. The stable walls or barriers must be a minimum of 32 inches in height from the floor in classrooms for children age 2 and must be a minimum of four (4) feet in height from the floor in classrooms for children ages 3 years or older. All classrooms must continue to meet fire code requirements for entrance(s) and exit(s) of the classroom.

Ch 409.175
Ch 402.302(2)(c) **Summer Day Camp -** Summer day camp means recreational, educational and other enrichment programs operated during summer vacations for children who are five years of age on or before September 1 or older. Summer day camps are not licensed.

10/14/89 **Teen Parenting Child Care Program -** A teen parenting child care program means a program developed to provide child care for children of teen parents for the purpose of preventing school dropout and for facilitating early bonding of infant and parent. The program must be affiliated with a public or nonpublic school. Parenting activities must be a

part of the program's curriculum.

CC Facility Handbook 1.2 **Training Transcript** – is the electronic documentation of statutorily mandated training and staff credentialing requirements for all child care staff. Training transcripts may be downloaded on the Department of Children and Family Services' website at www.myflorida.com/childcare.

Ch 509.031(10)
Ch 402.302(2)(e) **Transient Establishment** - Transient establishment means any public lodging establishment that is rented or leased to guests by an operator whose intention is that such guest's occupancy will be temporary. Operators of transient establishments, as defined in Chapter 509, which provide child care services solely for the guests of their establishment or resort provided that all child care personnel of the establishment are screened according to the Level 2 screening requirements of Chapter 435. Transient establishments are not licensed.

SA Facility Handbook 1.2
CC Facility Handbook 1.2 **Unitary Surfacing Material** – is a manufactured material used for protective surfacing in the fall/use zone that may be rubber tiles, mats, or a combination of energy absorbing materials held in place by a binder that may be poured in place in the play area and cures to form a unitary shock absorbing surface.

CC Facility Handbook 1.2 **Weighted Score -** means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

CC Facility Handbook 1.2 **Year of Experience** –it relates to the Director Credential, is equivalent to a minimum of 1040 hours of paid and/or nonpaid documented work experience as a child care facility director, co-director, assistant director, or as a lead teacher in a Head Start Program.

LICENSE REQUIRED

Ch 61 S.3.(1) It is unlawful for any person, firm, corporation, or any other group to operate or maintain a children's center or family day care home without first obtaining a license or temporary permit as provided by Chapter 61-2681 Amended by Chapters 70-893 and 2007-277, Laws of Florida.

Ch 61 S.3.(3) Separate licenses shall be required for children's centers maintained and operated on separate premises, even though under the same ownership or management.

LICENSE BOARD CREATION

Ch 61 S.4. There is created in Pinellas County the License Board for Children's Centers and Family Day Care Homes herein called the License Board, which shall be composed of:

Ch 61 S.4.(1) (1) A member of the Board of County Commissioners, said member to be designated by action of the Board of County Commissioners.

Ch 61 S.4.(2) (2) The director of the district division of family services or a person delegated by him.

Ch 61 S.4.(3) (3) A member of the Juvenile Welfare Board, or the director of said Board, said member to be designated by action of the Juvenile Welfare Board.

Ch 61 S.4.(4) (4) The district school superintendent or a teacher in elementary preschool education delegated by him.

Ch 61 S.4.(5) (5) The county health officer or a person delegated by him.

Ch 61 S.4.(6)
5/5/04 (6) Two (2) members in good standing from the preschool association, Pinellas Early Childhood Association, selected by majority vote of the elected officers of said association.

Ch 61 S.4. The License Board as constituted by this section shall proceed to elect a chairman from its membership who shall serve as administrative officer of the License Board. The License

Board shall hold quarterly meetings. Meetings may be called by the chairman whenever he deems it necessary or by a quorum of the members of the License Board.

RULES AND REGULATIONS

Ch 61 S.5. The License Board shall have the power and duty to promulgate and adopt rules and regulations for the purposes of administering and enforcing minimum standards prescribed in this act. In the event the License Board determines it reasonable to decrease the requirements of any particular standard, it may do so by the action of the Board only. In the event the License Board determines that there is a reasonable necessity to supplement or increase any particular standard, it may do so according to the following procedure:

Ch 61 S.5.(1) (1) There shall be a finding of necessity, not merely desirability.

Ch 61 S.5.(2) (2) There must be a notice of the finding, the old standard, the proposed new standard, the reason for the change, and a hearing date mailed to all licensees.

Ch 61 S.5.(3) (3) There must be a hearing at which all affected persons are given an opportunity to present their views.

Ch 61 S.5.(4) (4) The proposed new standard may not be considered again by the Board until a meeting at least ninety (90) days after the hearing, at which time, if approved by five-sevenths (5/7) of the membership of the Board, it shall be adopted.

Ch 61 S.5.(5) (5) Any new standard must provide that it shall not become effective for a particular period of time specified in it, which is reasonable considering the particular standard involved.

Ch 61 S.5.(6) (6) No rule or regulation shall require medical examination or immunization for admission to a children's center of a child whose parent or guardian files a letter with the operator stating that such medical examination and/or immunization is contrary to his or her religious beliefs, or provide for the exclusion of a child from the center because of parent or guardian having filed such a letter; provided however, that whenever there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child may be temporarily excluded from the center until the operator is satisfied that any contagious or infectious disease does not exist.

Ch 61 S.5.(7) (7) After the meeting approving the standard, within thirty (30) days, notice of the new standard and the effective date of it shall be mailed to all members.

ADVISORY COMMITTEE

Ch 61 S.19.
6/4/03
The License Board shall appoint a committee to serve in an advisory capacity. Such committee shall consist of three (3) operators in good standing, representing privately-operated children’s centers, school age centers, and faith-based children’s centers and two (2) other persons qualified by education and experience in the field of early childhood education. The License Board shall consult with the committee before changing rules and regulations and in matters dealing with policy.

APPROPRIATION

Ch 61 S.22. The board of county commissioners is authorized to levy an annual tax to be used as an appropriation for the License Board in accordance with its needs. Such appropriation shall be in addition to the revenue derived from the application fees paid to the License Board. Further, the License Board is authorized to accept any financial gift or grant from any source, and shall properly account for same.

LICENSING REGULATIONS
Governing
Pinellas County Children's Centers

I. PERSONNEL

A. General qualifications - Child Care Personnel:

Ch 61 S.6.(1) &
Ch 402.301(2)
Ch 402.305(2)(a)

1. **Shall be of good character.**
Good moral character based upon screening. This screening shall be conducted as provided in chapter 435, using Level 2 standards for screening set forth in that chapter. All Level 2 background screening requirements as set forth in F.S. 435 must be complied with at all times.

Ch. 435.04(3)

a. The security background investigations under these regulations must ensure that no person subject to Level 2 background screening has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense that constitutes domestic violence as defined in s. 741.28, whether such act was committed in this state or in another jurisdiction.

b. **Background Screening**

Initial Screening

CC Facility Handbook 5

SA Facility Handbook 5.1
CC Facility Handbook 5.1

A screening must be conducted as a condition of employment. The employer/owner/operator must review each employment application to assess the relevancy of any issue uncovered by the complete background screening, including any arrest, pending criminal charge, or conviction, and must use this information in employment decisions in accordance with state laws.

CC Facility Handbook 5.1 A
SA Facility Handbook 5.1A

A. Level 2 screening as outlined in s. 435.04, F.S. is required for all child care personnel and includes a criminal records check (both national and statewide), a sexual predator and sexual offender registry search and child abuse and neglect history of any state in which an individual resided during the preceding 5 years. All fingerprints must be submitted and processed through the Background Screening Clearinghouse and therefore a LiveScan vendor that is Clearinghouse compatible must be used for submission of fingerprints.

CC Facility Handbook 5.1 B
SA Facility Handbook 5.1B

B. The fingerprint results from the Federal Bureau of Investigation will be returned to DCF via the Florida Department of Law Enforcement. DCF will review both the federal and state criminal history results along with state criminal records, national sex offender registry, Florida sex offender registry, and the Florida child abuse and neglect registry.

CC Facility Handbook 5.1 C.
SA Facility Handbook 5.1C

C. DCF will issue an eligible or non-eligible result through the Clearinghouse upon completion of searches and results from other states, if applicable.

CC Facility Handbook 5.1 D
SA Facility Handbook 5.1D

D. **Employment History Check –** The employer/owner/operator must conduct employment history checks, including documented attempts to contact each employer that employed the individual within the preceding five years and documentation of the findings. Documentation must include the applicant's job title and description of his/her regular duties, confirmation of employment dates, and level of job performance. The employer/owner/operator must make at least three attempts to obtain employment history information. Failed attempts to obtain employment

history must be documented in the personnel file and include date, time and the reason the information was not obtained.

CC Facility Handbook 5.1 E
SA Facility Handbook 5.1E

E. The employer/owner/operator must send a request for a search of each state's criminal records if the individual has lived outside the state of Florida in the preceding five years. Visit www.myflfamilies.com/backgroundscreening, click on the National Records request link to obtain instructions and forms to complete to submit a request for the search. Documentation of the date the search was requested, and the date the results were received, must be maintained in the employee's file for review by the licensing authority. Once results are received they must be forwarded to DCF Background Screening unit for review. The results may be faxed to: (850) 922-2895, emailed to Background.screening@myflfamilies.com, or mailed to Department of Children and Families Background Screening Unit 1317 Winewood Boulevard, Building 6 Floor 3, Tallahassee, Florida 32399-0700. If the previous state of residence participates in the National Fingerprint File Program, then a request for criminal history records will not be required. A list of states participating in the NFF may be found at this link: https://www.fbi.gov/services/cjis/compact-council/interstate-identification-index-iii-national-fingerprint-file.nff.

CC Facility Handbook 5.1F
SA Facility Handbook 5.1F

F. The employer/owner/operator must send a request for a search of each state's child abuse and neglect registry if the individual has lived outside the state of Florida in the preceding five years. Visit www.myflfamlies.com/backgroundscreening, click on the National Records Request link to obtain the instructions and forms to complete to submit a request for the search. Documentation of the date the search was requested, and the date the results were received, must be maintained in the employee's file for review by the licensing authority.

CC Facility Handbook 5.1G.
SA Facility Handbook 5.1G

G. The employer/owner/operator must conduct a search of the sexual offender/predator registry of any state the individual has lived in outside the state of Florida in the preceding five years. Visit www.myflfamilies.com/backgroundscreening, click on the National Records Request link to obtain the instructions and forms to complete to submit the request for a search. Documentation of the search date, and findings from each state, must be documented in the employee's file for review by the licensing authority.

CC Facility Handbook 5.1H
SA Facility Handbook 5.1H

H. The employer/owner/operator must maintain on-site at the program copies/documentation of completion of all applicable elements in the screening process for an individual in the personnel file for review by the licensing authority.

CC Facility Handbook 5.1I
SA Facility Handbook 5.1I

I. An individual may be hired under one of these circumstances:

1. If all components are complete with an eligible screening and documented in the employee's file.
2. "Provisional hire" status upon notification email from DCF allowing the individual to be hired for a 45 day period while out of state records are being requested and awaiting clearance. During those 45 days the individual must be under the supervision of a screened and trained child care personnel when in contact with the children.
3. Screening requests have been initiated, but before results have been received, the individual may be hired for training and orientation purposes only in accordance with s. 435.06(2)(d), Florida Statutes. Until screening is complete

showing good moral character, the employee may not be in contact with the children as specified in the statute.

CC Facility Handbook 5.1 J
SA Facility Handbook 5.1J

J. The employer/owner/operator must **initiate the screening** through the Clearinghouse prior to fingerprinting. Failure to initiate the screening may result in an invalid screening and the individual will have to be re-fingerprinted and pay the fees again.

CC Facility Handbook 5.1 K
SA Facility Handbook 5.1K

K. The employer/owner/operator must add child care personnel to their Employee/Contractor Roster in the Clearinghouse within 10 days of when the individual has received a child care eligible result and has been hired at the children's center. Employer/owner/operator must add an end date for individuals on the Employer/Contractor Roster in the Clearinghouse within 10 days of the employment termination.

CC Facility Handbook 5.1 L
SA Facility Handbook 5.1L

L. The employer/owner/operator will receive an email notification if any employee on the Employee/Contractor Roster is arrested for a disqualifying offense. The employer/owner/operator is required to take appropriate action if an employee becomes disqualified from employment pursuant to s. 436.06, Florida Statutes.

SA Facility Handbook 5.1M

CC Facility Handbook 5.1M

M. If the facility is located in or adjacent to the home of the operator, then background screening documentation must be maintained for all household members. Household members aged 12 to 17 years must complete a Juvenile Records Check with FDLE.

CC Facility Handbook 7.4.1B.

(2) **Attestation of Good Moral Character** – CF Form 1649A, October, 2017, Child Care Attestation of Good Moral Character, which is incorporated by reference in 65C-22.001(7)(a), F.A.C, must be completed at the time of initial screening or upon a change in employers and may be obtained from the Child Care Licensing Program's website at www.pclb.org.

Ch 435.05

c. **Requirements**

(1) Except as otherwise provided by law, the following requirements shall apply to:

Ch 435.05(1)(a)

(a) Every person required by law to be screened must submit a complete set of information necessary to conduct a screening as required by law.

Ch 435.05(1)(c)

(b) For level 2 screening, the employer or License Board must submit the information necessary for screening to the Department of Law Enforcement within five (5) working days after receiving it. The Department of Law Enforcement shall perform a criminal history record check of its records and will request that the Federal Bureau of Investigation perform a national criminal history record check of its records for each employee for whom the request is made. The Department of Law Enforcement and the Department of Children and Family Services will respond to the employer or License Board, and the employer or License Board will inform the employee whether screening has revealed disqualifying information.

Ch 435. 05(1)(d)

(c) The person whose background is being checked must supply any missing criminal or other necessary information to the employer within thirty (30) days after the employer makes a request for the information or be subject to automatic disqualification.

435.05(2)

(2) Every employee must attest, subject to penalty of perjury, to meeting the requirements for qualifying for employment that they do not have any Level 2 disqualifying offenses and agree to inform the employer immediately if arrested for any of the disqualifying offenses while employed by the employer.

435.05(3)

(3) The Employer must ensure that all employees and volunteers (if required to be screened) have passed Level 2 background screening and must submit to the agency annually or at the time of license renewal, under penalty of perjury, a signed affidavit attesting to compliance.

Ch 402.3054(3)

d. **Child Enrichment Service Provider**

A child enrichment service provider shall be of good moral character based upon screening. This screening shall be conducted as provided in Chapter 435, using the level 2 standards for screening set forth in that chapter. A child enrichment service provider must meet the screening requirements prior to providing services to a child in a children's center. A child enrichment service provider who has met the screening standards shall not be required to be under the direct and constant supervision of child care personnel.

Ch 435.06

e. **Exclusion From Employment**

435.06(2)(a)

(1) An employer may not hire, select, or otherwise allow an employee to have contact with children until the screening process is completed and demonstrates the absence of any grounds for the denial or termination of employment. If the screening process shows any grounds for the denial or termination of employment, the employer may not hire, select or otherwise allow the employee to have contact with children unless the employee is granted an exemption for the disqualification as provided under 435.07.

435.06(2)(b)

(2) If the Employer becomes aware that an employee or volunteer (if required to be screened) has been arrested for a disqualifying offense, the Operator must remove the employee or volunteer from all contact with child care children until the arrest is resolved in a way that the Employer determines that the employee is still eligible to be employed or the volunteer is still eligible to have contact with child care children pursuant to these regulations.

435.06(2)(c)

(3) The Employer must terminate the employment (or the volunteer services if the volunteer is required to be screened) of any employees or volunteers (if required to be screened) found to be in noncompliance with Level 2 background clearance requirements unless the employee or volunteer is granted an exemption from disqualification pursuant to 435.07.

Ch 435.06(3)

(4) Any person who is required to undergo employment screening and who refuses to cooperate in such screening or refuses to submit the information necessary to complete the screening, including fingerprints when required, shall be disqualified for employment in such position or, if employed, shall be dismissed.

CC Facility Handbook 5.2
SA Facility Handbook 5.2

f. **Re-Screening**

A screening conducted under this rule is valid for five years, at which time a re-screen must be conducted in the same manner as the initial screening.

A. The five year re-screen is required for all child care personnel.
B. The five year re-screen must include at a minimum, a criminal records check (both national and statewide), a sexual predator and sexual offender registry search, and child abuse and neglect history of any state in which an individual resided during the preceding 5 years.
C. Child care personnel must be re-screened following a break in employment in the child care industry that exceeds 90 days. Child care personnel/individual with a break in service that exceeds 90 days are considered unscreened child care personnel/individuals until completion of re-screening. These child care personnel/individuals shall not have unsupervised contact with children in care.
D. If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc. rescreening is not required unless the five year re-screen comes due during the leave of absence.

All screening and rescreening must be processed using the Background Screening Clearinghouse: (go to http://www.dcf.state.fl.us/programs/backgroundscreening/index.shtml and https://apps.ahca.myflorida.com/SingleSignOnPortal/Login.aspx?ReturnUrl=%2fSingleSignOnPortal%f)

Ch 435.07

g. **Exemptions From Disqualification**
Unless otherwise provided by law, the provisions of this section shall apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required by these regulations regardless of whether those disqualifying offenses are listed specifically in these regulations or other laws.

(1) The Department of Children and Family Services may grant to any employee otherwise disqualified from employment an exemption from disqualification for:

(a) Felonies for which at least 3 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction for the disqualifying felony;

(b) Misdemeanors prohibited under any of the statutes cited in this chapter or under similar statutes of other jurisdictions for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction;

(c) Offenses that were felonies when committed, but are now misdemeanors, and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction; or;

(d) Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, the exemption may not be granted until at least 3 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or sanction for the disqualifying offense.

435.07

(2) The term “felonies” means both felonies prohibited under any of the statutes cited in these regulations or under similar statutes of other jurisdiction.

(3) In order to grant an exemption to any employee, the employee must demonstrate by clear and convincing evidence that the employee

should not be disqualified from employment. Employees seeking an exemption have the burden of setting forth clear and convincing evidence of rehabilitation, including, but not limited to, the circumstances surrounding the criminal incident for which an exemption is sought, the time period that has elapsed since the incident, the nature of the harm caused to the victim, and the history of the employee since the incident, or any other evidence or circumstances indicating that the employee will not present a danger if employment or continued employment is allowed. The decision of the Department of Children and Family Services regarding an exemption may be contested through the hearing procedures set forth in chapter 120. The standard of review by the administrative law judge is whether the Department of Children and Family Services' intended action is an abuse of discretion.

Ch. 435.07(4)(b)

(4) Disqualification from employment pursuant to these regulations may not be removed from, nor may an exemption be granted to, any person who is a:

1. Sexual predator as designated pursuant to s. 775.21;

1. Career offender pursuant to s. 775.261; or

2. Sexual offender pursuant to s. 943.0435, unless the requirement to register as a sexual offender has been removed pursuant to s. 943.04354.

(5) Exemptions granted by one agency shall be considered by subsequent agencies, but are not binding on the subsequent agency.

Ch 435.09

h. **Confidentiality of Personnel Background Check Information**

No criminal or juvenile information obtained under this section may be used for any purpose other than determining whether persons meet the minimum standards for employment or for an owner or director of a covered service provider. The criminal records and juvenile records obtained by the License Board or by an employer are exempt from s. 119.07(1).

Ch 435.10

i. **Sharing of Personnel Information Among Employers**

Every employer of employees covered by this chapter shall furnish copies of personnel records for employees or former employees to any other employer requesting this information pursuant to this section. Information contained in the records may include, but is not limited to, disciplinary matters and any reason for termination. Any employer releasing such records pursuant to this chapter shall be considered to be acting in good faith and may not be held liable for information contained in such records, absent a showing that the employer maliciously falsified such records.

Ch 435.11

j. **Penalties**

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

(a) Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any application for voluntary or paid employment a material fact used in making a determination as to such person's qualifications for a position of special trust.

(b) Use records information for purposes other than screening for employment or release records information to other persons for purposes other than screening for employment.

(2) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any person willfully, knowingly, or intentionally to use juvenile records information for any purposes other than specified in this section or to release such information to other persons for purposes other than specified in this section.

Ch 402.3055(2)

(3) Exclusion from owning, operating, or being employed by a children's center or other child care program; hearings provided.

Ch 402.3055(2)(a)

(a) The License Board shall deny, suspend, or revoke a license or pursue other remedies provided in Licensing Regulations XVI, in addition to or in lieu of denial, suspension, or revocation for failure to comply with this section. The disciplinary actions determination to be made by the License Board and the procedure for hearing for applicants and licensees shall be in accordance with Licensing Regulations XVI.

Ch 402.3055(2)(b)

(b) When the License Board has reasonable cause to believe that grounds for denial or termination of employment exist, it shall notify, in writing, the applicant, licensee, or other child care program and the child care personnel affected, stating the specific record which indicates noncompliance with the standards in Licensing Regulations.

Ch 402.3055(2)(d)

(c) When the License Board is the agency initiating the statement regarding noncompliance of an employee with the standards contained in Licensing Regulations XVI, the employee, applicant, licensee, or other child care program has fifteen (15) days from the time of written notification of the agency's finding to make a written request for a hearing. If a request for a hearing is not received in that time, the permanent employee, applicant, licensee, or other child care program is presumed to accept the finding.

Ch 402.3055(2)(e)

(d) If a request for a hearing is made to the License Board, a hearing shall be held within thirty (30) days and shall be conducted by an individual designated by the county commission.

Ch 402.3055(2)(f)

(e) An employee, applicant, licensee, or other child care program shall have the right to appeal a finding of the License Board to a representative of the department. Any required hearing shall be held in the county in which the permanent employee is employed. The hearing shall be conducted in accordance with provisions of chapter 120.

Ch 402.3055(2)(g)

(f) Refusal on the part of an applicant or licensee to dismiss child care personnel who have been found to be in noncompliance with personnel standards in Licensing Regulations I.A., shall result in automatic denial or revocation of the license in addition to any other remedies pursued by the License Board.

Ch 61 S.6.(1)
3/9/05

2. Shall be in good health and free from impairment of mental illness.

CC Facility Handbook 2.4F
SA Facility Handbook 2.4.G
Ch 61 S.6.(1),2/1/06

3. No person shall be an operator, owner or employee in a program while using or under the influence of narcotics, alcohol or other drugs that impair an individual's ability to provide supervision and safe child care.

Ch 61 S.6.(1)
12/14/07

4. Shall not exercise any influence detrimental to the progress, development, health, or safety of children and shall not exhibit or allow any violent, lascivious, or profane conduct to which children in care might be exposed.

Ch 61 S.6.(1)
SA Facility Handbook 2.2
CC Facility Handbook 2.2

5. Shall meet minimum age requirements. The staff person in charge shall be at least 21 years of age and on the premises at all times and no employee in direct supervision of children shall be under 18 years of age.

B. Education/Credentials

1. **Education Qualifications**

Ch 61 S.6.(2)(a)
8/3/05
09/11/19

a. **Day Nursery Workers.** Day nursery workers (DNW) caring directly for children in any day nursery shall be high school graduates or enrolled in high school, enrolled in and attending GED classes for no more than two years, or in possession of a Certificate of Completion.

12/4/02
8/3/05
09/11/19

SA b. **School Age Center Workers.** School age center workers (SACW) caring directly for children in any school age center shall be high school graduates or enrolled in high school, enrolled in and attending GED classes for no more than two years, or in possession of a Certificate of Completion.

Ch 61 S.6.(2)(a)
11/7/07

c. **Staff Member In Charge of Day Nursery**. The staff member in charge (SMIC) of the staff and program of a day nursery shall be a high school graduate or have the equivalent of a high school diploma and have completed a minimum of six (6) semester hours of college credits in early childhood education with passing grades.

12/4/02
11/7/07

SA d. **Staff Member In Charge of School Age Center**. The staff member in charge (SMIC) of the staff and program of a school age center shall be a high school graduate or have the equivalent of a high school diploma and have completed a minimum of six (6) semester hours of college credits with passing grades in early childhood education, elementary education, physical education activities for children, guidance, recreation, or the eight content areas listed in the Licensing Regulations I.B.1.f.3.

Ch 61 S.6.(2)(b)

e. **Teacher In Charge of Nursery School/Kindergarten.** The nursery school or kindergarten teacher in charge (TIC) of curriculum, staff, and program shall have completed two (2) years of college training including twelve (12) semester credit hours in early childhood education with passing grades and shall have had two (2) years of teaching experience. Teachers (T) working directly under the person in charge of curriculum, staff, and program shall be high school graduates, and in addition shall have completed two (2) years of college training including twelve (12) semester hours credit in early childhood education with passing grades or shall have completed twelve (12) semester hours credit in early childhood education with passing grades and have had two (2) years of teaching experience.

Ch 61 S.6.(2)(d)

3/1/95
8/3/05

(1) **Teacher In Process.** Child care staff, not in charge of curriculum, staff, or program who does not meet requirements, may be employed temporarily as a teacher of a licensed, nursery school or kindergarten, if said staff member is in the process of acquiring the necessary educational qualifications. A teacher in the process (TIP) of acquiring the necessary educational qualification must meet the

experience requirement and one of the following:

(a) A minimum of three semester credit hours or four-quarter hours of college credits each year toward acquiring the necessary twelve semester credit hours or 16-quarter credit hours; or

(b) Participation in the Child Development Associate credentialing program; or

(c) Participation in the Child Care Apprenticeship Program of Pinellas County.

(2) Successful completion of one of the above will qualify the person as a teacher or teacher in charge in a nursery school or kindergarten.

Ch 61 S.6.(2)(c)

(3) All personnel who meet the teacher or teacher in charge education qualifications in nursery schools and kindergartens shall continue professional training by earning at least three (3) semester credit hours or appropriate quarter hours in early childhood education each three (3) years, over and above the minimum requirements herein until a minimum of thirty (30) credits has been earned.

Ch 61 S.6.(2)(f)

f. Members of child care staff in children's centers caring exclusively for mentally or physically handicapped children are not required to meet the college credit requirements outlined herein for nursery school and kindergarten staff. They shall enroll in courses pertinent to work with exceptional children, when such courses are available in the county.

12/4/02

g. Credit to meet the educational requirement for staff member in charge, teacher, teacher in charge, and teacher in process will be accepted from a college or university accredited by the Regional Institutional Accrediting Associations as listed in the *Directory of Postsecondary Institutions.*

(1) The License Board accepts all licensed institutions listed in the Report of the Florida Board of Independent Colleges and Universities, as acceptable for credit if they offer the appropriate courses that are accepted by the License Board.

The License Board accepts all institutions licensed or approved by the Board of Education or appropriate Board of the state where the institution is located; the applicant would have the burden of proof to show that the institution meets this requirement.

(2) Evidence of credit shall be in the form of a transcript (official or unofficial), grade card, college printout, or verification by an instructor of successful course completion. An authentic diploma from a college or university listed in the *Directory of Postsecondary Institutions* showing a major in kindergarten, elementary education, early childhood education, child development, family and consumer sciences (formerly home economics/child development), or full Florida certification in early childhood or elementary education, is acceptable in lieu of a transcript for 12 credits in early childhood education.

(3) Course work in the following eight content areas will be acceptable for early childhood education and/or school age credit:

(a) Planning a safe, healthy environment to invite learning for children
(b) Steps to advance children's physical and intellectual development

(c) Positive ways to support children's social and emotional development
(d) Strategies to establish productive relationships with families
(e) Maintaining a commitment to professionalism
(f) Observing and recording children's behavior
(g) Principles of child growth and development
(h) Strategies to manage an effective children's program operation

12/4/02

(4) In lieu of completion of six (6) semester hours of college credits in the eight content areas, a staff member in charge of a day nursery, school age center or nonpublic school may satisfactorily complete a CDA credential, a state approved equivalent, or a Florida School-Age Certification. This may be documented on a transcript, diploma, or certificate.

CC Facility Handbook 4.6
SA Handbook 4.6

2. **Staff Credentials**

SA Handbook 4.6 **SA** a. School age child care programs are exempt from the staff credential requirement.

CC Facility Handbook 4.6 b. **Staff Credential Requirement.** Pursuant to s. 402.305(3), F.S., a licensed children's center must have a minimum of one (1) credentialed child care personnel for every 20 children.

CC Facility Handbook 4.6 A

(1) A credentialed child care personnel is defined as a child care professional who has been issued a Staff Credential Verification, documented on the individual's Training Transcript. Florida law requires that VPK instructional personnel possess an appropriate credential. If the licensing authority identifies that a designed VPK teacher does not have an active credential, the licensing authority will notify the local Early Learning Coalition or its designated representative.

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CC Facility Handbook 4.6 B

(2) To apply for a staff credential verification, a candidate must complete CF-FSP Form 5211, Florida Staff Credential Verification Application, which is incorporated by reference in 65C-22.001(7)(d), F.A.C and, may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare. The candidate must meet one (1) of the following five qualifications as cited on CF-FSP Form 5211:

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(a) An active National Early Childhood Credential (NECC)

(b) Formal Educational Qualifications

(c) An active Birth Through Five Florida Child Care Professional Credential as a Florida Child Care Professional Credential (FCCPC); Florida Department of Education Child Care Apprenticeship Certificate (CCAC), or Early Childhood Professional Certificate (ECPC).

SA (d) An active School-Age Florida Child Care Professional Credential awarded as a Florida Child Care Professional Credential (FCCPC) or School-Age Professional Certificate (SAPC). Graduates who successfully complete a school-age training program offered by a branch of the U.S. Military will be recognized as having met the School-Age FCCPC requirement. A School-Age FCCPC will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten

(VPK).

(e) Employment History Recognition Exemption. An Employment History Recognition Exemption shall not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK) or towards a Director Credential. Effective July 1, 2006 DCF discontinued issuing this exemption, however individuals that received the exemption prior were not affected by this change.

CC Facility Handbook 4.6.1

c. **Calculation of Number of Personnel Necessary.**

CC Facility Handbook 4.6.1A .

(1) Children Centers with nineteen (19) or fewer children or which operate less than eight (8) hours per week are not subject to the staff credential requirement.

CC Facility Handbook 4.6.1B .

(2) For every 20 children, a children's center must have one (1) child care personnel who meets the staff credential requirement. Based on this formula, children's centers with 20-39 children must have one (1) credentialed child care personnel, facilities with 40-59 children must have two (2) credentialed child care personnel, and so on. The licensing authority will calculate the number of credentialed personnel required based on daily attendance.

CC Facility Handbook 4.6.1C

(3) Child care personnel meeting the staff credential requirement must work at the children's center a minimum of 20 hours per week. A credentialed child care personnel must be on-site during all operational hours for those children's centers that operate 20 hours or less per week.

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CC Facility Handbook 4.6.1D .

(4) Volunteers who work at the children's center a minimum of 20 hours per week and meet the credential requirement may be included in calculating the credential ratio.

CC Facility Handbook 4.6.1E .

(5) Children who are five (5) years old and who are enrolled in and attend a kindergarten program or grades one (1) and above are excluded from credential ratio.

CC Facility Handbook 4.6.1F

(6) An individual with an inactive credential is ineligible to be counted as a credentialed child care personnel until the credential is renewed or the individual meets one of the qualifications listed in above.

CC Facility Handbook 4.6.2

CC Facility Handbook 7B33

d. **Training Documentation.** A copy of the Training Transcript for each credentialed child care personnel must be maintained on-site at the children's center, in the employee personnel file, and available for review by licensing staff. Children's centers must maintain written documentation of credentialed personnel's work schedules for a period of 12 months. Examples of written documentation are employee time sheets, personnel work schedules, and employment records.

CC Facility Handbook 4.6.3

e. **Staff Credential Renewal**

CC Facility Handbook 4.6.3A

(1) To maintain an active National Early Childhood Credential, it must be renewed through the agency that awarded the original credential, or renewed as a Florida Birth Through Five Child Care Credential. Once renewed, for licensing purposes, individuals must complete a CF-FSP Form 5211, Florida Child Care Staff Credential Verification Application to have the individual's Training Transcript updated with renewed credential information. An individual with an inactive National Child

Care Credential may submit a renewal application, but while inactive the individual shall not be counted to meet the staff credential requirement. The application will be reviewed, and if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.

CC Facility Handbook 4.6.3B

(2) A staff credential awarded for formal education qualifications does not need to be renewed to remain active.

CC Facility Handbook 4.6.3C

(3) To maintain an active Birth Through Five FCCPC or School-Age Child Care Credential, every five (5) years a candidate must complete the renewal Section of the CF-FSP Form 5211; if all criteria are met, the individual's Training Transcript will be updated with renewed credential information. Renewal applications may be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Birth Through Five or School-Age Child Care Credential. An individual with an inactive Birth Through Five or School-Age Child Care Credential may submit a renewal application, but while inactive the individual shall not be counted to meet the staff credential requirement. The application will be reviewed, and if approved, a certificate will be issued with a renewal date of five years from the date the renewal requirements are met.

CC Facility Handbook 4.6.3D

(4) A staff credential awarded for Employment History Exemption is always active and does not need to be renewed.

CC Facility Handbook 4.8.2

3. **FCCPC (Florida Child Care Professional Credential) Training Program Providers**

DCF is responsible for ensuring the approved Birth Through Five and School-Age FCCPC Training Providers meet the program requirements. A list of approved "Birth Through Five and School-Age FCCPC Training Providers" may be obtained from the DCF website, www.myflfamilies.com/childcare.

A. The operational status of a training provider that has been approved to provide the Birth Through Five and/or School-Age FCCPC Program and is currently accepting students will be referred to as "Compliant". A Compliant FCCPC Birth Through Five training provider shall submit the signed attestation page CF-FSP 5191, which is incorporated by reference in paragraph 65C-22.001(7)(c), F.A.C. annually to the department or its designated representative on or before September 30, and an open FCCPC School-Age training provider shall submit the signed attestation page of the CF_FSP 525, which is incorporated by reference in paragraph 65C-22.001(7)(h), F.A.C annually to DCF or its designated representative on or before September 30. Compliant FCCPC training providers must ensure availability of all training files to DCF upon request and be subject to both informal and formal audit/observations. Compliant FCCPC training providers who wish to change their program status to Compliant/Nonoperational or Closed must notify DCF in writing of their intent and if they currently have enrolled students, they must provide a teach out plan to DCF for the students to ensure they have an opportunity to complete their credential work.

B. The operational status of a training provider who has been approved to provide the Birth Through Five and/or School-Age FCCPC Program but is not currently accepting students shall be referred to as "Compliant/Non-operational". Compliant/Non-operational Birth Through Five and School-Age FCCPC training providers are required to maintain program accreditation or

licensure during the time they are not accepting students. The signed attestation page of the CF-FSP 5191 (Birth Through Five Providers) and CF-FSP 5257 (School-Age Providers) is to be submitted annually to DCF or its designated representative. Prior to return to Compliant status, the training provider must notify DCF in writing of the intent to re-open the program and receive written approval from the department before enrolling students.

C. A training provider who has failed to maintain the requirements of the Birth Through Five and/or School-Age FCCPC Program shall be deemed as "Non-compliant". Non-compliant Birth Through Five and School-Age training providers may not teach the FCCPC program and will be removed from the approved list.

D. The operational status of a training provider who has voluntarily decided to no longer accept students shall be referred to as "Closed". Closed Birth Through Five and School-Age training providers may not teach FCCPC program and will be moved from the approved list.

Training providers who offer the Birth Through Five and/or School-Age FCCPC training shall submit FCCPC training student completion documentation in the prescribed format to DCF for issuance of the FCCPC and to update the graduate's child care Training Transcript.

SA Facility Handbook 4.8.2

4. School Age FCCPC Child Care Professional Training Program Providers

DCF is responsible for ensuring the approved School-Age FCCPC Training Providers meet the program requirements. A list of approved "Birth through Five and School-Age FCCPC Training Providers" may be obtained from the DCF website, www.myflfamilies.com/childcare.

(A) The operational status of a training provider that has been approved to provide the School-Age FCCPC Program and is currently accepting students will be referred to as "Compliant." A Compliant FCCPC School Age training provider shall submit the signed attestation page of the CF-FSP 5257, which is incorporated by reference in paragraph 65C-22.001 (7)h, F.A.C. annually to the Department of Children and Families or its designated representative on or by September 30. Compliant FCCPC training providers must ensure availability of all training program files to DCF upon request and be subject to both informal and formal audits/observations. Compliant FCCPC training providers who wish to change their program status to Compliant/Non-operational or Closed must notify DCF in writing of their intent and if they currently have enrolled students, they must provide a teach out plan to DCF for the students to ensure they have an opportunity to complete their credential work.

(B)The operational status of a training provider who has been approved to provide the School-Age FCCPC Program but is not currently accepting students shall be referred to as "Compliant/Non-operational." Compliant/Non-operational School-Age FCCPC training providers are required to maintain program accreditation or licensure during the time they are not accepting students. The signed attestation page of the CF-FSP 5257 (School-Age Providers) is to be submitted annually to DCF or its designated representative. Prior to return to Compliant status, the training provider must notify DCF in writing of the intent to re-open the program and receive written approval from DCF before enrolling students.

(C) A training provider who has failed to maintain the requirements of the School-Age FCCPC program shall be deemed as "non-compliant." Non-compliant School-Age training providers may not teach the FCCPC program and will be removed from the approved list.

(D) The operational status of a training provider who has voluntarily

decided to no longer accept students shall be referred to as “Closed.” Closed School-Age training providers may not teach the FCCPC Program and will be removed from the approved list.

Training providers who offer the School-Age FCCPC training shall submit FCCPC training student completion documentation in the prescribed format to DCF for issuance of the FCCPC, and to update the graduate’s child care Training Transcript.

CC Facility Handbook 4.7
SA Facility Handbook 4.7

5. Director Credential

Section 402.305(2)(g), F.S requires every children's center to have a credentialed director. Every applicant for a license to operate a children’s center or a license for a change of ownership of a children’s center must document that the children’s center director has an active Director Credential prior to issuance of a license.

An applicant for the Director Credential must meet the requirements referenced in CF-FSP Form 5290, Florida Child Care and Education Program Director Credential and Renewal Application, which is incorporated by reference in 65C-22.001(7)(k),F.A.C. CF-FSP Form 5290 may be obtained from the DCF website, www.myflfamilies.com/childcare. All applications and documentation will be verified and if complete, the credential will be issued by DCF or its designated representative on CF-FSP Form 5252, Florida Child Care and Education Program Director Credential, which is incorporated by reference in 65C-22.001(7)(g), F.A.C.

CC Facility Handbook 4.71C

(A) An individual may not be the director of a children’s centers that overlap in the hours of operation.

CC Facility Handbook 4.7A

(B) Each children’s center must have a credentialed director who is on-site a majority of hours, excluding weekends and evening hours that the children's center is in operation.

CC Facility Handbook 4.7D

(C) An individual with an inactive Director Credential is ineligible to be the director of a child care facility.

CC/SA Facility Handbook 7B
CC Facility Handbook 4.7A

(D) Documentation of a director working the majority of hours on-site at the facility must be available for review by the licensing authority.

CC Facility Handbook 4.7E.

(E) Every applicant for a license to operate a children's center or a license for a change of ownership of a children's center must document that the children's center director has an active Director Credential prior to issuance of the license.

CC Facility Handbook 4.7F

(F) Children’s center/school age child care center owners must notify the Child Care Licensing Program office within five (5) working days of when the children’s center loses a credentialed director or when there is a change of director.

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1. The Child Care Licensing Program will then issue a provisional license for a period not to exceed six (6) months for any facility without a credentialed director.

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2. The provisional license will have an effective date of the first day the children’s center was without a credentialed director.

SA Handbook 4.7.1
CC Facility Handbook 4.7.1

SA Director Credential Requirement for School Age Centers Only

(A) A credentialed director may supervise multiple school age centers for a single organization as follows:

1. Three school age centers regardless of the number of children enrolled, or
2. More than three school age centers if the combined total number of children enrolled at the centers does not exceed 350. In calculating the total number of children enrolled, the number of children in the school age center shall be calculated and viewed as separate children's centers.
3. In counties where the public school district has included four year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts which serve four year old children in the before-school and after-school programs are required to have a credentialed child care personnel pursuant to the credentialing requirements in order to accommodate the four year-old children.

(B) When a credentialed director is supervising multiple school age centers, the individual left in charge of the center during the director's absence must meet the following requirements:

1. Be at least 21 years of age;
2. Have completed the approved 40 clock-hour Introductory Child Care Training approved by the Department of Children and Family Services; and
3. Have completed the Department of Children and Family Services' Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight hours of in-service training in serving children with disabilities; or
4. Have completed the DCF 10-hour School-Age Appropriate Practices Specialized training module or a 5-hour Understanding Developmentally Appropriate Practices course and the 5-hour School-Age Appropriate Practices course.

CC Facility Handbook 4.7.2
SA Facility Handbook 4.7.2

Director Credential Renewal

(A) To maintain an active Director Credential, complete the renewal section of the CF-FSP Form 5290, Florida Child Care and Education Program Director Credential and Renewal Application which may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.

(B) A Director Credential renewal, is active for five years from the date of issuance. The completed renewal application, including all required documentation, may be submitted to the Department of Children and Family Services for review and issuance of a Florida Child Care and Education Program Director Credential no earlier than one year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.

(C) If a renewal application is received after the end of the active period for the Director Credential, the Florida Child Care and Education Program Director Credential and Renewal Application will be reviewed, and, if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.

CC Facility Handbook 4.8.3
SA Facility Handbook 4.8.3

Director Credential Training Providers

The Department of Children and Family Services is responsible for ensuring the approved "Overview of Child Care Management" courses offered through vocational-technical schools, community colleges and universities meet the requirements for the Director Credential coursework. A list of approved

"Overview of Child Care Management" courses may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.

A. Currently approved vocational-technical schools, community colleges, colleges and universities offering "Overview of Child Care Management" courses must submit an annual attestation for Director Credential coursework by September 30 to DCF or its designated representative. Failure to submit a completed annual attestation shall result in revocation of course approval. Compliant "Overview of Child Care Management" training providers must ensure availability of all training program files to DCF upon request and be subject to both informal and formal audits. Upon receipt of each provider's proof of compliance, the department will designate a program as one of the following:

   1. Compliant, if the approved program has met the requirements and it currently accepting students.
   2. Compliant/Non-Operational, if the program has met the requirements but is not currently accepting students.
   3. Non-compliant, if the program has failed to maintain the requirements or has voluntarily decided to no longer accept students. Noncompliant training providers Overview of Child Management courses will not be accepted by DCF and will be removed from the approved list.

B. DCF will accept a Director/Administrator Credential/Certificate that has been issued by another state agency which authorizes an individual to be a director of a child care facility in that state, subject to approval by the Department of Children and Families. Third party issuances of such credentials/certificates will not be accepted.

C. Applications for "Overview of Child Care Management" course approval will no longer be accepted by DCF. Child care program administration courses offered for college credit may be reviewed for acceptance to meet the Overview of Child Care Management requirement.

CC Facility Handbook 4
SA Facility Handbook 4

C. Training

Training requirements of this section do not apply to child care personnel who do not work directly with children such as cooks, book keepers ,and janitors who are considered "other personnel". If at any time "other personnel" fill in for child care personnel and are in direct care of the children training is required.

CC Facility Handbook 4.1
SA Facility Handbook 4.1

Beginning Training

Child care personnel including volunteers who work 10 hours or more per month must begin training within 90 days of employment in the child care industry and successfully complete training within 12 months from the date training begins. Training taken prior to employment in the child care industry does not constitute "begin training." The "begin training" timeframe begins at the time of employment in the child care industry. Training completion may not exceed 15 months from the date of employment in the child care industry in any licensed Florida child care center. This may be accomplished by classroom attendance in a DCF-approved training course, acquiring an educational exemption from a DCF-approved training course, beginning a DCF-approved only child care training course, or by receiving results from a DCF-approved competency exam. The child care program is responsible for obtaining documentation from child care personnel.

CC Facility Handbook 4.2

Training Requirements

CC Facility Handbook 4.2.1

1. Mandated Introductory Training

Child care personnel must successfully complete 40 hours of child care training as evidenced by successful completion of competency examinations offered by DCF or

its designated representative with a weighted score of 70 or better. Child care personnel who successfully completed the mandatory 40 hour Introductory Child Care Training prior to January 1, 2004 are not required to fulfill the competency examination requirement.

A. Part I Courses (30 hours)

Child care personnel must complete all of the following:
Child Care Facility Rules and Regulations;
Health, Safety, and Nutrition;
Identifying and Reporting Child Abuse and Neglect;
Child Growth and Development;
Behavioral Observation and Screening.

B. Part II Courses (10 hours)

Child care personnel must also complete 10 hours of the following Part II courses:
Special Needs Appropriate Practices (10 hours), or
Understanding Developmentally Appropriate Practices (5 hours) and one of the following courses:

1. Infant and Toddler Appropriate Practices (5 hours)
2. Preschool Appropriate Practices (5 hours)
3. School-Age Appropriate Practices (5 hours)

CC. Facility Handbook 4.2.2

2. **Early Literacy Training.**
Pursuant to Section 402.305(2)(e)5., F.S., all child care personnel must complete a single course of training in early literacy and language development of children ages birth through five years that is a minimum of five clock hours or .5 CEUS. Literacy training within 12 months of date of employment in the child care industry. Proof of completion will be documented on the certificate of course completion, classroom transcript or diploma. Child care personnel must complete one of the following:

(1) One of the Department's online literacy courses available on the Department of Children and Family Services' website
(2) One of the Department's approved literacy training courses. A list of these courses may be obtained from the Department of Children and Family Services' website.(No additional courses will be approved by DCF)
(3) One college level early literacy course (for credit or non-credit), if taken within the last five years.

CC Facility Handbook 4.2.3 **INF**

3. **Safe Sleep/Shaken Baby Syndrome Training**
All child care personnel, including substitutes and volunteers, who work in a children's center that offers care to infants must have training regarding guidance on safe sleep practices, preventing shaken baby syndrome and abusive head trauma; recognition of signs and symptoms of shaken baby syndrome and abusive head trauma; strategies for coping with crying, fussing, or distraught child and the development and vulnerabilities of the brain in infancy in early childhood within 30 days of hire at the children's center. For child care personnel, including substitutes and volunteers, to satisfy this requirement the training must be accomplished through one of the following methods: DCF's Health Safety and Nutrition course, Safe Sleep course, or the Early Learning Florida's Safe Sleep Practices. Documentation of training must be maintained on the DCF training transcript in the child care personnel record.

4. **Fire Extinguisher Training**

SA Facility Handbook 4.2.3
CC Facility Handbook 4.2.5

All child care personnel shall be trained in the use and operation of a fire extinguisher, at each center they are employed, within 30 days of date of hire. The center must maintain documentation that all child care personnel have completed training.

5. Child care personnel employed at the same children's center prior to October 1, 1992, with no break in employment with the same employer, are exempt from completing Part II of the child care training.

10/6/10 6. Child care personnel in compliance with the school-age Training Requirements in Licensing Regulations Governing Pinellas County Children's Centers shall have 120 days to complete Child Growth and Development and Behavior Observation and Screening, and an approved 5 hour Early Literacy course, if they have not already done so as part of their school-age training requirements. Completion of such training may be counted toward the in-service training requirement.

SA Handbook 4.2 **SA** **40 Hour Training Requirements for School Age Center Staff**

Training Courses

SA Handbook 4.2.1 1.Child care personnel, including volunteers that work 10 hours or more per month, must successfully complete 40 clock hours of child care training as evidenced by successful completion of competency examinations offered by DCF or its designated representative with a weighted score of 70 or better:
A. Part I Courses (28 hours)

Child Care Facility Rules and Regulation, (6 hours);

Health, Safety, and Nutrition, (8 hours);

Identifying and Reporting Child Abuse & Neglect, and (4 hours)

;

Understanding Developmentally Appropriate Practices, (5 hours);

School Age-Appropriate Practices (5 hours),

B. Part II Courses (12 Hours)
The remaining 12 hours must be met by completing training identified below:
The DCF school-age specific training and the competency examination offered by DCF or its designated representative with a weighted score of 70 or better.

Completion of specialized school-age training, provided by a vocational-technical center, community college, college or university , national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency). Certificates must be uploaded to the Florida Pathways (Registry).

Break in Service

CC Facility Handbook 4.3
SA Facility Handbook 4.3 A. In the event an individual leaves the child care industry in compliance with training requirements and returns to the industry at either the same or a different children's center, he or she shall be granted 90 days to comply with any new mandated training requirements established during the gap in employment in the child care industry.

CC Facility Handbook 4.3
SA Facility Handbook 4.3 B. In the event an individual leaves the child care industry not in compliance with training requirements and returns to the industry either at the same or a different children's center, he or she must comply with the training requirements described in this section, in addition to any new training requirements that may have been added during the gap in employment in the child care industry prior to re-employment.

10/6/10 **SA** School–age child care personnel in compliance with the children's center training requirements in Licensing Regulations Governing Pinellas County Children's Centers shall have 120 days to complete School Age Appropriate Practices, if they have not

already done so as part of their child care training requirements. Completion of such training may be counted toward the in-service training requirement.

CC Facility Handbook 4.5
SA Facility Handbook 4.5

5. **Documentation of Training**

The Department of Children and Family Services' Training Transcript will be the only acceptable verification of successful completion of the Department's training, early literacy training and school-age training documentation.

A. A copy of the Department's Training Transcript may be obtained from the DCF's website at www.myflorida.com/childcare by clicking on the link.
B. A copy of the training transcript must be included in each staff member's personnel record maintained at the children's center or school age center.
C. Early literacy courses and school-age training documentation must be uploaded into the Florida Pathways (Registry) which may be accessed from the DCF website at www.myflfamiles.com/childcare.
D. Any course completion certificate not documented on the training transcript will be considered invalid, requiring the course to be retaken. Until the coursework is retaken and completed, children's centers and school age centers will be out of compliance for the mandatory training standard.

CC Facility Handbook 4.4

Training Exemptions

CC Facility Handbook 4.4.1

(a) **Competency Examination Exemptions**

Child care staff have one opportunity, if they choose, to exempt from one or more of DCF's Introductory Child Care Training courses prior to attending training by achieving a weighted score of 70 or better on the corresponding competency examination(s).

SA Facility Handbook 4.4.1 **SA**

School-age child care personnel are exempt from the training requirement of five clock hours of early literacy and language development of children from birth to 5 years of age.

CC Facility Handbook 4.4.2A
SA Facility Handbook 4.4.3A

(b) **Educational Exemptions**

1. The Department of Children and Family Services or its designated representative will exempt from the Health, Safety and Nutrition, Child Growth and Development and Behavioral Observation and Screening courses those Child care personnel who meet one of the following educational qualifications:

CC Facility Handbook 4.4.2A
SA Facility Handbook 4.4.3A

(a) Associate's degree or higher with six college credit hours in the areas of early childhood education/child growth and development or degree in the area of elementary education with certification to teach any age birth through 6th grade.

SA Facility Handbook 4.4.3A
CC Facility Handbook 4.4.2A

(b) An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).

SA Facility Handbook 4.4.3B
CC Facility Handbook 4.4.2A

2. The Department of Children and Family Services shall exempt child care with a Bachelor's degree or higher in the area of elementary education from Understanding Developmentally Appropriate Practices and School Age Appropriate Practices.

SA Facility Handbook 4.4.3C
CC Facility Handbook 4.4.2A

3. The Department of Children and Family Services shall exempt child care with a Bachelor's degree or higher in the area of exceptional student education from the Special Needs Appropriate Practices course.

CC Facility Handbook 4.4.B

4. The Department of Children and Family Services shall exempt child care personnel with a bachelor's degree or higher in the areas of early childhood education/child growth and development from the Understanding

Developmentally Appropriate Practices course, the Infant and Toddler Appropriate Practices course, and the Preschool Appropriate Practices course.

5. There are no educational exemptions from the Child Care Facility Rules and Regulations course or from the Identifying and Reporting Child Abuse and Neglect courses.

CC Facility Handbook 4.4.3 Part II Exemption

Child care personnel employed at the same children's center prior to October 1, 1992, with no break in employment with the same employer, are exempt from completing Part II of the child care training.

CC Facility Handbook 4.8.

6. **Training Providers**

Part I and II Training Providers

SA Facility Handbook 4.8
CC Facility Handbook 4.8.1

Child care professionals approved to teach the Children and Family Services' Child Care Training courses must meet, at a minimum, the following qualifications:

(A) Be at least 21 years of age.
(B) Have completed the Department's six-clock-hour Train-the-Trainer course.
(C) Have one of the following educational and experiential credentials verified by the Department or its designated representative:

1. Four year college degree or higher with six college credit hours in the areas of early childhood education/child growth and development, and 480 hours experience in a child care setting serving children ages birth through eight years. A Florida teaching certificate may be substituted for the 480 hours experience in a child care setting.
2. Associate's degree in the areas of early childhood education/child growth and development and 480 hours experience in a child care setting serving children ages birth through eight years.
3. Associate's degree with six college credit hours in the areas of early childhood education/child growth and development and 960 hours experience in a child care setting serving children ages birth through eight years.

4. Four year college degree with a Florida teaching certificate and be currently employed by a school district in the state of Florida to teach Early Childhood Education in the Education and Training Cluster under the Department of Education Career and Technical Education Program. Trainers who meet this education and experience qualification are limited to teaching only in the Florida Department of Education Early Childhood Professional Certificate (ECPC) and Child Care Apprenticeship Certificate (CCAC) programs.

5. A high school diploma or GED; a National Early Childhood Credential or a department-approved Birth Through Five FCCPC and three years of full-time experience in licensed family child care home within the past five years. Trainers who meet this education and experience qualification are limited to teaching only the six hour Family Child Care Home Rules and Regulations course.

6. Four year college degree or higher with six college credit hours in the area of elementary education and 480 hours experience in a child care setting serving school-age children ages five through 12 years. A Florida teaching certificate may be substituted for the 480 hours experience in a child care setting. Trainers who meet this education and experience qualification are limited to teaching only the five hour School-Age Appropriate Practices course and five hour Understanding

Developmentally Appropriate Practices course.

(D). The Department or its designated representative may require a trainer to attend a specific child care training course prior to being approved.

CC Facility Handbook 4.2.7
SA Handbook 4.2.5

7. **Annual In-Service Training**

Upon successful completion of the 40-clock hour introductory training requirements, child care personnel must complete a minimum of 10 clock-hours or one CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.

CC Facility Handbook 4.2.7A

The annual 10 clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12 must be completed in one (1) or more of the following areas (college level courses will be accepted):

1. Health and safety, including universal precautions, prevention of infectious diseases, sudden infant death syndrome, emergencies due to food and allergic reactions, shaken baby syndrome, use of safe sleep practices, administration of medicine, emergency preparedness, and handling of hazardous materials;
2. Nutrition;
3. Child development-typical and atypical;
4. Child transportation and safety;
5. Behavior management;
6. Working with families;
7. Design and use of child-oriented space;
8. Community, health and social services resources;
9. Child abuse;
10. Child care for multilingual children;
11. Working with children with disabilities in child care;
12. Safety in outdoor play;
13. Literacy;
14. Guidance and discipline;
15. Computer technology;
16. Leadership development/program management and child care personnel supervision;
17. Age-appropriate lesson planning;
18. Homework assistance for school-age care;
19. Food safety training;
20. Developing special interest centers/spaces and environments;
21. Other course areas relating to child care or child care management;
22. Any of the online courses offered through the DCF website.

8/3/05

B. First aid and CPR training cannot be used towards the annual 10-hour in-service training requirement.

CC Facility Handbook 4.2.6,7B
SA Facility Handbook 4.2.5
SA Facility Handbook 7B

C. Documentation of the in-service training requirement must be recorded on C-0108 Required Form, Child Care In-Service Training Record and included in the children's center's personnel records. C-0108 may be obtained from website *pclb.org*. A new in-service training record is required for each fiscal year. The In-service training records for the previous two fiscal years must also be maintained at the children's center for review by the licensing authority.

CC Facility Handbook 4.2.67C

D. All child care personnel employed in the industry beyond 15 months, who change employment from one child care program to another during the fiscal year must complete the annual in-service training requirement.

CC Facility Handbook 4.2.67D

E. Child care personnel not in compliance with the annual in-service training requirement describe in this section must complete the remaining in-service training requirement within 30 days of the noncompliance finding by the licensing

authority. These hours cannot be used to meet the current year's in-service training requirements.

INF 8. **Infant Center Training**

a. **Director Training**

9/21/87

8/3/05, 11/7/07

(1) Prior to the addition of the infant age range to a license, the director shall be required to attend the entire License Board training, Director's Orientation for Infant Care, specifically for directors who plan to provide for infant care.

8/3/05
11/7/07

(2) A new director of an existing children's center providing infant care must attend within ninety (90) days of hire the entire License Board training, Director's Orientation for Infant Care, or the entire Department of Children and Family Services' specialized training course, Infant and Toddler Appropriate Practices.

b. **Child Care Staff Training**

9/21/87
11/7/07

INF Child care staff caring for infants shall attend the entire Department of Children and Family Services' specialized training course, Infant and Toddler Appropriate Practices, within ninety (90) days of employment; and in addition, annual in-service training of ten (10) hours shall include four (4) hours of training specifically related to infant care.

9. Transportation Training

CC Facility Handbook 4.2.6
SA Facility Handbook 4.2.4

All child care personnel participating in the transportation of children must have training regarding guidance on safe transportation practices prior to participating in transportation of children. For child care personnel to satisfy this requirement the training must be accomplished through DCF's Transportation Safety course or the Early Learning Florida's Precautions in Transporting Children course. Child care personnel working at the facility currently providing transportation must complete training within 90 days of the effective date of the regulation. (January 1, 2020 for school age centers and July 1, 2020 for children's centers) Documentation of training must be maintained on the training transcript in the child care personnel file.

II. SUPERVISION

A. General Supervisory Standards

SA Facility Handbook 2.4 **SA** When caring for school-age children, child care personnel will be responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for the children at all times, including when children are separated from their groups.

CC Facility Handbook 2.4.1A. 1. Child care personnel must position themselves in the outdoor play area so that all children can be observed and directly supervised

Ch 65C-22.001(5)(b)
CC Facility Handbook 2.4.1B

2. Direct supervision means actively watching and directing children's activities within the same room or a designated outdoor play area and responding to the needs of each child. Child care staff at a children's center must be assigned to provide direct supervision to a specific group of children and be present with that group of children at all times.

CC Facility Handbook 2.4.1B
SA Facility Handbook 2.4

3. Children must never be left without child care personnel supervision inside or outside of the children's center, in a vehicle, or at a field trip location by themselves.

CC Facility Handbook 2.4.1D
SA Facility Handbook 2.4A

4. At all times lighting must allow child care personnel to see and supervise children while in care.

CC Facility Handbook 2.4.1E

SA Facility Handbook 2.4L

5. A program is responsible for the supervision of a child until an authorized individual retrieves the child from the program. A child shall not be released to any person other than the person(s) authorized or in a manner authorized in writing by the custodial parent or legal guardians. All individuals authorized to pick up a child must be identified in writing prior to release by the custodial parent or legal guardian to the program, and the program must verify the individual picking up the child is authorized by using a picture form of identification. Each child transported must be dropped at the designated location as agreed upon by the provider and the custodial parent/legal guardian and released to an authorized individual.

CC Facility Handbook 2.4.1C

SA Facility Handbook 2.4B.

6. Supervision standards apply at all times away from the children's center, including during field trips, outdoor play, and when picking up or dropping off children at designated locations, such as bus stops, school or a child's home. Personnel must know where the children are and what they are doing at all times and capable of responding to emergencies including when children are separated from their group.

CC Facility Handbook 3..7F

7. Children must receive supervision and care as required by their age and developmental needs. They must be accounted for at all times while bathing or toileting.

*CC Facility Handbook 6.1.1*E
8/3/05
SA Facility Handbook 6.1E

8. An isolated ill child must receive direct supervision at all times. The child must be observed at all times for worsening conditions.
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CC Facility Handbook 2.4.1G

SA Facility Handbook 2.4H

9 In addition to the number of child care personnel required to meet the adult-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the children's center to assist in providing direct supervision. The individual could be a parent volunteer as long as that person is under direct' and constant supervision of a screened and trained child care personnel.

SA Facility Handbook 2.4I **SA** **10** When a school-age center that utilizes an area away from the facility or on a field trip that is subject to use by persons outside of the program and does not allow the program to have exclusive control of such area, the children must be under direct supervision (within sight and sound) of a screened and trained child care personnel.

9/21/87
11/7/07
INF 11. Infants shall not be combined with children two (2) years of age or older except any child two (2) years of age or older may be allowed to be enrolled or remain in the infant group when necessary for developmentally appropriate placement. Any child enrolled in the infant room cannot visit, be temporarily assigned to another group or take part in activities with children other than those in the infant rooms.

CC Facility Handbook 4.2.I
SA Facility Handbook 4.2J

12. When transporting children in a vehicle or on foot, a telephone or other means of communication must be available to child care personnel. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communications are acceptable.

Ch 61 S.6.(3)(a)

13. Adults shall be engaged in child care exclusively and shall regularly work no more than eight (8) hours in twenty-four hours.

Ch 61 S.6.(3)(a)

14.. A staff member qualified to be in charge shall be on the premises at all times when children are present.

Ch 61 S.6.(3)(b)

15. In children's centers where only one (1) child care staff member is required at least one (1) other person must be on the premises for emergency purposes.

11/7/07 16. In addition to the number of staff required to meet the adult-child ratio, one (1) additional child care staff member must be present during evening/overnight hours to assist in providing direct supervision.

Ch 65C-22.007(2)
CC Facility Handbook 4.2.3 17. During evening/overnight child care hours, child care staff must remain awake at all times. While children are awake, direct supervision must be provided.

Chapter 65C-22.001(5)(a)

SA Facility Handbook 2.4 F 18. Children that are delivered to a location offsite from the children's center by someone other than the parent or guardian become the responsibility of the child care program at that designated location and time agreed up by the provider and the parent/guardian. The provider is responsible for the supervision of the child upon the child's arrival at the designated point. If a child is not present at the time of pick-up, prior to leaving the designated location, child care personnel must contact the facility to notify them of the child's absence. Child care personnel at the facility must contact the child's parent or legal guardian to notify them of the child's absence.

SA Handbook 2.4.C **SA** 19. Child care personnel respond appropriately to the individual needs and special interests, abilities and cultures of children.

SA Handbook 2.4.D **SA** 20. The school-age center must have and communicate to child care personnel and parents/guardians a plan for safe, supervised drop-off and pick-up points and pedestrian crosswalks in a vicinity of the school age center. The plan must require that drop-off and pick-up are in a location protected from traffic.

SA Handbook 2.4.E **SA** 21. Child care personnel are required to supervise drop-off and loading to assure that children are clear of the perimeter of all vehicles before the vehicle moves. The child care personnel supervising the children are required to stay with each child and remain responsible until the custody of the child has been accepted by the individual designated in advance to care for that child.

CC Facility Handbook 2.4.4
CC Facility Handbook 2.4.4A
SA Facility Handbook 2.4K

Meal time Supervision

22. During feeding times, children must be individually fed and provided their own tableware. Children must be supervised appropriately for their ages and developmental abilities, to monitor the size of food that children are eating accordingly.

CC Facility Handbook 2.4.4B **INF** 23. Infants must be held for bottle feedings until they are developmentally ready to sit in an age appropriate chair with good head control. Children must not be left in high chairs or other types of feeding chairs other than during feeding times. The use of safety straps is required to prevent children from falling out of the high chair.

CC Facility Handbook 2.4.4C **INF** 24. There must not be any propped bottles. If a child cannot hold the bottle, child care personnel must hold the bottle during feeding. There must be no automatic feeding devices unless prescribed by a doctor and documentation is available in the child's file.

B. Adult-Child Ratios

Ch 61 S.6.(3)
CC Facility Handbook 2.3 1. The staff-to-child ratio, as established in Section 402.305(4), F.S., is based on primary responsibility for the direct supervision of children and applies at all times while children are in care and shall be no less than the following:

9/21/87 a. 1 adult for each 3 infants 2 months to 1 year;

9/21/87 b. 1 adult for each 5 infants 1 year to 2 years;

Ch 61 S.6.(3) c. 1 adult for each 10 children 2 years old;

Ch 61 S.6.(3) d. 1 adult for each 15 children 3 years old;

Ch 61 S.6.(3) e. 1 adult for each 20 children 4 years old;

Ch 61 S.6.(3)
SA Facility Handbook 2.3 f. 1 adult for each 25 children 5 years old or older.

TPP 2. In teen parenting child care programs, the adult-child ratio shall be:

10/4/89 One (1) adult for three (3) infants ages birth to one (1) year of age with a maximum group size of six (6) infants.

CC Facility Handbook 2.5.4C 3. When transporting children, adult-child ratios must be maintained at all times. The driver may be included in the adult-child ratio.

Ch 61 S.6.(3)(a) 4. In groups where children of varying ages are combined, number of staff shall be determined by the age of the youngest child in the group.

Ch 402.305(4)(b) 5. An individual participating in a community service work experience activity under s. 445.024(1)(d), or a work experience activity under s. 445.024(1)(e), at a children's center may not be considered in calculating the adult-child ratio.

C. Group Size

INF In infant programs the maximum group size shall be:

9/21/87 1. For ages 2 months to 1 year of age - a maximum group size of 6 infants;

2. For ages 1 year to 2 years of age - a maximum group size of 10 infants.

D. Water Activity Supervision

CC Facility Handbook 2.4.5 If a children's center or school-age center uses a swimming pool on site or during a field trip that is more than three feet deep or uses beach or lake areas for water activities, the following requirements must be met:

Chapter 64E-9 1. All swimming and wading pools must conform to the Florida Administrative Code, Chapter 64E-9.

9/24/03
8/3/05 2. Fencing. Any pool shall be securely enclosed by a fence or wall that is safe and maintained. Fencing, including gates must be a minimum height of six (6) feet, must be continuous and shall not have any gaps. The base of the fence must remain at ground level, free from erosion or buildup.

9/24/03
3/9/05 3. Age of children. Children must be no younger than three (3) years of age to participate in the program.

4. Staff Qualifications:

SA Facility Handbook 2.4.M1. a. There must be one person with a current lifeguard certificate or equivalent present. This person can also serve as the additional adult to meet the requirement in II.A.9. above or a certified lifeguard must be on duty and present when any children are in the swimming area.

CC Facility Handbook 2.4.5A,B There must be at least one certified lifeguard present and on duty. If the lifeguard is hired by the children's center, this person is considered child care personnel and can also serve as the additional adult to meet the requirement in II.A.9. above. If the certified lifeguard is hired by the pool/beach/lake area this person is not considered child care personnel and does not count toward the staff-to-child ratio.

9/24/03 b. Lookout. An adult lookout must be on the deck and be responsible for surveillance of pool area.

11/3/04

5. Supervisory staff-child ratio in pool area, excluding the lookout, is:

   a. 3 year olds - 1 supervisory staff to 2 children

   b. 4 to 6 year olds - 1 supervisory staff to 4 children

SA Facility Handbook 2.4M4

   c. 7 to 12 year olds - 1 supervisory staff to 10 children

11/3/04

6. Waiver

   a. The License Board may waive these requirements for good cause in the instance of a special use pool approved by the Health Department when the License Board finds the rules and regulations inappropriate (i.e., pool for therapeutic purpose). Request for waiver shall be made by the applicant to the Board in writing. The Board shall have authority to require safeguards appropriate for the special use in regard to fencing, age of children, ratio, staff qualifications, etc.

11/3/04

   b. If the request for waiver is granted, the situation shall be reviewed upon license application for renewal or change, and the waiver continued if the special use safeguards which apply to that pool are satisfied.

CC Facility Handbook 2.4.5D

7. Constant and active supervision must be maintained when any child is in or around water. An adult should remain in direct physical contact with an infant at all times during water activities. During water activities, children ages 1 year up to five years must be within an arm's reach and in the sight of the supervising adult at all times.

CC Facility Handbook 2.4.5E
SA Facility Handbook 2.4.M2

8. Providers must ensure that all pools have a current permit with the local health department that confirms compliance with the Virginia Graeme Baker Pool and Spa Safety Act, as referenced in Caring for Our Children Basic Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001 (7)(v), F.A.C.

CC Facility Handbook 2.4.5F

9. Each swimming pool more than six feet in width, length, or diameter must be provided with a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook that will not conduct electricity. This equipment must be long enough to reach the center of the pool, kept in good repair, and stored safely and conveniently immediate access. Child care personnel must be instructed on the proper use of this equipment and documentation of instruction must be maintained in the child care personnel file.

SA Facility Handbook 2.4.5M3

III. CHILD DISCIPLINE

CC Facility Handbook 2.8A
SA Facility Handbook 2.8A

A. The child care facility must have a written discipline policy in accordance with Section 402.305(12), F.S., Such policies must include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest or toileting. Spanking or any other form of physical punishment is prohibited.

CC Facility Handbook 2.8B
SA Facility Handbook 2.8B

B. The children's center operators, employees, and volunteers (all child care personnel) must comply with written disciplinary and expulsion policies.

CC Facility Handbook 2.8C
SA Facility Handbook 2.8C

C. Verification that the children's center has provided the parent or guardian a written copy of the of the disciplinary and expulsion policies used by the program must be documented on the enrollment form with the signature of the custodial parent or legal guardian.

CC Facility Handbook 2.8D
SA Facility Handbook 2.8D

D. Active play, both indoor and outdoor, must not be completely withheld from children who misbehave. For example, a child being left in the front office the entire time the

rest of the children go outside to play would be unacceptable. Time-outs may be used during indoor or outdoor play provided an age appropriate time limit has been established.

CC Facility Handbook 2.8E

SA Facility Handbook 2.8E

E. A copy of the current disciplinary and expulsion policies must be available for review by parents or legal guardian and the licensing authority. Providers must have a comprehensive discipline policy that includes developmentally appropriate social-emotional and behavioral health promotion practices as well as discipline and intervention procedures that provide specific guidance on what child care personnel should do to prevent and respond to challenging behaviors. Preventive and discipline practices should be used as learning opportunities to guide children's appropriate behavioral development.

CC Facility Handbook 2.8F
SA Facility handbook 2.8F

F. The following discipline techniques shall be prohibited in the children's center:

1. The use of corporal punishment/including, but not limited to:
   a) Hitting, spanking, shaking, slapping, twisting, pulling, squeezing, or biting;
   b) Demanding excessive physical exercise, excessive rest, or strenuous or bizarre postures;
   c) Compelling a child to eat or have in his/her mouth soap, food, spices, or foreign substances;
   d) Exposing a child to extreme temperature;
   e) Rough or harsh handling of children including but not limited to: lifting or jerking by one or both arms; pushing; forcing or restricting movement; lifting or moving by grasping clothing; covering a child's head.

2. Isolating a child in an adjacent room, hallway, closet, darkened area, play area, or any other area where the child cannot be seen or supervised;

3. Binding, tying or restricting movement, or taping the mouth;

4. Using or withholding food or beverages as punishment;

5. Toilet learning/training methods that punish, demean, or humiliate a child;

6. Any form of emotional abuse, including rejecting, terrorizing, extended ignoring, isolating or corrupting a child;

7. Any abuse or maltreatment of a child;

8. Abusive, profane, or sarcastic language or verbal abuse, threats, or derogatory remarks in front of the child or about the child or child's family;

9. Placing a child in a crib/portable crib for a time-out or for disciplinary reasons.

SA Handbook 2.8.G **SA** G. Positive techniques are used to guide the behavior of children by setting appropriate limits and encouraging children to choose positive behaviors.

9/11/09 H. A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed.

CC Facility Handbook 2.8G **INF** I. All programs that care for infants (2 months – 1 year) must have a written policy and procedure to identify and prevent shaken baby syndrome and abusive head trauma. The policy and procedures must require completion of the safe sleep training by child care personnel as outlined in I.C.3.

CC Facility Handbook7B **INF** J. Written policy and procedure to identify and prevent shaken baby syndrome and abusive head trauma must be maintained at the program location and available for review by the licensing authority, if applicable.

Ch 39.201

IV. REPORTING CHILD ABUSE AND NEGLECT

Ch 39.01

A. Definitions

Ch 39.01(2)

1. "Abuse" means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions.

Ch 39.01(45)

2. "Neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment.

Ch 39.01(30)

3. "Harm" to a child's health or welfare can occur when any person:

Ch 39.01(30)(a)

a. Inflicts or allows to be inflicted upon the child physical, mental, or emotional injury.

Ch 39.01(30)(a)3.

b. Leaving a child without adult supervision or arrangement appropriate for the child's age or mental or physical condition, so that the child is unable to care for the child's own needs or another's basic needs or is unable to exercise good judgment in responding to any kind of physical or emotional crisis.

Ch 39.01(30)(a)4.

c. Inappropriate or excessively harsh disciplinary action that is likely to result in physical injury, mental injury as defined in this section, or emotional injury.

Ch 39.201

B. Mandatory Reports of Child Abuse, Abandonment, or Neglect; Mandatory Reports of Death; Central Abuse Hotline

Ch 39.201(1)(a)

1. Any person who knows or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the Department of Children and Family Services in the manner prescribed in Licensing Regulations IV.B.2.3.

9/11/09

An open child abuse investigation involving the children's center shall be reported to the Child Care Licensing Program (CCLP) within 24 hours or the next business day upon initial knowledge of the investigation.

Ch 39.201 4.

a. School teacher or other school official or personnel;

Ch 39.201 5.

b. Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker, who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the department in the manner prescribed in subsection 2.

Ch 39.201(2)(a)

2. Each report of known or suspected child abuse, abandonment, or neglect pursuant to this section, except those solely under s. 827.04(3), shall be made immediately to the Department of Children and Family Services' central abuse hotline on the single statewide toll-free telephone number. Personnel at the central abuse hotline shall determine if the report received meets the statutory definition of child abuse, abandonment, or neglect.

Ch 39.201(1)(b)

3. Reporters in occupation categories, designated in Licensing Regulations, IV.B.1 are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report, but shall be held confidential as provided in s. 39.202.

Ch 39.202.3.(5)

4. The name of any person reporting child abuse, abandonment, or neglect may not be released to any person other than employees of the department responsible for child protective services, the central abuse hotline, law enforcement, the child protection team, or the appropriate state attorney, without the written consent of

the person reporting. This does not prohibit the subpoenaing of a person reporting child abuse, abandonment, or neglect when deemed necessary by the court, the state attorney, or the department, provided the fact that such person made the report is not disclosed.

Ch 39.203(1)(a)

5. Any person, official, or institution participating in good faith in any act authorized or required by this chapter, or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

Ch 39.203(1)(b)

6. Except as provided in Chapter 39, nothing contained in this section shall be deemed to grant immunity, civil or criminal, to any person suspected of having abused, abandoned, or neglected a child, or committed any illegal act upon or against a child.

Ch 39.203(2)(a)

7. No resident or employee of a children's center serving children may be subjected to reprisal or discharge because of his or her actions in reporting abuse, abandonment, or neglect pursuant to the requirements of this section.

Ch 39.203(2)(b)

8. Any person making a report under this section shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting party by reason of his or her making such report. Any detrimental change made in the residency or employment status of such person, including, but not limited to, discharge, termination, demotion, transfer, or reduction in pay or benefits or work privileges, or negative evaluations within a prescribed period of time shall establish a rebuttable presumption that such action was retaliatory.

Ch 39.205(1)

9. A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Ch 39.205(6)

10. A person who knowingly and willfully makes a false report of child abuse, abandonment, or neglect, or who advises another to make a false report, is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. Anyone making a report who is acting in good faith is immune from any liability under this subsection.

CC Facility Handbook 8.2
SA Facility Handbook 8.2

C. Violation

1. Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S., or Chapter 827, F.S. constitute a violation of the standards in s. 402.301-319, F.S., and shall support imposition of a sanction, as provided in Section 402.310, F.S.

2. Failure to perform the duties of a mandated reporter pursuant to s.39.201, F.S., constitutes a violation of the standards in ss.402.301-319, F.S.

3. Child care personnel must appropriately interact with children to foster a healthy, safe environment that will encourage the child's physical, intellectual, motor, and social development. Interactions with children that are aggressive, demeaning or intimidating in nature are strictly prohibited.

V. RECORDS

A. Facility Records

CC Facility Handbook 7

Each of the records described in this section must be maintained at the program

SA Facility Handbook 7

location and must be available during the hours of operation for review by the License Board.

SA Facility Handbook 7A
CC Facility Handbook 7A

1. A copy of all background screening clearance documents for the director and owner must be provided to the Child Care Licensing Program to be included in the official licensing file.

CC Facility Handbook 7B
SA Facility Handbook 7B

2. The following is a list of documentation that is required to be at the children's center for review by the licensing authority:

a. Transportation log must be retained for a minimum of 12 months.

9/11/09

b. Documentation of parental permission for field trips and food activities/special occasions must be retained for a minimum of one year from the date of each field trip or event.

c. Children's center written discipline and expulsion policies.

9/11/09

d. Daily attendance of children records must be maintained for a minimum of 12 months.

CC Facility Handbook 7B5
SA Facility Handbook7B

e. Written record of fire drills must be maintained for a minimum of 12 months.

f. Documentation of child care personnel that have met the first aid and pediatric Cardio-Pulmonary resuscitation (CPR) certification requirement.

g. Posted emergency telephone numbers, the children's center address, and directions to the children's center.

CC Facility Handbook 7B8

h. Documentation of accident/incidents must be maintained for 12 months from the date of the accident/incident.

SA Facility Handbook 7B
CC Facility Handbook 7B9

i. Documentation of emergency preparedness plan drills must be maintained for 12 months from each drill.

j. Record for each child receiving medication must be maintained for a minimum of 12 months after the last day the child received the dosage.

CC Facility Handbook 7B11

k. Any child requiring a special diet shall have a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet as documentation in the child's file for as long as the child is in care. Documentation of physician prescribed automatic feeding device must be in the child's file for as long as the child is in care. Documentation of a physician's authorization permitting solid food to be fed to an infant younger than 4 months or in bottles or infant feeders to children with normal feeding habits must be maintained in the child's file for as long as the child is in care.

l. Written documentation of know food allergies (if applicable). Must be maintained for as long as the child is in care.

m. Daily meal and snack menus, including meal substitutions must be maintained for a minimum of 12 months.

CC Facility Handbook 7B17

n. Documentation of emergency care plan, if applicable, must be maintained for as long as the child is in care.

SA Facility Handbook 7B

SA o. Daily indoor and outdoor inspection log must be maintained for 12 months.

CC Facility Handbook 7B18

Daily indoor inspection log must be maintained for a minimum of 12 months.

CC Facility Handbook 7B19 p. Documentation of monthly maintenance inspection for all supports above and below the ground, connectors and moving parts of playground equipment.

CC Facility Handbook 7B20 q. Documentation of carbon monoxide detector maintenance and testing, if applicable, must be maintained for a minimum of 12 months.

CC Facility Handbook 7B22 r. Documentation of unitary surface materials tested to and complying with ASTM F1292, if applicable.

CC Facility Handbook 7B23 s. Documentation of fire extinguisher training for all child care personnel.

CC Facility Handbook 7B24 t. The DCF Training Transcript for each child care personnel as documentation of completion of introductory training, early literacy training (if applicable), school-age training (if applicable), safe sleep training (if applicable) and transportation training (if applicable).

CC Facility Handbook 7B26 u. Documentation of medication administration training, if applicable.

CC Facility Handbook 7B27 v. Documentation of training on water safety devices (a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook), if applicable.

CC Facility Handbook 7B30 w. A written exposure plan regarding universal safety precautions and documentation that child care personnel have been educated before beginning to work and/or participated in the facility's annual refresher education for the exposure plan.

CC Facility Handbook 7B31 x. Documentation of an annual vehicle inspection by a mechanic for any vehicle used to transport children in care, if applicable.

CC Facility Handbook 7B32 y. Documentation of insurance for vehicles used to transport children in care.

CC Facility Handbook 7B34 z. If the facility provides transportation, the driver's personnel file must have documentation of driver's license and physical examination granting medical approval to operate a vehicle.

CC Facility Handbook7B21 aa. Any child requiring an alternate sleep position shall have documentation of a physician's authorization for an alternate napping/sleeping position and/or swaddling must be maintained in the child's file for as long as the child is in care.

CC Facility Handbook 7C
SA Facility Handbook 7B

3. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information. Electronic records are acceptable for documentation as long as the records are available and accessible for review by licensing authority during an inspection.

CC Facility Handbook 7.3

Enrollment Information

4. The children's center operator shall obtain enrollment information from the child's custodial parent or legal guardian, prior to accepting a child in care.

CC Facility Handbook 7.3A
CC/SA Facility Handbook 7B

Enrollment form C-0030 provided by the PCLB Child Care Licensing Program shall be kept current and on file and available for review by the Child Care Licensing Program.

a-l included on CF-FSP 5219 7/05; 9/11/09;1/19/12

CC Facility Handbook 7.3B
SA Facility Handbook 7.3B

5. The enrollment information shall include, in writing, permission for the children's center to release the child to any person(s) authorized or in a manner authorized by the custodial parent or legal guardians. The name, address and phone number of authorized persons must be in the enrollment form.

CC Facility Handbook 7.3C

6. There shall be signed statements from the custodial parents or legal guardian

SA Facility Handbook 7.3C that the children's center has provided them with the following information:

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a. The Pinellas County License Board children's center brochure, *Know Your Child's Children's Center.* This brochure may be obtained from the License Board.

b. The children's center written disciplinary and expulsion policies.

c. The children's center's food and nutrition policies that include language on food safety and food allergens.

SA Facility Handbook7.3C
CC Facility Handbook7.3C

d. Annually, during the months of August and September, the children's center director must provide parents/guardians of children enrolled at the facility with information detailing the causes, symptoms, and transmission of the influenza virus. To assist providers the Department of Children and Family Services' developed a brochure, CF/PI 175-70, June 2009, Influenza Virus, Guide to Parents, is incorporated by reference in 65C022.001(7)n, F.A.C. and may Be obtained from the Child Care Licensing website, www.pclb.org.

CC Facility Handbook 7.3D
SA Facility Handbook 7.3D

7. Enrollment information shall include parental/guardian consent for child care personnel to have access to the child's records.

SA Facility Handbook 7.3C
CC Facility Handbook7.3C

8. Annually, during the months of April and September, the child care facility must provide parents with information regarding the potential for distracted adults to fail to drop off a child at the facility and instead leave them in the adult's vehicle upon arrival at the adult's destination. CF/PI 175-12 brochure, which is incorporated by reference in 65C-22.001(7)(x),F.A.C. and may be obtained from the Child Care Licensing Program website, www.pclb.org.

SA Facility Handbook 7B
CC Facility Handbook 7B

9. Documentation from parent/guardian for receipt of the 'Know Your Child's Children's Center' brochure, food and nutrition policies, Influenza Virus Guide to Parents brochure, and Distracted Adult brochure must be available for review by the licensing authority.

Ch 61 S.7(1)

Children's Health Requirements

CC Facility Handbook 7.2

10. **Student Health Examination**

The children's center is responsible for obtaining for each child in care a current, complete and properly executed Student Health Examination form DH 3040, which is incorporated by reference in 65C-22.001(7)(q), F.A.C. and may be obtained from the local county health department, the parent or legal guardian, or a signed statement by authorized professionals that indicate the results of the components of the Student Health Examination form are included in the health examination.

CC Facility Handbook 7.2A

a. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations.

CC Facility Handbook 7.2B

b. The Student Health Examination or the signed statement is valid for two years from the date the physical was performed. An up-to-date version must be on file for as long as the child is enrolled at the children's center.

CC Facility Handbook 7.2C

c. If the custodial parent or legal guardians fail to provide the documentation required above within 30 days of enrollment, the children's center shall not allow the child to remain in the program.

CC Facility Handbook 7.2 **SA**

d. School-age children attending public or non-public schools are not required to have student health examination and immunization records on file at the facility as such records are on file at the school where the child is enrolled.

CC Facility Handbook 7.2E

e. If the custodial parents or legal guardians need assistance concerning these requirements, the children's center shall refer them to the Department of Health or the child's physician.

CC Facility Handbook 7.2F

f. Medical records in this section are the property of the custodial parent or legal guardian and must be returned to them when the child withdraws from the children's center. The medical records are transferable if the child attends another children's center.

CC Facility Handbook 7.2G

SA Facility Handbook 7.2A

g. Any child who has or is at an increased risk for a chronic physical, developmental, behavioral or emotional condition and require additional services must have a current Emergency Care Plan, prepared by the parent/guardian or physician, included in the child's file and readily accessible for those caring for the child. Child care personnel caring for a child with an Emergency Care Plan must be trained to recognize and respond appropriately to a medical emergency.

CC Facility Handbook 7B29

h. A student Health Examination for each child in care must be maintained and available for review during the hours of operation for review by the licensing authority.

CC Facility Handbook 7.1

11. **Florida Certification of Immunization.**

The children's center is responsible for obtaining for each child in care a current, complete and properly executed Florida Certification of Immunization form Part A-1, B, or C, DH 680, which is incorporated by reference in 65C-22.001(7)(o) or the Religious Exemption from Immunization form, DH 681. which is incorporated by reference I 65C-22.001(8)(p), FA.C, from the custodial parent or legal guardian. DH Form 680 and DH Form 681 may be obtained from the local county health department. Specific immunization requirements are included and detailed in the most current edition of the "Immunization Guidelines-Florida Schools, Child Care Facilities and Family Day Care Homes" as promulgated by the Florida Department of Health

C Facility Handbook 7.1A

a. Immunizations received out-of-state are acceptable, however, immunizations must be documented on the Florida Certification of Immunization form and must be signed by a physician practicing in the State of Florida.

CC Facility Handbook 7.1B

b. If the custodial parents or legal guardians fail to provide the documentation required above within 30 days of enrollment, the children's center shall not allow the child to remain in the program. The parent/guardian of a child who has not received the age-appropriate immunizations prior to enrollment and who does not have documented medical, religious, or philosophical exemptions from routine childhood immunizations must provide documentation of scheduled appointment or arrangement to receive immunizations. Providers must include a general statement in parent handbook/policies to inform parent/guardians, at time of enrollment, that some children in care may not have current immunizations.

CC Facility Handbook 7.1C
SA Facility Handbook 7.1

SA c. School-aged children attending public or non-public schools are not required to have student health examination and immunization records on file at the children's center as such records are on file at the school where the child is enrolled.

CC Facility Handbook 7.1D

d. If the custodial parents or legal guardians need assistance concerning these requirements, the children's center shall refer them to the Department of Health or to the child's physician.

CC Facility Handbook 7.1E

e. Medical records in this section are the property of the custodial parent or legal guardian and must be returned to them when the child withdraws from the children's center. The medical records are transferable if the child attends another children's center.

CC Facility Handbook 7.1F

f. It is recommended that child care personnel are current with all immunizations routinely recommended for adults by the Advisory Committee on Immunization Practices (ACIP) or the Centers for Disease Control and Prevention (CDC), as

Referenced in Caring for Our Children Basics Health and Safety Foundations For Early Care and Education, which is incorporated by reference in 65C-22.001 (7)(v), F.A.C.

9/21/87 **INF** g. No infant shall be admitted to the children's center without first obtaining immunizations appropriate to the age, according to standards.

10/6/10 State Sheltered or Dependent Infants may be admitted to a children's center without first obtaining immunization records providing such records will be submitted within 30 days of the infant's admittance according to state law.

TPP h. Teen Parenting Programs:

10/4/89 (1) No infant under two months of age shall be admitted without a statement from a health professional, obtained after the date of hospital dismissal, attesting to the wellness of the child.

10/4/89 (2) No infant under one (1) month of age shall be admitted without proof of an appointment for a one (1) month physical examination.

10/4/89 (3) Immunizations shall be obtained at the appropriate time according to standards.

Ch 402.305(9)(c) i. **Drop-In Child Care**
Because of the nature and duration of drop-in child care, requirements for preadmission and periodic health examinations and requirements for medically signed records of immunization required for children's centers shall not apply. A parent of a child in drop-in child care shall, however, be required to attest to the child's health condition and the type and current status of the child's immunizations.

Ch 402.305(9)(d) j. **Exemption From Medical or Physical Examination**
Any child shall be exempt from medical or physical examination or medical or surgical treatment upon written request of the parent or guardian of such child who objects to the examination and treatment. However, the laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption from or variation of the health and immunization minimum standards.

CC Facility Handbook 7B28 k. Florida Certification of Immunization form or the Religious Exemption from Immunization form for each child in care must be maintained at the program location and available during the hours of operation for review by the licensing authority.

7/25/91
7/25/13
12. **Emergency Medical Release Form**
A notarized Emergency Medical Release form must be on file for each child in care. The form is valid indefinitely unless there is a change in legal guardianship of the child. If there is a change in legal guardianship, a new Emergency Medical Release Form must be completed by the new legal guardian and the signature of the new legal guardian notarized within seven (7) days of the children's center becoming aware of the change in guardianship.

Ch 61 S.7.(1)
8/3/05
13. **Daily Attendance Record/Center Closing Log**
An accurate, legible daily attendance record shall be kept for each child in care.

CC Facility Handbook 7.5
SA Facility Handbook 7.5
Daily attendance of children must be taken and recorded accurately by the child care personnel, documenting the time when each child enters and departs the program.

CC Facility Handbook 7.5A
SA Facility Handbook 7.5A
a. Attendance devices used for the purposes of tracking attendance may be used, but personnel must ensure the accuracy of the documented attendance. Each classroom must have an attendance sheet/class roster for the group of children occupying that space. Attendance sheet/class roster must accompany the child care personnel and the group of children

throughout the day should the leave the classroom space (for example when the group goes outside for outdoor play, the child care personnel must take the attendance sheet/class roster with the group).

CC Facility Handbook 7.5B
SA Facility Handbook 7.5B

b. The custodial parent or guardian may document the time when their child(ren) enter and depart the children's center or program. However, children's center personnel are responsible for ensuring that attendance records are complete and accurate.

7/1/09

d. Staff is also responsible for recording when each child enters and/or departs a group and verifying attendance accuracy when the group moves from one indoor/outdoor area to another.

8/3/05

e. A current attendance record must accompany staff at all times including but not limited to a fire drill or actual evacuation and must be used to account for all the children.

8/3/05

f. Before closing a children's center each day, an assigned staff member must do a visual sweep of the premises to ensure that no child is left on the premises. The assigned staff member must sign and date a log designed for this purpose to document that all children have departed the premises.

CC Facility Handbook 7.5E
SA Facility Handbook 7.5E

g. Attendance records for Voluntary Pre-Kindergarten or School Readiness may be used, if applicable.

9/11/09, SA Facility Handbook7.4.D
CC Facility Handbook 7.5D

h. Attendance records must be maintained for a minimum of 12 months.

SA Facility Handbook 7.5C

i. School-age child care programs are responsible for the children in care at the time and place agreed upon between the provider and the parent. If a child does not arrive to the program or the agreed upon designated pick-up location, and the facility has an arrangement/agreement in place to receive the child from a school day program, to provide transportation or accept the child from other means of transportation services, city buses, or if the child is walking to the facility on their own, child care personnel must communicate immediately with the custodial parent/legal guardian; if there was no prior communication from the custodial parent/legal guardian of the child's absence. If a child is not present at time of pick-up from the offsite location away from the facility, prior to leaving the designated location, child care personnel must contact the facility to notify them of the child's absence. Child care personnel at the facility must contact the child's parent or legal guardian to notify them of their child's absence. If child care personnel are unable to reach or leave a message with the child's parent/guardian, emergency contacts must be notified. All attempts to contact the parent/guardian and emergency contacts must be documented.

CC Facility Handbook 6.5
SA Facility Handbook 6.5

14. **Medication.**
Children's centers and school-age centers are not required to give medication however if a program chooses to do so, the following must apply:

CC Facility Handbook 6.5A
SA Facility Handbook 6.5A
SA Facility Handbook 7B

CC Facility Handbook 7B

a. The children's center must have written authorization from the custodial parent or legal guardian to give prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and contain: the child's name; the name of the medication to be given; and the date, time and amount of dosage to be given. Prescription and non-prescription medications that are used on as "as needed" basis require the parent/legal guardian to provide additional documentation on the authorization form to describe symptoms that would require the medication to be given. Documentation must be kept on site and available for review by the licensing authority. The

child care provider must never administer a medication that is prescribed for one child to another child.

CC Facility Handbook 6.5B
SA Facility Handbook 6.5B

b. Any known allergies to medication or special restrictions must also be: documented, maintained in the child's file, shared with child care personnel and posted with the child's stored medication.

CC Facility Handbook 6.5C
SA Facility Handbook 6.5C

c. Prescription and non-prescription medication brought to the children's center by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name and contact information of the physician and/or pharmacy, child's name, name of the medication, and medication directions. All prescription and non-prescription medication must be dispensed according to written directions on the prescription label or printed manufacturer's label and maintained at the appropriate temperature. To clarify, if written directions on the label do not contain specific dose to be administered, the instructions must be provided in writing from the prescribing health care professional.

CC Facility Handbook 6.5F
SA Facility Handbook 6.5F

9/11/09

d. The children's center must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was given, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of 12 months after the last day the child received the dosage.

CC Facility Handbook 6.5H
SA Facility Handbook 6.5H

e. Medication which has expired or that is no longer being administered must be returned to the custodial parent or legal guardian or be discarded.

CC Facility Handbook 6.5G
SA Facility Handbook 6.5G

f. All medicines must have child resistant caps, if applicable, and shall either be stored in a locked area or must be inaccessible and out of a child's reach. If medication is stored in the food preparation area, it must be stored in a manner to prevent contamination of food, food contact surfaces or medication.

CC Facility Handbook 6.5D
SA Facility Handbook 6.5D

10/6/10

g. In the event of an emergency, non-prescription medication that is **not** brought in by the custodial parent or legal guardian can be dispensed only if the facility has written authorization from the custodial parent or legal guardian and with medical personnel direction.

CC Facility Handbook 6.5E
SA Facility Handbook 6.5E

Any medication dispensed under these conditions must be documented in the child's file, and the custodial parent or legal guardian must be notified on the day of occurrence.

CC Facility Handbook 6.5I
SA Facility Handbook 6.5I

h. Prior to administering medication to children, child care personnel responsible for administering medication must be educated on proper administration procedures. Written documentation must be maintained in the personnel file that child care personnel administering medication have been properly educated on proper administration procedures.

CC Facility Handbook 6.5J
SA Facility Handbook 6.5J

i. Child care personnel must ensure sun safety for themselves and children under their supervision. It is recommended that infants younger than six months of age are kept out of direct sunlight, limiting sun exposure when ultraviolet rays are strongest. Sunscreen may only be utilized with written permission from parents/guardians. Manufacturer instructions must be followed.

CC Facility Handbook 6.5K
SA Facility Handbook 7B
CC Facility Handbook 7B

j. Use of diaper creams and insect repellant may only be utilized with written permission from parents/guardians. Manufacturer instructions must be followed. Written permission from parent or guardian authorizing child care

personnel to administer medication, sunscreen, or insect repellent, if applicable must be on-site and available for review by the licensing authority.

SA Facility Handbook 6.5K
CC Facility Handbook 6.5L

k. Sunscreen and insect repellant do not need to be documented on the medication log unless prescribed by a physician.

Ch 61 S.7(1)
CC Facility Handbook 7.4

15. **Personnel Records**

SA Facility Handbook 7.4

1. Records must be maintained and kept current on all child care personnel, as defined by Section 402,302(3), F.S. These records shall be on-site, available for review by the licensing authority and must include:

CC Facility Handbook 7.4A

a. A complete employment application with the required statement pursuant to Section 402.3055(1)(b), F.S. for each child care personnel employed at the facility which must be available for review by the licensing authority.

CC Facility Handbook 7.4B
SA Facility Handbook 7.4B

b .Documentation of position and date of employment.

CC Facility Handbook 7.4C
SA Facility Handbook 7.4C

c. Child Care Licensing Program C-0071 Required (Revised 11/12), Acknowledgement Form Child Abuse & Neglect Reporting Requirements, must be signed on or before hire date and annually thereafter by all child care personnel.

CC Facility Handbook 7.4D
SA Facility Handbook 7.4E

d. Copies of training information and credentials as applicable.

CC Facility Handbook 7.4E
SA Facility Handbook 7.4F

e. For the driver only: Florida driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification, or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle, and valid certificate(s) of course completion for first aid training and pediatric Cardio-Pulmonary resuscitation (CPR) procedures, and background screening must also be maintained in the driver's personnel file.

CC Facility Handbook 7.4F
SA Facility Handbook 7.4D

f. Prior to beginning volunteering in a children's center, an FC-0072 (10/13) Volunteer Acknowledgment Form, which may be obtained from the PCLB Website, www.pclb.org must be completed and on file at the children's center for the volunteer. Written documentation of volunteer hours must be maintained at the children's center for a minimum of 12 months and available for review by the Child Care Licensing Program.

CC Facility Handbook 7B35
SA Facility Handbook 7B

Ch 61 S.6.(2)

g. Documentation of education credentials.

CC Facility Handbook 7.4.1
SA Facility Handbook 7.4.1
SA Facility Handbook 7B

2. Background Screening Documents
Background screening documentation must be maintained for all child care personnel as defined by Section 402.302(3), F.S., which includes household members if the children's center is located in or adjacent to the home of the Operator. Background screening documentation must be on-site and available for the licensing authority to review.

CC Facility Handbook 7.4.1B
SA Facility Handbook 7.4.1 B

a. CF Form 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference in 65C-22,001(7)(a), F.A.C, must be completed for all child care personnel at the time of initial screening or upon change in employers. This form is available at www.pclb.org.

CC Facility Handbook 7.4.1C
SA Facility Handbook 7.4.1C

b. A copy of the eligible results, for the Level 2 screening, generated from the Clearinghouse must be on record for each personnel. If awaiting Out-of-State criminal history results, a copy of the DCF email informing of the individual eligibility for a provisional hire status must be in the personnel file.

CC Facility Handbook 7.4.1D
SA Facility Handbook 7.4.1 D

c. A copy of the DCF letter/email informing of search conducted of the Florida child abuse and neglect registry must be on record for each personnel screened between July 1st and December 15th of 2016.

CC Facility Handbook 7.4.1E
SA Facility Handbook 7.4.1 E

d. A copy of each request made to out of state child abuse and neglect registries for individuals who lived outside the state of Florida in the preceding five years.

CC Facility Handbook 7.4.1F
SA Facility Handbook 7.4.1 F

e. A copy of each search conducted for out of state sexual offender/predator registries for individuals who lived outside the state of Florida in the preceding five years.

CC Facility Handbook 7.4.1G
SA Facility Handbook 7.4.1 G

f. A copy of all background screening clearance documents for the director and owner must be included in the Child Care Licensing Program official licensing file.

SA Facility Handbook 7.4.1H
CC Facility Handbook 7.4.1H

g. A copy of the Juvenile Records Check with FDLE for any household members aged 12-17 years, if facility is located in or adjacent to home of the operator.

Ch 61 S.7.(1)

16. Display of License/Administrative Fines

a. The official license issued by the License Board shall be prominently displayed.

Ch 402.3125(1)(b)1.

b. In addition to posting the license as required, the children's center shall post with the license:

Ch 402.3125(1)(b)1.a.

(1) Each administrative fine for a violation of any standard or requirement of Licensing Regulations that has resulted in disciplinary action under Licensing Regulations.

Ch 402.3125(1)(b)1.b.

(2) An explanation, written in simple language, of each administrative fine.

Ch 402.3125(1)(b)1.c.

(3) A description, written in simple language, of the corrective action, if any, taken by the children's center for each administrative fine. Included in the description shall be the dates on which the corrective action was taken.

Ch 402.3125(1)(b)2.

c. Each administrative fine, explanation, and description of corrective action shall remain posted for one (1) year after the administrative fine's effective date.

17. Other Records

CC Facility Handbook 6.4.
SA Facility Handbook 6.4.

a. **Accidents/Incidents Reports.**

CC Facility Handbook 6.4A
SA Facility Handbook 6.4A

(1) All accidents and incidents or unusual occurrences that are threatening to the health safety, or welfare of a child that occur while a child is in care must be documented on the same day they occur.

CC Facility Handbook 6.4B
SA Facility Handbook 6.4B

(2) This documentation must be shared with the custodial parent or legal guardian on the date of occurrence.

CC Facility Handbook 6.4C
SA Facility Handbook 6.4C

(3) Documentation must include the name of the affected party, date and .time of the occurrence, description of the occurrence, actions taken and by whom, and appropriate signatures of child care personnel and custodial parent or legal guardian. Child care personnel signatures may include the director/child care personnel that witnessed the incident, who were involved in the incident, and/or responded to the child's needs.

CC Facility Handbook 6.4D

(4) The documentation must be maintained for 12 months. If the parent or

SA Facility Handbook 6.4D

legal guardian does not pick up the child on the date of occurrence of the accident or incident, the individual authorized to pick up the child must sign and be provided a copy of the accident/incident form.

CC Facility Handbook 6.4.E
SA Facility Handbook 6.4E

(5) In the event of serious injury or death, the incident must immediately be reported to the licensing authority.

CC Facility Handbook 2.6
SA Facility Handbook 2.6
SA Facility Handbook 7B
CC Facility Handbook 7B

b. **Scheduled Activities.**

Each age group or class must have a written and followed plan of scheduled activities posted in an easily seen location accessible to parents/guardians. The written plan must meet the needs of the children being served and include alternate activities in case of bad weather. The written plan must include a variety of activities that range from structured to unstructured, that encourage a child's developmental growth. The written plan must also include scheduled activities that:

CC Facility Handbook 2.6A
SA Facility Handbook 2.6A

(1) Promote emotional, social, intellectual, and physical growth;

CC Facility Handbook 2.6B

(2) Do not have children left in confining devices such as car seats as an alternative to active play or adult/child interaction, supervision or discipline;

CC Facility Handbook 2.6C

(3) Do not include the use of electronic media for children under two years of age. Electronic media may only be used for educational purposes or physical activity for children 2 years of age and older for no more than to 2 hours per day.

CC Facility Handbook 2.6D

(4) Include both active and quiet play. Active play includes outdoor activities a minimum of twice per day, weather permitting.

CC Facility Handbook 2.6E
SA Facility Handbook 2.6E

(5) Include meals, snacks and nap times, if appropriate for the age and the times the children are in care.

11/7/07

(6) Include accepted bedtime routines that are respectful of children's individual needs and sleep schedules when operating during evening/overnight hours when children normally sleep. Activities include but are not limited to:

11/7/07

(a) Personal hygiene such as brushing teeth and washing face and hands, etc.

11/7/07

(b) Quiet, comforting transition activities such as bedtime stories, soothing music, etc.

CC Facility Handbook 2.6F **INF**

(7) Provide adequate time and space for infants, 2 months to 12 months, in care to engage in activities that promote development of movement skills (tummy time, crawling, turning over, sitting, etc.). Infant seats (swings, bouncers, etc.) must be used only for short periods of time, no more than 15 to 30 minute intervals per infant and no more than two times per day that the child is in care. Infants shall be provided opportunities for outdoor time each day that weather permits.

CC Facility Handbook 2.6H

(8) Providers are encouraged to advise parents or legal guardians of their child's activities on a daily basis and to participate in the program's activities.

CC Facility Handbook 2.6G
SA Facility Handbook 2.6F

(9) An appropriate daily schedule provides flexibility and contains periods that help children move smoothly from one activity to another.

CC Facility Handbook 2.6I **INF**

(10) Providers must implement program practices that promote consistency

and continuity of care, especially for infants and toddlers. Early care and education programs must provide opportunities for each child to build emotionally secure relationships with a limited number of child care personnel. Efforts to promote consistence and continuity of care are shown through following daily routines and communicating consistently with parents/guardians.

SA Facility Handbook 2.6D **SA** **(**11) Include both indoor and outdoor play, if applicable, and

SA Facility Handbook 2.6B **SA** (12) Promote daily recreation, sports or fitness activities.

SA Facility Handbook 2.6C **SA** (13) Limit electronic media time (television, videos, movies, or computer games) to no more than 2 hours per day. Computer use should be limited to no more than fifteen-minute increments, unless used for scholastic tutoring purposes.

SA Facility Handbook 2.6G **SA** (14) The program may allow children to choose their own activities from the daily schedule that offer both indoor and outdoor activities and a variety of social, recreational and educational opportunities.

SA Facility Handbook 2.6H **SA** (15) The program must offer scheduled time in an appropriate environment for academic support or homework assistance.

SA Facility Handbook 2.6.I
CC Facility Handbook 2.6J (16) The program must make reasonable accommodations to the environment, planned activities and schedule so that children with special needs may participate.

11/7/07 (17) Developmentally appropriate physical activity that includes active gross motor play must be integrated into the daily schedule;

9/21/87 **INF** c. **Written Plan for Infants**. The written plan for infants shall include nurturing individualized care. Infants should have daily social experiences which encourage growth and development through interactions with the caregiver and other infants.

The caregiver shall have the opportunity to hold, talk to, and play with each infant and allow for experiences which encourage motor, language, and cognitive development.

9/21/87 **INF** d. **Daily Written Report for Infants**. A daily written report for infants must be accessible to parents and must include information concerning nutritional intake and times of meals, bowel movements, naps, and changes in behavior. Developmental milestones such as first steps and first words should be noted.

SA Facility Handbook 2.7A
CC Facility Handbook 2.7A e. **Field Trips**. Parents/legal guardians must be advised in advance of each field trip activity.

CC Facility Handbook 2.6B
SA Facility Handbook 2.7B The date, time and location of the field trip must be posted in an easily seen location at least two working days prior to each field trip.

CC Facility Handbook 2.7C
SA Facility Handbook 2.7C Written parental permission must be obtained, in the form of a general or event-specific permission slip.

CC Facility Handbook 2.6D
SA Facility Handbook 2.7D If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip.

CC Facility Handbook 2.6E
SA Facility Handbook 2.7F

Emergency contact information for each child on the field trip, including walking field trips, must be in the possession of a child care personnel on the field trip.

CC Facility Handbook 2.6F .

A telephone or other means of instant communication must be available to child care personnel responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

9/11/09, SA Facility Handbook 2.7E
CC Facility Handbook 2.6G

Documentation of parental permission for field trips must be on file and maintained for at least 12 months from the date of the field trip.

SA Facility Handbook 2.7G

A field trip includes all activities away from the program, excluding regular transportation to and from the program (i.e. pick-up and drop-off).

CC Facility Handbook 3.8.5E
SA Facility Handbook 3.8.5E
12/2/92

f. **Emergency Plan Evacuation Diagrams.** Each children's center shall develop an emergency plan to provide for the safety of children and staff in fire and other emergencies. Simple, clear drawings which depict evacuation routes and state the location of children's emergency phone numbers and Emergency Medical Release forms must be posted in each room occupied by children. All child care personnel shall be informed of and shall follow the emergency plans.

12/2/92

g. **License Board Inspection Reports**. The most recent License Board inspection report shall be readily available to parents.

Ch 61 S.7.(2)

B. License Board Records

1. All applications for licenses, inspection reports on children's centers, recommendations of board members or employees, and formal action taken by the License Board shall be kept on file at the License Board for each children's center.

VI. PHYSICAL ENVIRONMENT

Ch 61 S.8.(1)
Ch 402.305(1)(b)
2/1/06

A. Building

1. The building to be used for housing children in a children's center shall conform to the building, electrical, and codes of the local authority within whose jurisdiction the children's center is located.

   It shall conform to the fire regulations of the local fire authority within whose jurisdiction the children's center is located or to the public school fire code if licensed program is operated in a public school. Any costs required to be paid to procure such inspection and the appropriate certification shall be paid by the applicant directly to the inspecting authority.

Ch 402.305(5)

2. Children's centers operated in public school facilities, regardless of the operator, shall follow the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities.

2/3/93

3. If a building housing a children's center is replaced or renovated and none of the information on the face of the license (name, category, age, capacity, etc.) is to be changed, new inspection forms signifying conformity to the local building, electrical, and fire codes must be filed at the License Board office.

   The children's center must pass sanitary inspection by a member of the License Board staff. Children shall not be housed in the children's centers replaced or renovated areas until these requirements are satisfied.

CC Facility Handbook 3.1F

4. Design and construction of a new children's center or modifications to an existing children's center must meet the requirements of the applicable local governing

SA Facility Handbook 3.1E

body. The children's center must provide current written approval from the local governing body to verify compliance with building requirements, which include construction of a new building; renovation of an older building; or after a natural disaster to properly evaluate and where necessary, remediate or avoid sites where children's health could be compromised. The written approval must include assessments of:

a. Potential air, soil, and water contamination on facility site and outdoor play areas;

b. Potential toxic or hazardous materials in building construction, such as lead or asbestos; and

c. Potential safety hazards in the community surrounding the site.

11/7/07

5. A children's center operating during evening/overnight hours must secure all exit doors with locks that conform to fire regulations and have been approved by the fire department.

SA Facility Handbook 7B
CC Facility Handbook 7B

6. Written approval from the local governing body to verify compliance with building requirements, if applicable, must be available for review by the licensing authority.

B. Fire Safety

CC Facility Handbook 3.8
SA Facility Handbook 3.8

To ensure the safety of children in care, children's centers are required to receive yearly fire inspections by a certified fire inspector and they must perform monthly drills/exercise to practice fire, inclement weather and lockdown procedures. Frequent practice of emergency procedures will facilitate a calm and competent reaction in response to an actual emergency, should it occur.

CC Facility Handbook 3.8.2A
SA Facility Handbook 3.8.2

1. Unless statutorily exempted, all children's centers must conform to state standards adopted by the State Fire Marshall, Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities. and shall be inspected annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the License Board. If the program is granted a fire inspection exemption by the local fire inspection office, the exemption must be documented and maintained on file at the program.

11/7/07
CC Facility Handbook 3.8.1
SA Facility Handbook 3.8.1

2. There must be at least one dedicated operable corded telephone that is neither locked nor located at a pay station that is available to all staff during the hours of operation, even in the event of a power outage.

CC Facility Handbook 3.8.2B,C
SA Facility Handbook 3.8.2 B,C

3. Fire extinguishers with a minimum rating of 2A10BC must be properly installed, services and maintained with current inspection tags at all times. The distance to the nearest extinguisher shall not be more than 75 feet from rooms occupied by children. A fire extinguisher must be present in vehicles used to transport children and areas where food is prepared.

SA Facility Handbook 3.8.4
CC Facility Handbook 3.8.4

4. During the children's center's licensure year, fire drills utilizing the approved alarm system, approved by the local fire authority, must be conducted monthly at various times when children are in care. A current attendance record and parent contact information must accompany child care personnel out of the building during a drill or actual evacuation and be used to account for all children. When the facility's approved alarm system is activated, all adults and children must evacuate the facility. The operator must maintain a written record of the fire drills showing the date, number of children and child care personnel in attendance, evacuation route used, and time taken for all individuals to evacuate the premises. Each fire drill record must be maintained for a minimum of 12 months from the date of the fire drill. The fire drills conducted must include, at a minimum:

a. One fire drill using an alternate evacuation route, and

b. One fire drill during napping/sleeping times, and

c. One drill in the presence and at the request of the licensing authority in coordination with the operator or designee.

CC Facility Handbook 3.8.4B
SA Facility Handbook 3.8.4B

5. When the facility's fire alarm is activated, all adults and children must evacuate the facility.

CC Facility Handbook 3.8.3
SA Facility Handbook 3.8.3

6. The exits must be clearly marked, identifying the path to safety in case of an emergency, at all time during the operation of the children's center. The exits must not be blocked at any time.

CC Facility Handbook 3.4
SA Facility Handbook 3.4

C. Licensed Capacity

CC Facility Handbook 3.4.1A
SA Facility Handbook 3.4.1 A

1. The capacity as calculated by the Child Care Licensing Program, must be posted in a conspicuous location within each room.

CC Facility Handbook 3.4.1B
SA Facility Handbook 3.4.1 B.C

2. The licensed capacity of a child care program is determined by the following factors:
   a. Indoor floor space
   b. Outdoor square footage
   c. Sewer/septic capacity (as determined by Environmental Health)
   d. Number of toilets/sinks

   Licensed capacity is determined by the most restrictive of these factors.

CC Facility Handbook 3.4.1C
SA Facility Handbook 3.4.1 D

3. The total number of children in care on-site and while on field trips may never exceed the children's center's licensed capacity.

Ch 61 S.8.(2)

D. Indoor Play Space

Indoor play space is required.

CC Facility Handbook 3.4.2A
Ch 61 S.8(2)
SA Facility Handbook 3.4.2C

1. A children's center/school-age center that held a valid license on October 1, 1992, must have a minimum of 25 square feet of usable indoor floor space for each child. This provision is not affected by a change of ownership as long as the program remains continuously licensed at the original site.

CC Facility Handbook 3.4.2A

2. A children's center that did not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a children's center/school age must have a minimum of 35 square feet of usable floor space for each child.

CC Facility Handbook 3.4.2B

3. Usable indoor floor space refers to that space available for indoor play, classroom, work area, or nap area.

CC Facility Handbook 3.4.2C
SA Facility Handbook 3.4.2B

To determine overall children's center capacity, usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-moveable furniture. Kitchens and designated food preparation areas, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space to determine total children's center capacity.

CC Facility Handbook 3.4.2D
SA Facility Handbook 3.4.2 C

4. Each room routinely used as a classroom must provide the minimum 35 square footage of usable indoor floor space per child.

CC Facility Handbook 3.4.2E
SA Facility Handbook 3.4.2 D

5. Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.

CC Facility Handbook 3.4.2F **INF** 6. Where infants are in care, they shall have open indoor floor space outside of cribs and playpens. The space used for play may be interchangeable with space used for cribs and playpens if the cribs and play pens can be moved to allow for open floor space.

9/21/87
8/3/05

INF 7. For the care of infants there shall be a separate room for each group with floor to ceiling walls and an exit opening directly to the outdoors.

No infant care may occur above the first floor.

TPP 8. In teen parenting programs exits from each room are not required, provided that:

10/4/89

a. The center shall post a schedule listing the parents who are scheduled for parenting classes during each day. The number of parents present shall always be sufficient to meet an adult-child ratio, in the event of building evacuation, of one (1) adult to two (2) infants.

10/4/89

b. Fire drills involving the use of parents for evacuation of the children's center shall be held monthly.

9/21/87
12/2/92

INF 9. For infants, there must be a minimum of 35 square feet per child of suitable and usable space, which includes open play space.

3/9/05

Applications received after January 1, 1993 for programs serving infants under one year of age must meet the requirement of a minimum of 50 square feet per child of suitable and usable space, which includes open play space.

All infant rooms shall include a diapering area with hand-washing facilities with hot (temperature not to exceed 110 ^{o}F.) and cold running water.

SA Handbook 3.4.2A

SA 10. Usable indoor floor space refers to space that is at all times under the exclusive control of the program and available for indoor play, classroom, work area, or rest area while children are in care.

SA Handbook 3.4.2E

SA 11. A school-age child care program may request permission from the licensing authority to operate under an exception to usable indoor floor space. The written request must include an explanation of why the exception is necessary (for example, the program has a large outdoor play area with pavilions and a court yard that is being used interchangeably with the limited classroom space indoors for homework and art center. Additionally, this space can be used during inclement weather.

SA Handbook 3.4.2F

SA 12. During sedentary activities room capacity may be reduced to 25 square feet per child.

SA Handbook 3.4.2G,H

SA 13. The program environment must provide dedicated, usable safe space for all activities during hours of operation.

SA The space must be arranged to be conducive for simultaneous social, recreational and educational activities.

Ch 402.305(15)

14. During the periods of time in which children are arriving and departing from the children's center, notwithstanding local fire ordinances, minimum standards for square footage are suspended for a period of time not to exceed thirty (30) minutes.

CC Facility Handbook 3.4.3A

15. Space that is used as a common dining area or for large group assemblies/activities is included in the usable floor space for purposes of determining overall facility capacity.

CC Facility Handbook 3.4.3D
SA Facility Handbook 3.4.3B

16. While a common area is being used for dining or specific large group assemblies/activities (special events), the applicable 25 or 35 square feet requirement of usable indoor floor space for each child does not apply, although supervision and ratios must still be maintained. This means that for special events, the overall room capacity may be greater than it would be under normal

use; however, the facility must maintain minimum square footage per child in accordance with the local fire authority requirements.

CC Facility Handbook 3.4.3B
SA Facility Handbook 3.4.3B

17. Common area (i.e. multiple purpose rooms or dining rooms) square footage may not be counted in such a manner as to expand the capacity of individual rooms in the children's center.

CC Facility Handbook 3.4.3E

18. Common area square footage may not be counted toward the facility's overall capacity unless the space is used regularly and other classroom capacity requirements are not exceeded.

CC Facility Handbook 3.4.3C

19. Square footage per child and room capacity are determined on a room by room basis.

CC Facility Handbook 3.3

20. Rooms occupied by children:

11/7/07
CC Facility Handbook 3.3.1A-C
SA Facility Handbook 3.3.1

a. All areas of the children's center must have lighting that provides adequate illumination and comfort for children's center activities, a minimum of 20 foot-candles of lighting is required. Lighting must be sufficient for adequate supervision and safe entering and exiting of the room.
For reading, homework, painting and close work areas, 50 foot-candles at the work surface is required. During naptime, lighting must allow child care personnel to visually observe and supervise children.

CC Facility Handbook 3.3.3A
SA Facility Handbook 3.3.3A

b. An inside temperature of 65 to 82 degrees Fahrenheit must be maintained at all times.

CC Facility Handbook 3.3.3B
SA Facility Handbook 3.3.3 B

c. Adequate ventilation must be maintained in all areas of the children's center, in particular in areas where arts and crafts are conducted, and during any cleaning, sanitizing, or disinfecting procedure, to prevent children and child care personnel from inhaling harmful or potentially toxic fumes.

CC Facility Handbook 3.1G
SA Facility Handbook 3.1F.

21. Cleaning must not take place while rooms are occupied by children except for general clean-up activities that are part of the daily routine. General cleaning refers to cleaning necessary to maintain a sanitary environment but that does not pose a hazard to children, such as wiping the table after lunch, soaking toys in tub on the countertop, sweeping. This does not include cleaning with hazardous materials or any cleaning which poses a risk of slipping or falling.

SA Facility Handbook 3.4.3C

SA 22. Each room routinely used as a classroom must provide at least the minimum square footage of usable indoor floor space per child.

SA Facility Handbook 3.4.3A

SA 23. Space that is at all times used under the exclusive control of the program and used as a common dining area or for large group assemblies/activities for the program is included in the usable floor space for purposes of determining overall facility capacity.

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Ch 61 S.8.(3)

E. Outdoor Play Space

CC Facility Handbook 3.4.4
SA Facility Handbook 3.4.4

The play area must be sufficient and safe to allow freedom of movement without collisions among active children. Children benefit from being outside as much as possible, and it is important to provide sufficient outdoor space to accommodate them.

8/3/05

Outdoor play space is required and must have safe ingress and egress and be on the same premises as the building housing the children's center.

Ch 61 S.8.(3)
CC Facility Handbook 3.4.4A,C
SA Facility Handbook 3.4.4A,B

1. The maximum number of children who can occupy the outdoor space at any one time shall be equivalent to the total suitable, sanitary, safe and usable square feet of space divided by 90 square feet. The minimum outdoor play space shall be provided for one-fourth (1/4) of the licensed capacity. Based on the outdoor

square footage, the total number of children using the play area may not exceed the outdoor capacity.

10/4/89 **INF** 2. For any program providing care only for children through four months of age, 45 square feet per child is required.

CC Facility Handbook 3.5B
SA Facility Handbook 3.5.A
3. The outdoor area must be designed to allow child care personnel to clearly see children while playing on all equipment.

CC Facility Handbook 3.5.C,D
Ch 61 S.9.(3)(c)
SA Facility Handbook 3.5.B,C
4. Outdoor play area must provide shade. Shade may be provided by trees, buildings or structures. Children must not come into contact with any surface or equipment which poses a burn risk.

CC Facility Handbook 3.5A
SA Facility Handbook 3.5.A
5. The outdoor play area shall be clean, free from litter, nails, glass and other hazards.

CC Facility Handbook 3.5.E
SA Facility Handbook 3.5.E
6. The children's center outdoor play area must be fenced as required by local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention ponds, and fish ponds.

CC Facility Handbook 3.5.F
SA Facility Handbook 3.5.F
7. The outdoor play area must have adequate fencing or walls a minimum of 4 feet in height. Fencing, including gates must be continuous and must not have any gaps or openings larger than 3 ½ inches that would allow children to exit the outdoor play area. The base of the fence must remain at ground level and be free from erosion or build-up to prevent inside or outside access by children or animals. These areas must have at least two exits, with at least one being remote from the buildings. If an outdoor play area was approved for usage by the Child Care Licensing Program prior to April 2, 2018, no new exits are required to be added to meet this standard. However, if outdoor play area fencing is changed then the standard would apply and two exits must be provided.

9/21/87 **INF** 8. A separate fenced play area shall be provided for infants under two (2) years of age.

10/4/89 **INF** 9. For any program providing care only for children through four (4) months of age, fencing of the play area is not required.

SA Handbook 3.5.G **SA** 10. **Fence Exemption**
The school-age child care program may operate without a fence if all of the following provisions are met:

a. In addition to the established staff-to-child ratios, for the purpose of safety, an additional child care personnel is present, at all times during outdoor activities, to assist in providing direct supervision.;

b. The outdoor play area if bordered by a road or street open to travel by the public, shall have a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road

c. The License Board has provided written authorization to the children's center to operate without a fence.

SA Handbook 3.4.4C
3/9/05
SA 11. **Exception to Outdoor Play Space**. School age centers may choose to request in writing, permission from the License Board staff, to operate under an exception to the minimum outdoor square footage requirement. The written request must include an explanation of why the exception is necessary as well as an alternate plan for inclusion of fine and gross motor skills opportunities and an alternate plan to accommodate instances of bad weather (for example, a program is located in an industrial park where there is limited green space. However indoors there is a gymnasium available for use by the children for gross motor activities.)

CC Facility Handbook 3.4.4B 12. **Urban Children's Center** For the purposes of a licensed urban children's center, an additional minimum of 45 square feet of usable indoor play space for 25% of the licensed capacity shall be substituted for outdoor play space. The urban children's center must provide this additional indoor space with equipment that provides physical activities appropriate for the age of the children.

Ch 402.305(5) 13. **Drop-In Child Care** Because of the nature and duration of drop-in child care, outdoor play space and outdoor equipment shall not be required for licensure; however, if such play space and equipment are provided, then the minimum standards shall apply to drop-in child care.

CC Facility Handbook 3.4.4D
SA Facility Handbook 3.4.4D 14. **Indoor Recreation Facilities** or facilities that only provide evening child care, outdoor play space is not required provided an open area within the existing indoor space is designated for play that promotes the development of gross motor skills.

SA Facility Handbook 3.5D **SA** 15. During outdoor play, child care personnel must also be in the outdoor play area so that all children can be observed and direct supervision can be provided. The outdoor play area should be arranged so all areas are visible to the personnel and easily supervised at all times.

F. Napping and Sleeping Space

CC Facility Handbook 3.6
SA Facility Handbook 3.6

For the purposes of these standards, sleeping refers to the normal overnight sleep cycle while napping refers to a brief period of rest during daylight or early evening hours.

*CC Facility Handbook 3.6.2A,**B***
11/07/07 1. Each children's center must include a designated area where each child can sit quietly or lie down to rest or nap. Sleeping space is required during bedtime hours when children normally sleep. When not in use, napping space and indoor floor space may be used interchangeably as indoor floor space.

SA Handbook 3.6B **SA** 2. Nap bedding is not required for all school age children in care, however, each school-age child care program must include a designated area where each child can sit quietly or lie down to rest or nap for those children choosing to rest. Nap bedding includes sleep bedding or cots. Air and foam mattresses are prohibited.

Ch 61 S.8.(4) 3. Child capacity shall be limited to the resulting figure arrived at by determining the total square feet of usable space for this purpose and dividing it by the square footage required per child.

Ch 61 S.8.(4)
9/21/87 4. Cots and/or cribs shall be set up so that each child is no closer to another, during the nap period or when children are sleeping than two-feet.

CC Facility Handbook 3.6.2C 5. A maximum of two sides of a napping or sleeping space may be against a solid barrier, such as the wall. The solid side of a crib does not meet the requirements for a solid barrier.

CC Facility Handbook 3.6.2D. 6. Napping and sleeping spaces shall not be under furniture or against furniture that may create a hazard.

CC Facility Handbook3.6.2E 7. Napping and sleeping areas must not be in exit areas. All exits must remain clear in accordance with fire safety requirements.

G. Restrooms

CC Facility Handbook 3.7A
SA Facility Handbook 3.7A 1. Each children's center shall provide and maintain toilet and bath facilities that are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed, with an impervious surface that can be

easily cleaned and sanitized or disinfected.

Ch 61 S.8.(5)
8/3/05

2. For children's centers, having one (1) to thirty-six (36) children, there shall be a minimum of two (2) toilets and two (2) sinks. There shall be a minimum of one (1) toilet and one (1) sink for every eighteen (18) children thereafter.

CC Facility Handbook 3.7B

3. For design and construction of a new children's center or modification to an existing children's center, the program must submit copies of permits obtained to do the work or proof that the permit was satisfied according to the city/county local jurisdiction.

CC Facility Handbook 3.7D

4. Potty chairs, if used, shall be in addition to the required bathroom facilities and must be cleaned and sanitized after each use.

10/4/89 **TPP**

5. In teen parenting programs providing separate rooms for infants eighteen (18) months of age or younger, a bathroom adjoining the infant room is not required.

Parents may act as a substitute for child care staff during bathroom breaks providing that:

10/4/89

a. In any group there must be one (1) child care staff remaining with the infants, and

10/4/89

b. The center shall post a schedule listing the parents who are scheduled for parenting classes during each day.

SA Handbook 3.7B
8/3/05

SA

6. For school age centers, having one (1) to thirty (30) children, there shall be a minimum of two (2) toilets and two (2) sinks. There shall be one (1) toilet and one (1) sink for every thirty (30) children thereafter. For design and construction of a new school-age center or modification to an existing one, the program must submit copies of permits obtained to do the work or proof that the permit was satisfied according to the city/county local jurisdiction.

CC Facility Handbook 3.7E
SA Facility Handbook 3.7C

7. Bathrooms must not open directly into an area where food is prepared. A toilet facility may open directly into an area used by children where food is served, such as into a classroom where tables/chairs have multiple uses.

CC Facility Handbook 3.7G
11/7/07
SA Facility Handbook 3.7F

8. Every facility must have a least one portable or permanent bath facility available for bathing children. The portable or permanent bath facility must be in good operation, clean and must be sanitized or disinfected after each use.

CC Facility Handbook 3.7H
SA Facility Handbook 3.7D

9. Running water, soap and trash receptacles, toilet paper, and disposable towels or hand drying machines are properly installed and maintained, must be available and within reach of children using the bathroom.

CC Facility Handbook 3.7I
8/3/05
SA Facility Handbook 3.7E

10. Each sink and toilet must be maintained in good operating condition, clean, and cleaned and sanitized or disinfected as needed, at least once per day. Sinks utilized for teeth brushing activities/procedures by the children must be sanitized or disinfected after each use.

CC Facility Handbook 3.7C **INF**

11. If only diapered infants are in care at the children's center, then one toilet and two sinks per 30 infants is required.

Ch 61 S.7(6)
Ch 61 S.8.(6)

H. Outdoor Equipment

1. In a children's center, outdoor equipment shall be scaled to the age group under care.
It shall be sufficient in number and designed to motivate physical activities, social development and imagination. Equipment may include swings, slides, climbing apparatus, wheeled toys, sandbox, packing boxes, tables and benches or the equivalent of any of these items.

CC Facility Handbook 3.12A.
SA Facility Handbook 3.12A

2. A child care program must provide and maintain enough usable equipment suitable to each child's age and development and of a quantity for each to be involved in activities.

CC Facility Handbook 3.12B
SA Facility Handbook 3.12B

3. All playground equipment must be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe usage by the children. Maintenance must include inspections, conducted every month of all supports above and below the ground, and all connectors and moving parts. Documentation of maintenance inspections shall be retained for 12 months.

CC Facility Handbook 3.12C
SA Facility Handbook 3.12E

4. All equipment, fences, and objects on the children's center premises shall be free from sharp, broken and jagged edges and be properly placed to prevent overcrowding or safety hazards in any one area.

SA Facility Handbook 3.12F
CC Facility Handbook 3.12F

5. All equipment used in the outdoor play area must be constructed and maintained according to manufacturer's recommendations, and allow for water drainage, and must be maintained in a safe and sanitary condition. Any open containers of water must be emptied immediately after use, i.e. pots, toys or other equipment that collects water.

SA Handbook 3.12C
CC Facility Handbook 3.12F

6. Permanent or stationary playground equipment must have a fall/use zone that extends a minimum of 6 feet in all directions from the perimeter of the equipment. All types of ground cover must be maintained to provide resilience and reduce the incidence of injuries to children in the event of falls.

a. If the ground cover in place is loose ground cover (such as, but not limited to: mulch, shredded rubber chips or sand) a minimum of six inches in depth is required in the use zone. Asphalt, concrete hard packed dirt, hay, grass or leaves are unsuitable for use in the use zone area.

b. If the ground cover in place is a unitary playground surface, then the unitary surfacing materials must be installed and maintained according to the manufacturer's instructions. Unitary surfaces must be tested to and comply with ASTM F1292; documentation of test data must be retained at the school-age center and available for licensing to review.

c. If the play area was approved by the Child Care Licensing Program prior to adoption of this regulation(September 11, 2019, school age centers) (February 26, 2020, children's centers) and does not meet the 6-foot fall/use zone requirement, then the school-age center must submit a written request, including photographs and layout of the play area, to the Child Care Licensing Program within 90 days of the regulation effective date requesting to continue to operate using the prior approved play area. However, if the permanent or stationary playground equipment is moved or replaced then the standard would apply, and 6 feet of use zone must be provided. Any new equipment added would be required to have the 6 feet of use zone in all directions from the perimeter of the equipment.

SA Facility Handbook 3.12D
CC Facility Handbook 3.12E

7. Equipment used for climbing should not be placed over, or immediately next to, hard surfaces such as asphalt, concrete, dirt, grass, or flooring covered by carpet or gym mats not intended for use as surfacing for climbing equipment.

CC Facility Handbook 3.12G
SA Facility Handbook 3.12G

8. Sandboxes must be covered at the end of each day. The covering used must prevent access to the sandbox by animals.

SA Facility Handbook 3.12I
CC Facility Handbook 3.12I

9. The provider shall maintain manufacturer's instructions on file electronically or in paper format for outdoor playground equipment purchased or installed on or after September 11, 2019 (School age Centers) and February 26,2020 (Children's Centers)

SA Facility Handbook 3.12H
CC Facility Handbook 3.12H

10. Wading pools, including inflatable water slides with a landing area where water collects are prohibited.

I. Indoor Equipment

CC Facility Handbook 3.11
SA Facility Handbook 3.11

Equipment, materials, furnishings, and play areas should be sturdy, safe, in good repair. Provider should monitor the Consumer Product Safety Commission (CPSC) recommendations for use of equipment. Walls, ceilings, floors, furnishings, equipment, toys, and other surfaces should be suitable to the location and the users. They should be maintained in good repair, free from visible soil and clean. Equipment and furnishings must be arranged to allow direct supervision of children by child care personnel from all areas within a room/play area. Bookshelves, televisions, and other heavy furnishings must be stable and secured as to not pose a threat of falling over. In an effort to prevent children from climbing to dangerous heights or enabling them to reach hazardous items, chairs and other furnishings must be placed away from cabinets and shelves. The program should make accommodations to the program environment and schedule so that children with special needs may participate.

CC Facility Handbook3.11A
8/3/05
SA Facility Handbook 3.11A
Ch 61 S.8.(7)

1. A children's center must make available toys, equipment, and furnishings and other materials suitable to each child's age and development, and of a quantity for each child to be involved in activities that encourage physical, social, emotional, and cognitive development. Materials must reflect diversity in a representative and respectful manner.

CC Facility Handbook 3.11B
8/3/05
SA Facility Handbook 3.11B

2. Toys, equipment, and furnishings and other materials must be maintained in an operable, safe, and sanitary condition, and shall be cleaned and sanitized or disinfected immediately if exposed to bodily fluids, such as saliva.
Facilities must have a written routine schedule for cleaning, sanitizing and disinfecting equipment, materials, furnishings and play areas. This schedule must include items to be cleaned, sanitized or disinfected on a daily or weekly basis. Daily indoor equipment items include but are not limited to: counter/table tops, toys, drinking fountains, floors, toilets and sinks. Weekly indoor equipment items include, but are not limited to: game pieces manipulatives, play activity centers, dress-up clothes, and shared headphones.

SA Facility Handbook 7B
CC Facility Handbook 7B

The written routine schedule for cleaning, sanitizing, and disinfecting equipment, materials, furnishings and play areas must be available for review by the licensing authority.

8/3/05
SA Handbook 3.4.2

3. There shall be sufficient individual storage space for children's clothing and personal possession.

8/3/05

4. Shelves shall be provided for equipment and supplies in rooms used by children.

Equipment, toys and supplies shall be accessible and arranged in an orderly fashion so that children may select, use and replace items.

Ch 61 S.7.(7)
8/3/05

5. Tables and chairs suitable in size and sufficient for the total number of children and for the age group under care must be provided and maintained.

8/3/05

6. For preschool children, adequate and appropriate equipment and materials shall include but are not limited to:

8/3/05
a. Dramatic play materials: toy housekeeping furniture, supplies, and props.

8/3/05
b. Construction play materials: fluid and structured, unit blocks, water play, sand play, and other mediums.

8/3/05
c. Art, music, and creative expression materials: easels, paints, brushes, paper, scissors, crayons, markers, clay/play dough, rhythm instruments, and a source of music, such as a tape or CD player.

8/3/05
d. Early literacy and language materials: books, puppets, flannel boards, and writing supplies.

8/3/05
e. Science and math games and materials: magnifying glasses, magnets, measuring equipment, textured objects, geometric shapes, and supplies for

counting, matching, sorting, patterning and sequencing.

8/3/05 f. Gross and fine motor development: balls, climbing and balancing equipment, puzzles, and other manipulatives,

8/3/05 g. Other materials that will enhance the child's development.

8/3/05 7. For programs using nationally recognized early childhood educational theory, such as Montessori programs, equivalent equipment and materials may be used. Equivalences must be approved by the License Board for adequacy and appropriateness.

SA Facility Handbook 3.11D
CC Facility Handbook 3.11D
8. Moveable or non-stationary indoor climbing structures require padding for landing. Permanent or stationary playground equipment installed indoors must meet the same requirements for installation and use as outlined in the Outdoor Equipment section.

CC Facility Handbook 3.11E 9. Bath tubs, buckets, diaper pails and other open containers of water must be emptied immediately after use.

8/3/05 **INF** 10. Infant equipment must allow for experiences which encourage motor, language and cognitive development, such as soft and durable books, blocks, dolls and stuffed animals; mirrors and musical materials.

9/21/87 **INF** 11. A labeled container must be provided for storage of dirty toys and play materials. Toys and equipment must be cleaned and sanitized daily.
8/3/05

12/4/02 **SA** 12. For school age children an amount of equipment such as sports equipment, table games, books and creative materials must be available and sufficient for the number of children and for the age group under care. Adequate and appropriate supplies and play materials are to be available.
8/3/05

Ch 61 S.8.(7) 13. For children's centers on an all day schedule or if authorized for overnight care as prescribed in the definition for "Overnight Care," there shall be a separate bedding with a washable cover for each child. No double or multi-deck cribs, cots or beds may be used.
CC Facility Handbook 3.6.1I
11/7/07

2/3/93 a. A cloth sheet which can be fastened to the cot is required as the "washable cover" for cots. Where beds or cribs are used, a well-fitting protected mattress must be covered by a well-fitting cloth sheet.
11/7/07

CC Facility Handbook 3.6.1, C,E b. Each child in care must be provided safe and sanitary bedding to be used when napping/sleeping. Bedding means a bed, cot or crib. Bedding must be appropriate for the child's size. Air and foam mattresses are prohibited.
11/7/07

CC Facility Handbook.3.6.1 c. Pillows and blankets must be available for children when sleeping except as set forth in subsection d. below.
11/7/07

11/7/07 **INF** d. When infants are napping or sleeping, pillows may not be used nor shall soft items such as blankets, towels, etc. be used under the infants.

CC Facility Handbook 3.6.1G e. Bedding and linens, when not in use, must be stored in a sanitary manner which prevents the spread of germs or lice from other linens. All bedding and linens much be thoroughly cleaned and sanitized at least once a week and before use by another child.
11/7/07
SA Facility Handbook 3.61D

11/7/07 f. Linens, if used, must be washed at least once a week and more often if soiled or dirty. Linens used by more than one child must be washed in between usage. Linens must be provided when children are sleeping, and pillows and blankets must be available. For children under the age of one, please follow the requirements outlined in Facility Handbook 3.6.4.
CC Facility Handbook 3.6.1F

CC Facility Handbook 3.6.1H g. Bedding and linens shall not be stored in the bathroom, unless stored in cabinets.

9/21/87 **INF** 14. Children up to one year of age must be in a crib or playpen/play yard with sides for napping. Crib sides must be secured while an infant is in the crib. Bar spacing must not exceed two and three-eighths (2 3/8) inches.
CC Facility Handbook 3.6.3

9/21/87 **INF** 15. Cribs or playpen/play yards must meet the federal regulations as outlined in Title 16, Parts 1219, 1220 & 1221 Code of Federal Regulations, 2014, which is incorporated by reference in 65C-22.001(7)(w), F.A.C. Cribs must be placed away from window blinds or draperies. Cots may be used for infants older than one (1) year of age. Where cribs are used, the mattress must have plastic covering. This mattress must be covered by a cloth sheet.
CC Facility Handbook 3.6.3

CC Facility Handbook 3.6.4. **INF** 16. **Safe Sleep**

CC Facility Handbook 3.6.4A a. All personnel that care for infants must follow safe sleep practices as recommended by the American Academy of Pediatrics (AAP) as referenced in Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C022.001(7)(v), F.A.C. Cribs or playpens/play yards used for infants must have tight fitted sheets, and no excess bedding, which includes but is not limited to bumper pads, hanging mobiles, quilts, comforters, receiving blankets, pillows, stuffed animals and cushions.

CC Facility Handbook 3.6.4B **INF** b. When napping or sleeping, young infants who are not able to roll over must be positioned on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome, unless an alternate position is authorized in writing by a physician. Sleep sacks that fit according to manufacturer's recommendations, do not restrict the infant's arms, and will not slide up around the infant's face may be used for the comfort of the sleeping infant; however, swaddling shall not be used unless authorized in writing by the child's physician. Written documentation of a physician's authorization must be on file at the children's center. Documentation must include the child's name, child's date of birth, description of sleep position required, instructions for the use of any equipment needed, and length of time authorization is valid.

CC Facility Handbook 3.6.4C **INF** c. Children must not be placed in the cribs, playpens, play yards or other sleeping and napping bedding with items that could pose a strangulations or suffocation risk. Cribs, playpens, play yard or other napping and sleeping bedding being used by a child must be placed a minimum of 18 inches away from window blinds, draperies or any other window treatment/cover that pose a strangulation hazard.

12/4/02 **SA** 17. For school age centers on an all day schedule, a rest or a quiet period shall be required. If naptime is scheduled, a washable mat, towel, sheet, or blanket is required. Cots are not required. However, if a school age center is open during evening hours and/or overnight, cots, linens, blankets and pillows must be provided for sleeping.
11/7/07

J. Isolation Area

CC Facility Handbook 6.1.1A
SA Facility Handbook 6.1.1A
1. Each children's center and school-age child care program must have a designated isolation area for a child who becomes ill at the children's center.

CC Facility Handbook 6.1.1B
8/3/05
SA Facility Handbook 6.1B
2. Such space must be adequately ventilated, cooled, heated, and equipped with a bed, or cot, and materials that can be cleaned and sanitized or disinfected easily.

CC Facility Handbook 6..1.1C
SA Facility Handbook 6.1C
3 .Linens are to be changed after each use and the used linens must be kept in a closed container in the isolation area until cleaned.

CC Facility Handbook 6..1.1D
SA Facility Handbook 6..1.D
4. Disposable items must be kept in a closed container in the isolation area until thrown away.

VII. SAFETY, HEALTH AND SANITATION

CC Facility Handbook 3
SA Facility Handbook 3
Children are much more susceptible to the adverse effects of environmental factors, materials and toxicants. It is imperative that the child care environment is conducive to the healthy development of children.

A. General Requirements

9/11/09 All center personnel shall have access to a copy of Licensing Regulations Governing Pinellas County Children's Centers and a copy of Chapter 64E-11 Food Hygiene.

9/11/09

1. Children shall be released from a licensed children's center at the direction of Child Care Licensing Program staff due to a significant violation(s) that pose an immediate threat to the health and safety of children.

   The children shall not return to the licensed program until an inspection by the Child Care Licensing Program staff determines the violation(s) no longer exists. This action does not take the place of nor is in lieu of action against the license such as enforcement, revocation, suspension, or an injunction.

Ch 61 S.9.(1)

2. Each children's center must pass a sanitary inspection before it can be licensed, and at least once annually before it can be re-licensed.

Ch 61S.9(1) &
CC Facility Handbook 3.1A

3. All children's centers must be clean, in good repair, free from health and safety hazards and from evidence or, or presence of, vermin infestation. Indoor play areas must be must be inspected for basic health and safety and documented on a daily inspection log. Outdoor play areas must be inspected daily for basic health and safety and documented on a daily inspection log. Any problems must be corrected before the play area is used by children. Documentation of the indoor play area must be maintained for 12 months.

SA Facility Handbook 3.1A

During the hours that the program is in operation, no portion of the building can be used for any activity that presents a risk to the health and safety of the children.

CC Facility Handbook 3.1B
SA Facility Handbook 3.1B

4. It is the responsibility of the director/operator to ensure all areas and equipment of the children's center are free from fire hazards, such as, lint build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents; and grease build up in ovens, stoves and food equipment.

CC Facility Handbook 3.1H
SA Facility Handbook 3.1G

5. Pest control must not take place while rooms are occupied by children. Child care providers must adopt an integrated pest management program to ensure long-term, environmentally sound pest suppression through a range of practices including pest exclusion, sanitation and clutter control, and elimination of conditions that are conducive to pest infestations.

CC Facility Handbook 3.3.2
SA Facility Handbook 3.3.2

6. Windows and Screens. When the windows or doors are open, for more than entering/exiting purposes, all building must have and maintain screens to prevent entrance of insects or rodents. Screens are not required for open air classrooms and picnic areas.

CC Facility Handbook 3.2A
SA Facility Handbook 3.2A

7. All areas and surfaces accessible to children shall be free from toxic substances bio contaminants and hazardous materials/equipment/tools, including power tools, plastic bags, matches, candles, lighters, etc.

CC Facility Handbook 3.2B
SA Facility Handbook 3.2B

8. All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled and used according to manufacturer's recommendation. These items, including knives and sharp tools, and other potentially dangerous hazards must be stored in a locked area or must be inaccessible and out of a child's reach at all times.

7/7/10

Cleaning solutions not in their original container need contents identified on the container.

CC Facility Handbook 3.1C

9. Animals must be properly vaccinated (if a vaccination is available for the specific animal), free from disease, and clean. Animals that are poisonous, venomous, aggressive or pose a potential threat of harm to children in care are prohibited.

SA Facility Handbook 7B
CC Facility Handbook 7B

Parents/guardians must be informed in writing of all animals on the premises. Notice may be provided by a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Current vaccination records must be available for review by the Child Care Licensing Program staff. No animal may freely roam the indoor/outdoor premises. Animals are prohibited in areas where food is prepared, stored or served. If animals or birds are kept in classrooms, they shall be caged and cages must be kept clean.

CC Facility Handbook 3.2C
8/3/05
SA Facility Handbook 3.2C

10. Firearms or weapons as defined in Chapter 790.001, F.S., are prohibited within any building or upon any person located on the premises, excluding federal state or local law enforcement officers.

CC Facility Handbook 3.2D
SA Facility Handbook 3.2D

11. Narcotics, alcohol, or other impairing drugs/paraphernalia must not be present on the premises or in vehicles used by the children's center.

CC Facility Handbook 3.1E
SA Facility Handbook 3.1D

12. Pursuant to Chapter 386. 204, F.S., smoking is prohibited within the children's center, in vehicles when being used to transport children. Smoking is prohibited in all outdoor areas, including on field trips, while children are in care. Owners/operators are to notify custodial parents and legal guardians, in writing, that smoking, including e-cigarettes and vaping, is prohibited on the premises of the child care facility.

CC Facility Handbook 3.10.1
SA Facility Handbook 3.10.1

13. Child care personnel and children must wash their hands thoroughly with soap and running water, dry, and follow personal hygiene procedures for themselves and when assisting others. Examples of activities when hand washing is required include, but are not limited to: before and after eating, immediately following outdoor play, after toileting, following the use of any cleaners or toxic chemical, before and after administering medication, and during food preparation and snack distribution.

CC Facility Handbook 3.10.1.A

a. Child care personnel and children must follow the Centers for Disease Control guidelines for hand washing, incorporated by reference in 65C-22.001(7)(u), F.A.C.

CC Facility Handbook 3.10.1.B
SA Facility Handbook 3.10.1B

b. The use of hand sanitizers does not substitute for hand washing. However, in areas away from the children's center where no running water is available, hand sanitizers may be used. Examples of such places are field trips, nature trails or picnic areas where running water is not available.

CC Facility Handbook 3.10.1C
SA Facility Handbook 3.10.1C

c .Child care personnel with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, shall not prepare food.

CC Facility Handbook 3.10.1.D
SA Facility Handbook 3.10.1D

d. Situations or times that children, child care personnel, and/or volunteers must perform hand hygiene must be posted in all food preparation, diapering and toileting areas.

*CC Facility Handbook 3.6.*1B
*SA Facility Handbook 3.6.*E

14. Toothbrushes, towels and washcloths may not be shared. Toothbrushes must be stored so that they cannot touch each other.

CC Facility Handbook 3.9.8A

15. Drinking Water: Clean, sanitary drinking water must be readily accessible in indoor and outdoor areas, throughout the day. For the purposes of providing clean, sanitary drinking water, sink/water fountain combinations are prohibited if the handwashing sink is used for hygiene procedures after toileting or diapering.

CC Facility Handbook 3.9.8B

16. A licensed child care facility with a sink/water fountain combination in existence on February 26, 2020, will be allowed to continue to use the sink as long as the child care facility remains continuously licensed at the site occupied, notifies the Child Care Licensing Program within 90 days of the date stated above of the sink usage and acknowledges by signing a statement that they are aware of the dangers of contamination and if it is proven by the Department of Health or other non-Department expert that contamination of the combination sink or a component of the combination sink caused illness/sickness and/or death of a

child, they will be subject to relevant violations, up to and including a Class 1 violation, and all corresponding enforcement action(s). The usage of the sink/water fountain combination shall not be affected by any change in the ownership of the site. If the provider seeks to replace the sink, the provider will be required to replace it with a non-combination sink.

SA Handbook 3.9.6 **SA** 17. Drinking Water: Clean, sanitary drinking water shall be readily accessible in indoor and outdoor areas, throughout the day. If disposable cups are used, they must be discarded after each use. For the purposes of providing clean, sanitary drinking water, sink/water fountain combinations are prohibited if the handwashing sink is used for hygiene procedures after toileting.

CC Facility Handbook 3.9.8 **INF** 18. On hot days, bottle fed infants may be given additional breastmilk or formula mixed with water provided by their parent/legal guardian. Infants should not be given plain water in the first six months of life unless directed to by the child's physician.

CC Facility Handbook 3.1D 19. Strangulation hazards strings and cords long enough to encircle a child's neck such as those on toys and window coverings must not be accessible to children in care.

CC Facility Handbook 3.1I
SA Facility Handbook 3.1H 20. All accessible electrical outlets must be "tamper-resistant electrical outlets" that contain internal shutter mechanisms to prevent children from sticking objects into receptacles. In settings that do not have "tamper-resistant electrical outlets" outlets shall have safety covers.

CC Facility Handbook 3.1J 21. Guardrails or protective barriers, such as baby gates, must be provided at open sides of stairs, ramps, and other walking surfaces from which there is more than a 30 inch vertical distance to fall.

CC Facility Handbook 3.1K
SA Facility Handbook 3.1I 22. No electrical device or apparatus accessible to children shall be located in a place where it can be plugged into an electrical outlet while a person is in contact with a water source, such as a sink, tub, shower area, water table or swimming pool.

SA Facility Handbook 3.1J
CC Facility Handbook 3.1L 23. Carbon monoxide detector(s) must be installed if required by s.553.885(1), F.S., or local laws. Carbon monoxide detectors must be tested and maintained according to manufacturer's instructions. Documentation of testing and maintenance must be retained for a minimum of 12 months and available for licensing to review.

B. First Aid, Cardio-Pulmonary Resuscitation

CC Facility Handbook 4.2.4A 1. One child care personnel with current and valid certificate(s) of course completion for first aid training and one child care personnel with current and valid certification of course completion for pediatric cardiopulmonary resuscitation (CPR) procedures must be present at all times that children are in care. The same child care personnel may satisfy both requirements.

CC Facility Handbook 4.2.4B 2. By December 31, 2021, the children's center shall maintain the following number of child care personnel with the CPR certification and first aid training that are on site at the children's center at all times children are in care. For child care personnel to count to meet requirement in the chart below, they shall be child care personnel assigned to provide direct supervision of children in care:

Total number of child care personnel in direct supervision of children to meet staff to child operating ratios:	Total minimum number of child care personnel with Pediatric CPR certification on site when children are present:	Total minimum number of child care personnel with first aid training on site when children are present:
0-25	3	3
25-50	4	4
51-75	5	5
76-100	6	6
101+	7	7

Director, on site when children are present, with pediatric CPR certification and first aid training may qualify as one of the child care personnel for purposes of meeting the above requirements.
Documentation of pediatric cardiopulmonary resuscitation (CPR) certification and first aid training must be kept on file and available for licensing to review. Child care personnel satisfying the certification and training requirements shall be present at all times that children are in care at the children's center, and at least one child care personnel with the CPR certification and first aid training on field trips which includes all activities away from the program, and during all transportation activities.

SA Handbook 4.2.2A **SA** 4. Each school age center must have at least one child care personnel with current and valid certificate(s) of course completion for first aid training and child Cardio-Pulmonary resuscitation (CPR) procedures. By June 12, 2021 at all times in each classroom/room/designated space, or outdoor area occupied by children, at least one of the child care personnel assigned to provide direct supervision to that specific group must have current first aid training and pediatric cardiopulmonary resuscitation (CPR) certification. Documentation of first aid training and pediatric cardiopulmonary resuscitation (CPR) certification must be kept on file and available for licensing to review.

SA Handbook 4.2.2B **SA** 5. One child care personnel satisfying these training requirements must be present at all times that children are in the care at the facility, on field trips, which includes all activities away from the program, and during all transportation activities. In the event a group of children are away from the program on a field trip and other children remain at the facility, there must be one child care personnel satisfying these training requirements at each location at all times, both on-site and on the field trip.

CC Facility Handbook 4.2.4D
SA Facility Handbook 4.2.2C
6. Certificate(s) of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years.

*CC Facility Handbook 4.2.4**E***
SA Facility Handbook 4.2.2D
7. CPR courses must include an on-site instructor-based skills assessment by a certified CPR instructor. Documentation of completion of the online course and on-site assessment must be maintained at the facility and available for review by the licensing authority.

CC Facility Handbook 6.2
9. **First Aid Kit Minimum Requirement**

CC Facility Handbook 6.2A
SA Facility Handbook 6.2A
a. At least one first aid kit must be maintained on the premises of the children's center at all times. The kit(s) must be accessible to child care personnel at all times and kept out of reach of children. If the first aid kit is stored in the food preparation area, it must be stored in a manner to prevent contamination of food, food contact surfaces or first aid supplies. First aid kits or supplies must be restocked after each use.

CC Facility Handbook 6.2B
SA Facility Handbook 6.2B
b. A first aid kit must be accessible and available to child care personnel; when children are participating in field trips, during transporting and other activities

away from the children's center.

CC Facility Handbook 6.2C
SA Facility Handbook 6.2C

c. Each kit must be kept in a closed container and labeled "First Aid" and must, at a minimum, include:

(1). Soap, and hand sanitizer (to be used with supervision if hands are not visibly soiled and if no water is present)
(2) Adhesive bandages,
(3) Disposable non-porous gloves,
. (4) Cotton balls or applicators,
(5) Sterile gauze pads or rolls,
(6) Adhesive tape,
. (7) Digital Thermometer,
. (8) Tweezers,
. (9) Pre-moistened wipes,
. (10) Scissors,
(11) Bottled water (for cleaning wounds or eyes), and
. (12) A current resource guide on first aid and CPR procedures.

C. Emergency Procedures and Notification

CC Facility Handbook 6.3A

1. Emergency service telephone numbers must be posted on or near all children's center telephones, including: 911. Ambulance, fire, police, poison control center, Florida Abuse Hotline, and the county public health department. Additionally, the address and directions to the children's center must be posted with descriptions of major intersections and local landmarks.

CC Facility Handbook 6.3B

2. For life threatening injuries, the provider shall call 911 and then notify the parent.

SA Facility Handbook 6.3B

For serious injuries, the provider shall call 911 and then notify the parent.

CC Facility Handbook 6.3C
SA Facility Handbook 6.3C

3. Custodial parent(s) or legal guardian(s) must be notified immediately in the event of any serious illness, accident, injury, or emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed.

CC Facility Handbook 6.3D
SA Facility Handbook 6.3D

4. If the custodial parent or legal guardian cannot be reached, the children's center staff will contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

Ch 402.305(7)(c)

5. Some type of communications system, such as a pocket pager or beeper, shall be provided to a parent whose child is in drop-in child care to ensure the immediate return of the parent to the child, if necessary.

CC Facility Handbook 3.8.5A
SA Facility Handbook 3.8.5 A
SA Facility Handbook 7B
CC Facility Handbook 7B

6. Each children's center shall have a written emergency preparedness plan on file in the License Board office that includes at a minimum, procedures to be taken by the facility during a fire, evacuation, relocation, shelter in place, lockdown, inclement weather (for example: hurricanes, tropical storms or tornadoes), and to facilitate parent/guardian reunification onsite and offsite. The plan must describe how the facility will notify and update parents/guardians, as well as, meet the needs of all children, including children with special needs or chronic medical conditions, during and following an emergency event. This plan must be available for review by the licensing authority. A current attendance record/classroom rosters and parent contact information must accompany child care personnel during the drill or actual emergency and must be used to account for all children. Daily classroom attendance rosters must be used to account for all children once gathered in a safe space after exit and upon return to the program.

11/7/07

The plan shall include arrangements for transportation, food and water supply, parent and children's center staff communication, availability of children's records, and supervision of children during evacuation and relocation.

SA Facility Handbook 3.8.5B
CC Facility Handbook 3.8.5B

7. Lockdown and inclement weather drills shall be conducted a minimum of one time per year, when children are in care and the documentation of these drills must be maintained for 12 months from the date of the drill. .A lockdown or inclement weather drill may substitute for one monthly fire drill. Substitution for fire drills may not occur more than three times within the licensure year. Documentation of this substitution must be maintained for 12 months.

SA Facility Handbook 3.8.5B
CC Facility Handbook 3.8.5A

8. A current attendance record and parent contact information must accompany child care personnel during the drill or actual emergency and must be used to account for all children. Daily classroom attendance rosters must be used to account for all children once gathered in a safe space after exit and upon return to the program.

CC Facility Handbook 3.8.5C
SA Facility Handbook 3.8.5C

9. The operator must maintain and post in an easily seen location a written record of emergency preparedness drills showing the type of drill, date conducted, number of children and child care personnel in attendance, and time taken for all individuals to complete the drill.

*CC Facility Handbook 3.8.*5D
SA Facility Handbook 3.8.5D

10. Documentation of conducted fire and emergency preparedness drills must be available at the time of the inspection. Documentation produced after the inspection shall not meet the licensing standard or corrective action requirements.

SA Facility Handbook 3.8.5F
*CC Facility Handbook 3.8.*5F

11. A facility that chooses to operate using an alternate power source, such as a generator, must have the power source permanently installed and maintained in accordance with the manufacturer's recommendations and comply with the Florida Building Code and the Florida Fire Prevention Code 69A-60,F.A.C. The alternate power source and fuel supply shall be located in an area that is not subject to flooding or damage from storm surge. Additionally, if the generator is gas powered, the facility must install and maintain a carbon monoxide detector.

8/03/05
CC Facility Handbook 3.8.6

12. After a fire, man-made, or natural disaster the children's center must notify the Child Care Licensing Program within (24) hours as to their status of operation in order for the License Board to ensure health standards are being met. If the children's center closes temporarily, prior to re-opening, the License Board staff must inspect to ensure health and safety standards.

CC Facility Handbook 3.8.7
SA Facility Handbook 3.8.7

13. Children's centers must have a procedure for responding to situations when an immediate emergency response is required. A contingency plan for emergency or disaster situations needs to be in place when it may not be possible to follow standard emergency procedures. Emergency procedures must be posted and readily available. All providers and staff must be training to manage in an emergency.

CC Facility Handbook 3.8.7A

SA Facility Handbook 3.8.7A

A. The facility must have a written plan for reporting and managing any incident or unusual occurrence that is threatening to the health, safety, or welfare of the children, child care personnel or volunteers to the Child Care Licensing Program. The following types of incidents must be addressed:

(1) Lost or missing child;
(2) Suspected maltreatment of child;
(3) Injuries or illness requiring hospitalization or emergency treatment;
(4) Death of a child or child care personnel;
(5) Presence of a threatening individual who attempts or succeeds in gaining entrance to the facility.

SA Facility Handbook 7B
CC Facility Handbook 7B

This plan must be available for review by the licensing authority.

D. Communicable Disease Control

CC Facility Handbook 6
SA Facility Handbook 6

There are three common modes of transmission for the spread of microorganisms in child care settings: contact, droplet, and airborne. Many common infections encountered in the child care setting are transmitted by direct or indirect contact.

Child care facilities shall develop a written exposure plan regarding universal safety precautions, recommended by the Centers for Disease Control and Prevention (CDC), to follow in the event there is exposure to blood and potentially infectious fluids. Personnel are required to be educated on the facility's exposure plan regarding standard precautions before beginning to work and annually thereafter. Written documentation that child care personnel have participated in the facility's annual refresher education for the exposure plan and understand the proper procedures in the event there is exposure to blood and potentially infectious fluids must be retained for 12 months and be available for licensing to review.

CC Facility Handbook 6.1A
SA Facility Handbook 6.1A

1. Children in care must be observed on a daily basis for signs of communicable disease.

CC Facility Handbook 6.1B
SA Facility Handbook 6.1B

2. Any child, child care personnel or other person in the children's center or school-age child care program suspected of having a communicable disease must be removed from the program or placed in an isolation area until removed Such person may not return without medical authorization, or until signs and symptoms of the disease are no longer present. If the local health department official or primary health care provider suspects that a child or child care personnel is contributing to the transmission of the illness, is not adequately immunized when there is an outbreak of a vaccine-preventable disease, or the circulating pathogen poses an increased risk to the individual, The child or child care personnel must not return until the health department or primary health care provider determines the risk of transmission is no longer present. Child care personnel who work in the food preparation area may not return until the sign and symptoms of the disease have not been present for 48 hours.

CC Facility Handbook 6.1C
SA Facility Handbook 6.1C

3. A child's condition must be reported to the custodial parent or legal guardian. For children whose symptoms do not require exclusion, verbal or written notification to the parent/guardian at the end of the day is acceptable.

CC Facility Handbook 6.1D
SA Facility Handbook 6.1D

4. Signs and symptoms of a suspected communicable disease include the following:

   a. Severe coughing, causing the child to become red or blue in the face or make a whooping sound;
   b. Difficult or rapid breathing;
   c. Stiff neck;
   d. Diarrhea (more than one abnormally loose stool within a 24-hour period);
   e. Temperature of 101˚ degrees Fahrenheit or higher when in conjunction with any other sign of illness (Any infant younger than 2 months of age with fever should be immediate medical attention);
   f. Pink eye;
   g. Exposed, open skin lesions;
   h. Unusually dark urine and/or gray or white stool;
   i. Yellowish skin or eyes; or
   j. Any other unusual sign or symptom of illness.

CC Facility Handbook 6.1E
SA Facility Handbook 6.1E

5. **Head Lice.** A child identified as having head lice must not be permitted to return until the following day, and only provided that treatment has occurred and has been verified. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred. The children's center must also treat areas, equipment, toys, and furnishings with which the child has been in contact.

CC Facility Handbook 6.1.2A
SA Facility Handbook 6.1.2A

6. **Outbreaks.** Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease and must follow the health department's direction.

CC Facility Handbook 6.1.2B
SA Facility Handbook 6.1.2A

7. A suspected outbreak occurs when two or more children or child care personnel have the onset of similar signs or symptoms within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected on a child or child care personnel. Some examples include shigella, salmonella, chicken pox, measles, pertussis and hand, foot and mouth disease. Contact your local health department for a determination of whether reporting is required.

E. Diapering Practices

CC Facility Handbook 3.10.2E 8/3/05

1. When children in diapers are in care, there shall be a diaper changing area with an impermeable surface, that is cleaned and sanitized or disinfected after each use.

CC Facility Handbook 3.10.2G

2. Items unrelated to diaper changing shall not be stored in the diaper changing area nor shall they be placed on the diaper changing table.

CC Facility Handbook 3.10.2D 11/7/07

3. The diaper changing area must be physically separate from the food preparation food service and feeding area.

CC Facility Handbook 3.10.2C

4. Hand washing sinks must not be used for food service preparation or food clean up.

CC Facility Handbook 3.10.2F

5. Children must be directly attended at all times when being diapered or when changing clothes. Child care personnel must not leave children unattended on a table or countertop A safety strap or harness must not be used on the diaper changing table/surface.

CC Facility Handbook 3.10.2B

6. Hands must be washed and dried thoroughly after each diapering or toileting procedure, and all surfaces touched must be cleaned and sanitized or disinfected to prevent the spread of germs.

CC Facility Handbook 3.10.2A

7. When children in diapers are in care, a hand washing station that include a sink with running water, soap, trash receptacle, and disposable towels or hand drying machines that are properly installed and maintained, shall be provided in the room or in an adjoining room which opens into the room.

CC Facility Handbook 3.10.2H

8. There must be a supply of clean diapers, clothing and linens at all times.

CC Facility Handbook 3.10.2I

9. When diapers, clothing or linens that are being used become soiled or wet, they shall be changed immediately or removed and properly disposed of.

CC Facility Handbook 3.10.2J

10. Soiled or wet disposable diapers must be disposed of in a plastic lined, securely covered container that is not accessible to children. The container must be emptied, cleaned and sanitized or disinfected at least daily.

CC Facility Handbook 3.10.2K

11. Soiled cloth diapers must be emptied of feces in the toilet and soiled or wet cloth diapers shall be placed in a securely covered container that is not accessible to children. The container must be emptied, cleaned and sanitized or disinfected, at least, daily.

CC Facility Handbook 3.10.2L

12. Diaper changing procedure must be posted in the changing area and followed to protect the health and safety of the children and staff.

VIII. TRANSPORTATION

CC Facility Handbook 2.5
SA Handbook 2.5

Child care providers must comply with minimum health and safety standards to ensure the well-being of children in their care being transported. For the purposes of this section, transportation pertains to travel by foot or in a vehicle that is owned, operated or regularly used by the child care program, and vehicles used to provide transportation through a contract or agreement with an outside entity.

It is necessary for the safety of children to require that the caregiver comply with minimum requirements for governing the transportation of children in care in the absence of the parent/guardian.

CC Facility Handbook 2.5.1.
SA Facility Handbook 2.5.1A,B
316.615(3)

A. Driver Requirements

The driver of any vehicle used by a child care program to provide transportation must have the following:

CC Facility Handbook 2.5.1A

1. a valid Florida driver's license including the proper endorsement

CC Facility Handbook 2.5.1B 2. an annual physical examination which grants medical approval to drive and a valid certificate(s) of course completion for first aid training and pediatric Cardio-Pulmonary resuscitation (CPR) procedures.

CC Facility Handbook 2.5.2 B. **Transportation Log**.

CC Facility Handbook 2.5.2A 1. A log must be maintained for all children being transported in the vehicle or on foot from and/or to the premises of the children's center. The log must be retained on file at the children's center for a minimum of 12 months

9/11/09 and available for review by the licensing authority. The log must include:

a. each child's name,

SA Facility Handbook 2.5.2A b. the date and time of departure,

c. Time of arrival at the destination,

d. The signature of the driver (or in the case of traveling on foot, the signature of the child care personnel), and

e. The signature of a second child care personnel or person(s) authorized by the provider to verify the transportation log and that all children have arrive safely and left the vehicle (if applicable).

Transportation by Foot

SA Facility Handbook 2.5.2B 2. Prior to transporting children by foot, the transportation log must be recorded with

CC Facility Handbook 2.5.2B each child's name, the date and time of departure, and initialed by the child care personnel verifying that all children were accounted for and that the log is complete.

SA Facility Handbook 2.5.2C 3. Upon arrival at the destination by foot, the child care personnel must:

CC Facility Handbook 2.5.2C

(a) Record the date and time the child(ren) arrived at the destination on the transportation log immediately.

(b) Conduct roll call, record, date, and initial verifying that all children were accounted for.

(c) The same must occur prior to leaving that location and immediately upon returning to the facility premises. The first and second child care personnel must sign the log verifying all children are accounted for and the log is complete at each destination.

SA Facility Handbook 2.5.2D 4. Upon arrival at the destination by foot, a second and different child care personnel must:

CC Facility Handbook 2.5.2D

(a) Witness roll call to verify all children are accounted for and that the log is complete.

(b) Sign and date the transportation log.

Transportation by Vehicle

SA Facility Handbook 2.5.2E 5. Prior to transporting children by vehicle, the transportation log must be recorded

CC Facility Handbook 2.5.2E with the child's name, the date and time of departure, and initialed by the child care personnel verifying that all children were accounted for and that the log is complete.

CC Facility Handbook 2.5.2F 6. Upon arrival at the destination by vehicle, the driver of the vehicle must:

(a) Mark each child off the log as the children depart the vehicle,

(b) Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and

(c) Record, sign and date the transportation log immediately, verifying that all children were all accounted for and that the visual sweep was conducted.

SA Facility Handbook 2.5.2F4 (d) Ensure that a second child care personnel conducts a visual sweep, signs

CC Facility Handbook 2.5.2F4 and dates the transportation log verifying that all children were accounted

for, and that the log is complete.

SA Facility Handbook 2.5.2F5
CC Facility Handbook 2.5.2F5

(e) If the provider contracts with an outside entity to provide transportation, then the provider must assign a child care personnel to perform the duties of the driver outlined above in (a) through (c).

CC Facility Handbook 2.5.2G
SA Facility Handbook 2.5.2G

7. Upon arrival at the destination by vehicle a second and different child care personnel must:

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(a) Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and
(b) Sign, date and record the transportation log immediately, verifying that all children were accounted for, and that the log is complete.

CC Facility Handbook 2.5.3
SA Facility Handbook 2.5.3

C. Emergency Care Plans

CC Facility Handbook 2.5.3A
SA Facility Handbook 2.5.3A

1. Child Care personnel must have possession of emergency medical consent and contact information for the parent or legal guardian of each child being Transported by vehicle or n foot while away from the children's center.

SA Facility Handbook 2.5.3B
CC Facility Handbook 2.5.3B

2. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication must be in the possession of child care personnel and inaccessible to children. A designated child care personnel, in the vehicle or on the field trip, must be trained to recognize and respond appropriately to a medical emergency per medication requirements in section 6.5 I.

SA Facility Handbook 2.5.3C
CC Facility Handbook 2.5.3C

3. Each child with an allergy should have a written emergency care plan that includes:
(a) Instructions regarding the allergen to which the child is allergic and steps to be taken to avoid the allergen;

(b) A detailed treatment plan to be implemented in the event of an allergic reaction, including the names, doses, and methods of prompt administration of any medications.

(c) Specific symptoms that would indicate the need to administer one or more medications.

SA Facility Handbook 2.5.3D
CC Facility Handbook 2.5.3D

4. Based on the child's emergency care plan, provided by the parent/legal guardian or physical, and prior to caring for the child, child care personnel should implement measures for preventing exposure to specific allergen(s) to which the child is allergic and recognizing the symptoms of an allergic reaction.

SA Facility Handbook 2.5.3E
CC Facility Handbook 2.5.3E

5. Child care personnel shall notify parents/guardians immediately of any suspected allergic reactions, as well as the ingestion of or contact with the problem allergen even if a reaction did not occur. Child care personnel shall contact 911 immediately whenever epinephrine has been administered.

CC Facility Handbook 2.5.4
SA Facility Handbook 2.5.4

D. Vehicle Requirements

CC Facility Handbook 2.5.4

For the purpose of this section, vehicles refer to those that are owned/operated or regularly used by the children's center and vehicles that provide transportation through a contract or agreement with an outside entity. Parent's/guardian's personal vehicles used for transporting during field trips are excluded from meeting the requirements of this sub-section.

CC Facility Handbook 2.5.4A

A. **Annual Vehicle Inspection.** All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure proper working order. Documentation

by the mechanic shall be maintained in the vehicle.

CC Facility Handbook 2.5.4B

B. **Seating Capacity/Seatbelts.** The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.

CC Facility Handbook 2.5.4C

C. When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio if he or she meets screening and draining requirements.

Ch 61 S.9(2)

D. Vehicles used for transporting children shall be maintained in safe condition at all times as required by the motor vehicle inspection law.

CC Facility Handbook 2.5.4D

E. All children's centers must comply with the insurance requirements found in Section 316.615(4), F.S. Documentation shall be maintained at the children's center.

Ch 316.615(4)

All school buses and all motor vehicles covered by subsections (1) and (2) must be covered by single limits liability insurance to protect pupils being transported, in the following amounts: $5,000 multiplied by the rated seating capacity of the vehicle, or $100,000, whichever is greater.

SA Facility Handbook 2.5.4E
CC Facility Handbook 2.5.4E

F. The interior of vehicles, when being used to transport children, must be maintained at the temperature comfortable to children (between 65 and 82 degrees Fahrenheit). The vehicle can be ventilated either by mechanical or natural means to maintain temperature.

E. Seat Belt/Child Restraints

SA Facility Handbook 2.5.5
CC Facility Handbook 2.5.5

Each child, when transported, must be seated in a back seat in an individual factory installed seat belt or federally approved child safety restraint. The child safety restraint must be installed, secured and used in accordance with the manufacturer's instructions and a copy of such instructions must be maintained (in the vehicle and/or on file). Child safety restraint must be replaced if they have been recalled, are past the manufacturer's "date of use" expiration date, or have been involved in a crash that meets the U.S. Department of Transportation crash severity criteria or the manufacturer's criteria for replacement of restraints after a crash, as referenced in Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001(7)(v), F.A.C.

CC Facility Handbook 2.5.5A

1. Children aged birth to one year old must be secured in a rear-facing car safety seat.

CC Facility Handbook 2.5.5B

2. Children age one through 3 years, such restraint device must be a separate carrier or a vehicle built-in child seat.

CC Facility Handbook 2.5.5C

3. For children aged 4 years, a separate carrier, a vehicle built-in child seat, or a child booster seat must be used with appropriate seat belt.

SA Facility Handbook 2.5.5A
CC Facility Handbook 2.5.5D

4. Children aged 5 years and older must be in seat belts.

*CC Facility Handbook 2.5.*5E
SA Facility Handbook 2.5.5C

5. When applicable, any vehicle used for transporting children must accommodate the placement of wheelchairs with four tie-downs affixed according to the manufacturers' instructions in a forward-facing direction and the wheelchair occupant must be secured by a three-point tie restraint during transport; or the child must be placed in a federally approved child safety restraint or factory installed seatbelt when transported, in accordance to the child's needs. Manufacturers' specifications must be followed to assure that safety requirements are met.

IX. FOOD AND NUTRITION

A. Nutrition and Food Safety

SA Facility Handbook 3.9.3
CC Facility Handbook 3.9.3

Handling of food in a safe and careful manner prevents the spread of bacteria, viruses and fungi. Outbreaks of foodborne illnesses have occurred in many settings, including child care facilities. Meals and snacks must contain, at a minimum, the meal and snack patterns shown for school-age children in the Child Care Food Program Meal Pattern for Children (CCFP), incorporated by reference in 65C-22.001(7)r, F.A.C and may be found at http://floridahealth/gov/programs-and-services/childrens-health/child-care-food-program/nutrition/documents/meal-pattern-for-children-9-16.pdf.

CC Facility Handbook 3.9.3B
SA Facility Handbook 3.9.3B

1. If a children's center provides food to children in care, it shall provide nutritious meals and snacks of a quantity and quality to help meet the daily nutritional needs of the children. The USDA MyPlate is be used to determine what food groups to serve at each meal or snack, serving size and age appropriateness of the selected food for children. Copies of the USDA MyPlate dieting guidelines, incorporated by reference in 65C-22.001(7)(t), F.A.C. In addition, meals and snacks must contain at a minimum the meal and snack patterns shown for infants and children in the Child Care Food Program Meal Patterns which are incorporated by refence in 65C-22001(7)(r) and (s), F.A.C.

CC Facility Handbook 3.9.3C

2. Foods that are associated with young children's choking incidents must not be served to children under 4 years of age; such as, but not limited to, whole/round hot dogs, popcorn, chips, pretzel nuggets, whole grapes, nuts, cheese sticks/ cubes and any food that is of similar shape and size of the trachea/windpipe.

INF

Food for infants must be cut into pieces ¼ inch or smaller, food for toddlers must be cut into pieces ½ inch or smaller to prevent choking.

This applies to all food, even food provided by parents/guardians.

CC Facility Handbook 3.9.3E
SA Facility Handbook 3.9.3D3

3. Parents or legal guardians must be advised in advance of each food-related activity, such as special occasions and learning activities that include food consumption. Written parental permission may be obtained in the form of a general or specific permission slip. Written parental permission for food activities must be maintained for a minimum of 12 months from the date of each activity.

CC Facility Handbook 3.9.3F
SA Facility Handbook 3.9.3E

4. If a children's center chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child. In the event that a child's parent fails to provide nutritious meals/snacks, the program must provide supplemental food items to complete the child's meal.

CC Facility Handbook 3.9.3H
SA Facility Handbook 3.9.3F

5. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained in the child's file and followed. If the custodial parent or legal guardian notifies the children's center of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with child care personnel and posted in easily seen location that is not readily visible by parents or non-child care personnel and followed.

CC Facility Handbook 3.9.3H
SA Facility Handbook 3.9.3G

6. Meal and snack menus must be planned, written, dated and posted at the beginning of each week in an easily seen place accessible to parents/guardians. Any meal substitution must be noted on the menu. A generalized menu of possible snack choices for programs that receive food donations is acceptable. All meals and snacks prepared outside of the children's center's kitchen or designated food preparation area, such as catered food, must be listed along with the source of the prepared food. Daily meals and snack menus must be maintained for a minimum of 12 months for licensing purposes.

Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and the USDA requirements.

B. Food Handling

Ch 66 7/1/03

1. All licensed children's centers approved by the Environmental Health Unit to provide food shall have documentation on file from the Department of Health verifying the children's center meets the applicable requirements as specified in Chapters 64E-11, F.A.C., Food Hygiene, and Child Care Facility Handbook.

Ch 66 7/1/03 **SA**

2. School age centers must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards, specified in 64E-11, F.A.C., Food Hygiene, and School Age Facility Handbook.

CC Facility Handbook 3.9.1B
SA Facility Handbook 3.9.1B

3.Child care personnel while working in the food preparation area, must wear proper head covering, such as a hairnet or hat. To prevent contact with ready-to-eat foods, child care personnel must use clean disposable gloves, utensils, or similar items in the food preparation area.

CC Facility Handbook 3.9.1C
SA Facility Handbook 3.9.1B

4. For safety, children must not be present in the food preparation area when meals and snacks are prepared unless being supervised or participating in a cooking activity.

C. Food Service

Food Handling

CC Facility Handbook 3.9.5A **INF**

1. Bottles and sippy cups provided by the children's center must be washed and sanitized between each use and do not have to be labeled.

CC Facility Handbook 3.9.5B **INF**

2. Bottle and sippy cups brought from home shall be individually labeled with the child's first and last name and shall be returned to the custodial parent or legal guardian daily.

CC Facility Handbook 3.9.5C

3. Milk and food shall not sit out for longer than 15 minutes prior to the beginning of the meal to avoid contamination and spoilage. Food must not be served to children at more than 110 degrees Fahrenheit. Allow time for food to cool before serving to children that does not exceed 15 minutes.

CC Facility Handbook 3.9.5D
SA Facility Handbook 3.9.5B

4.Child care personnel, while distributing snacks or serving food must use disposable gloves, utensils, or similar items to prevent skin contact with food.

CC Facility Handbook 3.9.5E

5. Food provided by parents/guardians must be stored and handled in a sanitary manner at all times. If food is supposed to be kept cold, the food must be store in a refrigerator until eaten, or parents must include ice packs to keep food cold.

CC Facility Handbook 3.9.2F
SA Facility Handbook 3.9.2F

6. Refrigerators/freezers
An accurate thermometer designed to measure cold storage temperature must be placed inside each refrigeration and freezer unit. Thermometers in refrigerators must show a reading of 41 degrees Fahrenheit or below, and thermometers in freezers must show a reading of 0 degrees Fahrenheit or below. The thermometer must be located in the center of the unit and be readily accessible. Thermometer temperature readings higher than specified above required further temperature testing of food samples stored in the unit using a probe type thermometer; and adjustments to the unit setting to reach and maintain the required readings.

Breastmilk, Infant Formula and Food

CC Facility Handbook 3.9.6A **INF** 7.Breastmilk and formula must be handled in a sanitary manner at all times according to manufacturer's instructions and instructions by parents/guardians. If instructions are not readily available, child care personnel must obtain information from the World Health Organization's Safe Preparation, Storage and Handling of Powdered Infant Formula Guidelines, as referenced in Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001(7)(v), F.A.C.

CC Facility Handbook 3.9.6B **INF** 8. The provider must make sure all formulas and food brought from home are labeled with the child's first and last name. The provider is responsible for the label. Therefore, if the label is not completed by the parent, child care personnel must complete the label when the formula or food is received.

CC Facility Handbook 3.9.6C **INF** 9. Breastmilk or infant formula provided for a specific infant by a parent or guardian shall not be fed to other children. In the event that the wrong breastmilk or infant formula is provided to an infant in care, the provider must immediately inform the child's parent or legal guardian of the incident as well as the parent or legal guardian of the infant that the formula/breast milk was intended for. These events must be documented as an accident/incident.

CC Facility Handbook 3.9.6D **INF** 10. Prepared bottled shall be placed immediately in the refrigerator and used within 24 hours.

CC Facility Handbook 3.9.E **INF** 11. Previously opened baby food jars must not be accepted in the center. If food is fed directly from the jar by the caregiver, the jar shall be used for only one feeding and the remainder discarded.

CC Facility Handbook 3.9.6F **INF** 12. Providers must develop and follow procedures for the preparation and storage of expressed breastmilk that ensures the health and safety of all infants, a outlined by the Academy of Breastfeeding Medicine Protocol, and prohibits the use of infant formula for a breastfed infant without parental consent, as referenced in Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, which is incorporated in 65C022.001(7)(v), F.A.C.

CC Facility Handbook 3.9.6G **INF** 13. Due to the extreme risk of choking, solid foods, including cereal, may not be given in bottles or with infant feeders to children with normal feeding habits unless authorized by a physician. Solid foods may not be fed to an infant younger than 4 months of age unless directed by a physician. Solid foods must be of a safe consistency and must be developmentally appropriate for the age and developmental ability of the infant.

CC Facility Handbook 3.9.7 **INF** **Bottle Warming**
For optimum digestion, breastmilk and infant formula should be served at body temperature.

CC Facility Handbook 3.9.7A **INF** 14**.** Bottle warming devices and crock pots, including cords shall be kept inaccessible to children at all times.

CC Facility Handbook 3.9.7C **INF** 15. Any bottle warming device that has a water reservoir must be emptied, washed and refilled each day.

CC Facility Handbook 3.9.7B **INF** 16. Devices must be maintained on the lowest possible temperature setting; and must be secured in such a way as to prevent them from tippling over, splashing or spilling.

CC Facility Handbook 3.9.7D **INF** 17. Bottled breast milk, infant bottles and formula shall not be heated in a microwave oven.

CC Facility Handbook 3.9.7E **INF** 18. Heated foods and bottles must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.

CC Facility Handbook 3.9.67F **INF** 19. A bottle may be warmed only once; a warmed bottle may not be returned to the refrigerator or re-warmed.

CC Facility Handbook 3.9.7 G **INF** 20. All breast milk and infant formula remaining in bottles after feeding shall be discarded one hour after serving the infant. Unused breastmilk may be returned to the parent in the bottle or contained provided.

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CC Facility Handbook 3.11C 21. Children's centers must provide age appropriate seating for the number of children eating meals and snack at one time.

X. APPLICATION, FEES, LICENSE

A. Application

Ch 61 S.10.(1) 1. Application for license shall be made to the License Board on blank forms, furnished by the Board, and shall be accompanied by fee.

Ch 61 S.10.(2)
Ch 65C-22.001(1)(c) 2. Application shall be under oath. The completed application must be signed by the individual owner, prospective owner, or designated representative of the owner or prospective owner.

a. If the applicant is an individual, the application shall contain the name and address of the individual.

Ch 61 S.10.(2)(a) b. If the applicant is a partnership, firm, or other group the application shall contain the name and address of every member thereof.

c. If the applicant is a corporation, or association, the application shall contain its name and address, and the names and addresses of the members of the board of directors and the officers.

Ch 61 S.10.(2) 3. The application shall contain the following:

Ch 61 S.10.(2)(b) a. The location of the center for which a license is sought.

Ch 61 S.10.(2)(c) b. The category of the operator.

Ch 61 S.10.(2)(d)
3/9/05 c. The maximum number of children allowed in attendance at any given time, ages of children, and hours of care.

Ch 61 S.10.(2)(e) d. Such information relating to the number, experience, and training of employees of the center and of the moral character of the applicant and employees as the Board may deem necessary.

Ch 402.3055(1)(a) e. A question that specifically asks the applicant, owner, or operator/director if he or she has ever had a license denied, revoked, or suspended in any state or jurisdiction or has been the subject of a disciplinary action or been fined while employed in a children's center.

Ch 402.3055(1)(a) 4. The applicant, owner, or operator shall attest to the accuracy of the information requested under penalty of perjury. If the applicant, owner, or operator admits that he or she has been a party in such action, the License Board shall review the nature of the suspension, revocation, disciplinary action, or fine before granting the applicant a license to operate a children's center. If the License Board determines as the result of such review that it is not in the best interest of

the state or local jurisdiction for the applicant to be licensed, a license shall not be granted.

CC Facility Handbook 2.1C.

5. For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

Ch 65C-22.001(2)

6. (a) In order to be classified as an urban children's center, the applicant, prior to submitting an application for licensure must:
   1. Obtain written documentation from the local governing body that confirms the geographical area has been declared urban.
   2. Consult with the licensing authority to verify that the required outdoor play space, does not exist or cannot be made available. Urban designation will not be granted if the licensing authority determines space for an outdoor play area is available. Outdoor play space is "available" if appropriate space:
      A. Is adjacent to the children's center, or
      B. Can be reached by a route that is free of hazards and is within 1/8 mile of the children's center.

   (b) No application for an urban children's center designation will be approved by the licensing authority without the above criteria being met.

Ch65C-22.001(1)(c)

7. Child care facilities that have a well system must maintain current written records indicating the well system meets the requirements of the Department of Health on an annual basis.

CC Facility Handbook 2.1 D.

8. The provider is responsible for confirming with the county/city zoning authority that the property can be used for the operation of child care prior to operation. The "land use" must be applied correctly to avoid noncompliance with county/zoning and potential fines or closures.

B. Fees

Ch 61 S.10.(3)
3/6/02

1. The License Board is authorized to charge an application fee not in excess of twenty-five dollars ($25.00) for each children's center for which a license is sought. All children's center application fees are set at $25.00.

Ch 402.315(3)
11/7/07

2. In addition to the application fee, each children's center will be charged a license fee of $50.00 plus $1.00 per child based upon the licensed capacity of the children's center.

Ch 402.3025(3)

3. The License Board shall establish a fee for inspection activities performed for **nonpublic schools** in an amount sufficient to cover costs. However, the amount of such fee for the inspection of a school shall not exceed the fee imposed for child care licensure.

11/7/07

4. Prior to issuance of a temporary permit or license, the applicant or owner of a children's center must pay all unpaid fees and/or fines owed the License Board including but not limited to application and license fees, training and training materials fees, and copying fees.

9/11/09

5. Pursuant to Florida law, restitution for dishonored checks shall be made within 7 days of receiving notice from the Pinellas County Health Department. Restitution for the dishonored check and any fees shall be made by money order, cashier's check or cash. Unless paid in full within the time specified, the license shall be deemed null and void and returned to the Child Care Licensing Program office.

   The holder of such check may turn over the dishonored check and all other available information relating to the license to the States Attorney for criminal prosecution. Additionally, there may be criminal action for triple the amount of the check, but in no case less than $50, together with the amount of the check, a

service charge, court costs, reasonable attorney fees, and incurred bank fees, as provided in F.S. 68.065.

C. License

Ch 61 S.11.(1)
3/9/05

1. Upon receipt of an application for a license hereunder and the payment of the application fee, the License Board within sixty (60) days there from shall cause a thorough investigation to be made of the premises to be licensed, and shall issue a license or temporary permit if satisfied that the minimum standards specified in this act are met and that the applicant is otherwise qualified; if not, it shall reject the application. Said license shall set out on the face thereof the maximum number of children to be allowed in attendance at any given time.

Ch 65C-22.001(3)(a)

2. The children's center license is issued in the name of the owner. The owner may be an individual, partnership, association, or corporation. The license is non-transferable between owners and locations.

SA Facility Handbook 2.1E

A school-age child care license is issued in the name of the owner and for the single physical location identified on the application. The license is non-transferable between owners and locations.

SA Facility Handbook 2.1.F
CC Facility Handbook 2.1 E
65C-22.001(3)(b)

3. The child care facility must not be used for any business or purpose unrelated to providing child care that can interfere with compliance with child care standards or permit the unsupervised presence of individuals who do not meet screening and training requirements (with the exception of parents or legal guardians of children in care) when children are present. A child care facility that utilizes any area that is subject to use by persons outside the program must have exclusive control of such area when used by the program and provide effective measures to exclude individuals who do not meet screening and training requirements from that area.

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5/3/95

D. Temporary permit

1. A temporary permit will be issued by staff to a children's center or family day care home license applicant when requirements appear to be met. The license application shall be presented to the Board and the Board shall make such orders as it deems appropriate. This provision authorizes a temporary permit to be signed by the chairman or two (2) Board members. The temporary permit may continue until it is presented to the Board. The Board shall make such orders as it deems appropriate.

Ch 61 S.11.(2)

2. The chairman of the Board, or in his absence two (2) members of the Board, may grant a temporary permit if it appears that the applicant has fulfilled all requirements for the granting of a license. Said temporary permit shall continue until the next Board meeting, at which time the Board shall make such orders as it deems appropriate.

E. Annual renewal of license

Ch 61 S.12.

1. Any owner or operator of a children's center licensed under Licensing Regulations shall make application for renewal of his/her license on forms to be furnished by the License Board.

5/14/09

a. Approximately 90 days prior to the expiration of a license, the licensing program shall provide renewal application and forms to the owner or operator addressing all licensing renewal requirements including background screening.

Ch 65C-22.001(1)(d)

b. At least forty-five (45) days prior to the expiration date of the current license, the provider must submit to the licensing program a completed renewal

application including all required forms and background screening information to ensure that a lapse of licensure does not occur. Failure to submit a complete renewal application at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.10(2)(c)F.A.C.

CC Facility Handbook 2.1 A.

SA Facility Handbook 2.1C

2. All fines imposed through the administrative process or an administrative hearing against an applicant must be paid before a license can be issued. If, at the time of a renewal application, there is a pending administrative hearing resulting only from a proposed fine, it shall not affect the renewal of the license. If, at the time of a license renewal application, there is pending revocation proceeding a satisfactory inspection is required and the issuance of a license is dependent upon the final order.

CC Facility Handbook 2.1 B.

3. In such case, the provider will not be issued a renewal license until the final order is entered and any fine imposed has been paid. If the provider has filed a timely and complete application for the renewal of a license, the provider will be able to continue to operate as long as provisions are in place to ensure the continued health and safety of the children during the application determination and any subsequent administrative hearing. This provision does not limit the PCLB's authority to issue an emergency suspension order.

SA Facility Handbook 2.1D

The provider will not be issued a new license until the final order is entered. During the application determination, the provider will be able to continue to operate as long as provisions are in place to ensure the continued health and safety of the children in care. This option may be reversed if the provider continues to violate standards and there is a court-ordered injunction to cease operation until the final order is issued.

Ch 402.308(4)(b)

4. Prior to the renewal of a license, the License Board shall reexamine the children's center, including in that process the examination of the premises and records of the children's center as required in Licensing Regulations to determine that minimum standards for licensing continue to be met.

Ch 402.308(4)(c)

5. The License Board shall coordinate all inspections of children's centers. A children's center is not required to implement a recommendation of one agency that is in conflict with a recommendation of another agency if such conflict arises due to uncoordinated inspections. Any conflict in recommendations shall be resolved by the county commission or its representative within fifteen (15) days after written notice that such conflict exists.

Ch 402.308(4)(d)

6. The License Board shall issue a license or renew a license upon being satisfied that all standards required by Licensing Regulations have been met. A license may be issued or renewed if all the screening materials have been timely submitted; however, the License Board shall not issue or renew a license if any of the child care personnel at the applicant children's center have failed the screening required by Licensing Regulations I.A.

F. License Change

1. Application for License Change

3/6/96
8/3/05

a. For the following, a children's center application for a change of license is to be filed with appropriate fees:

(1) Addition of owner

(2) Addition/change of category(ies)

(a) of/to day nursery
(b) of/to nursery school
(c) of/to kindergarten
(d) of/to day nursery and nursery school, or
(e) of/to nursery school and kindergarten

(f) to day nursery and kindergarten
(g) to school age center
(h) to school age center and day nursery

(3) Increase of capacity

(4) Change of age limits

3/6/96 & 9/11/09

b. The application for change of license is to be filed and approved before the change occurs. A revised license is issued if all requirements have been met.

2. **Request for License Change**

11/3/99
8/3/05

a. Children's centers making the following changes affecting the face of their license must submit a Children's Center Request for License Change:

These changes include:

(1) Ownership

(a) Owner's name change due to marital status
(b) Deletion of a partner's name
(c) An individual becoming incorporated or vice versa
(d) An agency or religious institution changing name

(2) Name of children's center

(3) Address

Address change by Postal Service or municipality

(4) Category

(a) Deletion of a category(ies)
(b) Increase of category, which does not necessitate additional staff, equipment or space

(5) Age

(a) Decrease of age range
(b) Increase of age range which does not necessitate addition of infant care, additional staff, equipment, or space

(6) Capacity

(a) Decrease in capacity
(b) Increase in capacity of five (5) or less children (excluding the addition of infant care), which does not necessitate additional staff, space, bathrooms, or equipment

11/3/99

b. Following review of the request if approved, a new license reflecting the change and showing the same expiration date as the current license will be issued.

G. Term; Assignment

Ch 61 S.11.(3)
8/3/05

1. A license or permit and renewals thereof shall be valid only in the hands of the applicant to whom it is issued, and shall not be subject to sale, assignment, or transfer, voluntary, or involuntary, nor shall a license be valid for any premises other than those for which license or permit was originally issued. The license shall be valid for a period of one (1) year from the date of issuance. If the owner/operator voluntarily closes the children's center, the license will be considered null and void.

2. **Change of Ownership**

Ch 402.308(2)

a. Every children's center shall reapply for and receive a license prior to the time a new owner assumes responsibility for the children's center. The

License Board shall grant or deny the re-application for license within forty-five (45) days from the date upon which the children's center reapplies.

Ch 65C-22.001(4)(a)

b. At least one (1) week prior to changing ownership of a children's center, in compliance with section 402.305(18), F.S., one (1) of the following methods of notification to custodial parents or legal guardians must be observed:

(1) Posting a notice in a conspicuous location at the children's center;
(2) Incorporating information into any existing newsletter; or
(3) Individual letters, or flyers.

Ch 65C-22.001(4)(b)

c. A Change of Ownership agreement must be submitted by the prospective owner to the licensing authority prior to the final sale of the business. The Child Care Licensing Program will have 45 days from receiving a completed application to issue a temporary permit to the prospective owner.

Ch65C-22.001(4)(c)

d. A change of ownership cannot be to a new corporation with some or all of the same corporate members.

Ch 402.3125(1)(a)

H. Upon receipt of a license issued under Licensing Regulations X.C.D.E.F. the children's center shall display such license in a conspicuous place within the children's center**.**

1. The total number of children in care on site and while on field trips must never exceed the licensed capacity as reflected on the annual license.

Ch 402.3125(3)
Ch 61 S.11.(1)

The license must bear the distinctive seals of Pinellas County and of the Department of Children and Family Services in accordance with Section 402.3125, F.S. The children's center must not exceed the licensed capacity designated on the license at any given time.

XI. ADVERTISING (children's centers)

Ch 61 S.18.
8/1/07

A. A children's center licensed by the License Board may publish advertisements only of the service for which it is specifically licensed under this act. No person, firm, partnership, organization, corporation, association, society, or other group, unless licensed as a children's center or legally exempt from licensure, shall publish any advertisement soliciting child care. The holder of a temporary permit may advertise advertisement shall state that the advertiser is the holder of a temporary permit.

Ch 402.318
Ch65C-22.001(3)(c)

B. A person, as defined in s. 1.01(3), may not advertise a children's center without including within such advertisement the License Board license number of such children's center. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

5/19/86

C. "Advertising" includes but is not limited to advertisements in the yellow pages of telephone directories; community bulletin boards; fliers; pamphlets; classified ads; signs; radio and television announcements; other advertising circulation's or other means of publication designed to draw attention to child care services. This list is not intended to be exclusive.

5/19/86

D. A prospective children's center may publish advertisements soliciting future child care, to be provided upon obtaining a temporary permit or license. However, any such advertising must clearly specify that the children's center is prospective and does not have the requisite temporary permit or license. It will be sufficient if the advertisement specifies that the center has applied for a temporary permit or license and that receipt of the same is pending.

5/19/86

E. The following does not constitute "advertising:"

1. Advertisements in the classified ads for employment purposes.
2. Sign with the name of the children's center but without category which announces that child care staff are being hired and gives telephone number.

3. Preliminary community survey to determine whether or not a child care service is needed.

CC Facility Handbook 8

XII. ACCESS

CC Facility Handbook 8.1
SA Facility Handbook 8.1A

A. A children's center/school age child care program must provide the custodial parent or legal guardian access, in person and by telephone, to the children's center during the children's center's normal hours of operation or during the time the child is in care.

CC Facility Handbook 8.1
SA Facility Handbook 8.1B

B. The children's center/school age child care program must not interfere with or prevent the licensing authority from copying records, photographing or recording a location or activity on the premises as documentation for the inspection.

XIII. SUPPORTIVE SERVICES

Ch 402.314

The License Board shall provide consultation services, technical assistance, and in-service training, when requested and as available, to operators, licensees, and applicants to help improve programs, and children's centers for child care, and shall work cooperatively with other organizations and agencies concerned with child care.

XIV. CHILD CARE AND EARLY CHILDHOOD RESOURCE AND REFERRAL

Ch 411.0101

A children's center licensed under *Licensing Regulations Governing Pinellas County Children's Centers* must provide the statewide child care and resource and referral agencies with the following information annually:

Ch 411.0101(3)(a)(1) A. Type of program.
Ch 411.0101(3)(a)(2) B. Hours of service.
Ch 411.0101(3)(a)(3) C. Ages of children served.
Ch411.0101(3)(a)(6) D. Fees and eligibility for services.
Ch411.0101(3)(a)(4) E. Number of children served.
Ch411.0101(3)(a)(5) F. Significant program information.
Ch411.010(3)(a)(7) G. Availability of Transportation.

XV. ENFORCEMENT

Ch 65C-22.010(1)

(1) Definitions

Ch 65C-22.010(1)(a)

(a) Day: means a weekday, excluding weekends and holidays.

Ch 65C-22.010(1)(b)

(b) Probation: is a licensing status indicating the license is in jeopardy of being revoked or not renewed due to violations of licensing standards. Probation may require the licensee to comply with specific conditions intended to ensure that the licensee comes into and maintains compliance with licensing standards. Examples of such conditions are: a deadline to remedy an existing violation, a specified period during which compliance with licensing standards must be strictly maintained; and specified conditions under which the children's center must operate during the probationary period.

Ch 65C-22.010(1)(c)

(c) Standards: are requirements for the operation of a licensed children's center provided in statute or in rule.

Ch65C-22.010(1)(d)

(d) Technical Assistance: means a Child Care Licensing Program offer of a assistance to a licensee to correct the statutory or regulatory violations.

Ch 65C-22.010(1)(e)

Violation: means noncompliance with a licensing standard as described in an inspection report resulting from an inspection under Section 402.311, F.S., as following with regard to Class I, Class II, and Class II Violations.

Ch 65C-22.010(e)1.
9/1/2009

1. Class I Violation is an incident of noncompliance with a Class I standard as described on on CF-FSP Form 5316,May, 2019, Child Care Facility Standard Classification and CF-FSP, Form 5427, May 2019, School-Age Child Care Facility Standards Classification Summary which are incorporated by reference. A copy of the Standard Classification Summary may be obtained from the Pinellas County License Board website, www.pclb.org. However, any

violation of a Class II standard that results in death, serious harm, or imminent threat of serious harm to a child shall escalate to a Class I violation. The effective date of a termination of a provider's Gold Seal Quality Care designation is the date of the the Department of Children and Families' written notification to the provider. Class 1 violations are the most serious in nature.

Ch 65C-22.010(e)2. 2. Class II Violation is an incident of noncompliance with an individual Class II standard as described on CF-FSP Form 5316. Class II violations are less serious in nature than Class I violations.

Ch 65C-22.010(e)3. 3. Class II violation is an incident of noncompliance with an individual Class III standard as described on CF-FSP Form 5316. Class II violations are less serious in nature than either Class 1 or Class II violations.

(2) Disciplinary Sanctions

Ch 65C-22.010(2)(a) (a) Enforcement of disciplinary sanctions for all Class I violations and for repeated Class II and Class III violations shall be applied progressively for each standard violation. In addition, Providers will be offered technical assistance in conjunction with all violations. The classification of standard violations within the Child Care Facility Standard Classification Summary and the progressive disciplinary actions prescribed for each class By the rule are based on the provisions of Section 402.310(1)(b),F.S.

Ch65C-22.010(2)(b) (b) A grace period is provided, wherein a violation of a standard that has occurred more than two years prior to a subsequent violation of the same standard will not be counted for purposes of progressive discipline. However, for the purposes of continued licensure, the program's violation history will be considered. A violation that has been withdrawn by the Pinellas County License Board or has been dismissed as a result of an administrative Proceeding held pursuant to Chapter 120, F.S. contesting an administrative complaint will not be counted for purposes of progressive discipline. A violation that is only reflected in an inspection report does not relieve the Pinellas County License Board of its burden to prove that violation for purposes of progressive discipline upon the alleged occurrence of a subsequent violation.

Ch65C-22.010(2)(c) (c) Failure to submit the Application to Renew a Children's Center License at least 45 days prior to the expiration date of the current license constitutes a licensing violation. The Child Care Licensing Program shall impose an administrative fine of $50.00 for the first occurrence, $100.00 for the second occurrence, and $200.00 for each subsequent occurrence within a five year period.

Ch65C-22.010(2)(d) (d) Disciplinary sanctions for licensing violations shall be progressively enforced as follows:

Ch65C-22.010(2)(d)(1) **1. Class I Violations**.

Ch65C.22.010(d)(1)(a) a. For the first and second violations of a Class I standard, the Child Care Licensing Program shall, upon applying the factors in Section 402.301(1), F.S. impose a fine of not less that $100.00 nor more than $500.00 per day for each violation, and may impose other disciplinary sanctions in addition to the fine.

Ch 65C-22.010(2)(d)(1)(b) 9/11/09 b. For the third and subsequent Class I violations, the Child Care Licensing Program shall suspend, deny or revoke the license for state mandated Class 1 Violations as identified by "1s" in the Standards Classification Summary. The Child Care Licensing Program may also impose a fine not less than $100 nor more than $500 **per day** for each violation in addition to any other disciplinary sanction.

2. Class II Violations

Ch 65C-22.010(2)(d)(2.)(a) a. For the second violation of the same Class II standard, the Child Care Licensing Program shall impose an administrative fine of $50.00 for each such violation.

Ch 65C-22.010(2)(d)(2.)(b) 9/11/09 b. For the third violation of the same Class II standard, the Child Care Licensing Program shall impose an administrative fine of $60.00 for each such violation.

Ch 65C-22.010(2)(d)(2)(c) 9/11/09 c. For the fourth violation of the same Class II standard, the Child Care Licensing Program shall place the provider's license on probation status for a period not to exceed six (6) months, and shall impose a fine of $75 per day for each such violation.

Ch 65C-22.010(2)(d(2)(d) 9/11/09 d. For the fifth and subsequent violation of the same Class II standard, the Child Care Licensing Program suspend, deny, or revoke the license, and shall also impose an administrative fine of $100.00 per day for each such violation.

3. Class III Violations

Ch 65C-22.010(2)(d)(3.)(a) a. For the third violation of the same Class III standard, the Child Care Licensing Program shall impose an administrative fine of $25.00 for each such violation.

Ch 65C-22.010(2)(d)(3.)(b) b. For the fourth violation of the same Class III standard, the Child Care Licensing Program shall impose an administrative fine of $30.00 per day for each such violation.

Ch 65C-22.010(2)(d)(3.)(c) 9/11/09 c. For the fifth violation of the same Class III standard, the Child Care Licensing Program shall place the provider's license on probation status a period not to exceed six months. and shall also impose an administrative fine of $40.00 per day for each such violation. However, for the fifth violation of a Children's Health and Immunization standard, the Child Care Licensing Program will not place the provider's license on probation status.

Ch 65C-22.010(2)(d)3((d) 9/11/09 d. For the sixth and subsequent violation of a Class III standard, the Child Care Licensing Program shall suspend, deny or revoke the license, and the Child Care Licensing Program shall also impose an administrative find of $50.00 per day for each such violation. However, for the sixth and subsequent violation of the same Class III Children's Health and Immunization standard, the Child Care Licensing Program will place the provider's license on probation status for a period not to exceed six months in lieu of suspending, denying or revoking the license.

Ch65C-22.010(3) (3) When the Child Care Licensing Program has reasonable cause to believe that grounds exist for denial, suspension, or revocation of a license, the conversion of a license to probation status, or the imposition of an administrative fine, it shall determine the matter in accordance with procedures prescribed in Chapter 120, F.S. Imposition of an administrative fine shall be accomplished through an administrative complaint. Denial of a license, or conversion to probationary status pursuant to Section 402.310, F.S. may be accomplished through an administrative complaint or a notice of intent to deny a pending renewal application.

Ch 402.311

A. Inspection

1. A licensed children's center shall accord to the Child Care Licensing Program the privilege of inspection, including access to children's centers and personnel and to those records required in Licensing Regulations, at reasonable times during regular business hours, to ensure compliance with the provisions of Licensing Regulations.

   The right of entry and inspection shall also extend to any premises which the Child Care Licensing Program has reason to believe are being operated or maintained as a children's center without a license, but no such entry or inspection of any premises shall be made without the permission of the person in charge thereof unless a warrant is first obtained from the circuit court authorizing same.

   Any application for a license or renewal made pursuant to this act or the advertisement to the public for the provision of child care as defined in DEFINITIONS shall constitute permission for any entry or inspection of the premises for which the license is sought in order to facilitate verification of the information submitted on or in connection with the application.

In the event a licensed children's center refuses permission for entry or inspection to the Child Care Licensing Program, a warrant shall be obtained from the circuit court authorizing same, prior to such entry or inspection. The Child Care Licensing Program may institute disciplinary proceedings pursuant to disciplinary actions in Licensing Regulations XV.H. for such refusal.

Ch 61 S.17.

2. Inspection shall be at least once annually.

9/3/97

B. Corrective Action

1. When the Child Care Licensing Program determines that a children's center is not in compliance with the Licensing Regulations, the Child Care Licensing Program shall make a reasonable attempt to discuss each violation with the owner or operator of the children's center and the time which the Child Care Licensing Program will establish for the owner or operator to complete corrective action for any violation.

2. The violations cited shall be in writing and shall include the following information:

   a. A reference to the regulation upon which the violation is premised;

   b. A factual description of the nature of the violation, fully stating the manner in which the owner or operator failed to comply with a specified regulation;

   c. A specific statement as to how the violation should be corrected, if deemed necessary or appropriate;

   d. A date by which each violation shall be corrected unless the violation is of an imminent threat to the health and safety of the children, in which case the violation shall be corrected within twenty-four (24) hours.

   1. The Child Care Licensing Program may document any action by the owner or operator taken to correct any violation cited.

C. Appeal Process

Ch 402.310(2)

a. When the License Board has reasonable cause to believe that grounds exist for the denial, suspension, or revocation of a license, the conversion of a license to probationary status or imposition of an administrative fine, the License Board shall determine the matter in accordance with the prescribed procedures in FS. 120 notify the applicant or licensee in writing, stating the grounds upon which the license is being denied, suspended, or revoked or converted to probationary status or an administrative fine is being imposed. If the applicant or licensee makes no written request for a hearing to the License Board within 15 days from receipt of such notice, the license shall be deemed denied, suspended, or revoked or the license shall be converted to probationary status or an administrative fine shall be imposed.

Ch 402.310(3)

b. If a request for a hearing is made to the Child Care Licensing Program, a hearing **shall be held within 30 days** and shall be conducted by an individual designated by the county commission.

Ch 402.310(4)

c. An applicant or licensee shall have the right to appeal a decision of the License Board to a representative of the Department of Children and Family Services. Any required hearing shall be held in the county in which the children's center is being operated or is to be established. The hearing shall be conducted in accordance with the provisions of chapter 120.

Ch 402.309

D. Provisional License

Ch 402.309(1)

1. The License Board may issue a provisional license to applicants for a license or to licensees who are unable to conform to all the standards provided for in

Licensing Regulations.

Ch 402.309(2)

2. No provisional license may be issued unless the operator or owner makes adequate provisions for the health and safety of the child(ren). A provisional license may be issued if all of the screening materials have been timely submitted; however, a provisional license may not be issued unless the children's center is in compliance with the requirements for screening of child care personnel in the Licensing Regulations I.A.

   A provisional license is not a disciplinary sanction.

Ch 402.309(3)

3. The provisional license shall in no event be issued for a period in excess of six (6) months; however, it may be renewed one time for a period not in excess of six (6) months under unusual circumstances beyond the control of the applicant.

Ch 402.309(4)

4. The provisional license may be suspended or revoked if periodic inspection made by the License Board indicates that insufficient progress has been made toward compliance.

7/7/99
11/7/07

5. The provisional license issued either by the Board or staff as a result of an action of the Enforcement Plan will be called a probationary-provisional license. All requirements of Licensing Regulations XV.D. Provisional License will remain the same. No application for change shall be accepted during the probationary-provisional license period.

Ch 61 S13

E. License, Grounds for Denial

An application for license may be denied for any of the following reasons:

Ch 61 S.13(1)

1. Failure to meet any of the minimum standards,

Ch 61 S.13(2)

2. Conviction of an applicant of a crime of moral turpitude as shown by a certified copy of the record of the court of conviction, or by a copy of the applicant's fingerprint record from the Federal Bureau of Investigation showing conviction of said crime, or,

Ch 61 S.13(3)

3. If the applicant is a member of a firm or an officer or director of a corporation or the person designated to manage or supervise the center, there must be satisfactory evidence that the moral character of the applicant, or the manager, or supervisor of the center is not good.

Ch 61 S.14

F. Revocation of Licenses; Grounds

The License Board may revoke or suspend a license for any of the following reasons:

Ch 61 S.14(1)

1. Cruelty or indifference to the welfare of children

Ch 61 S.14(2)

2. Violation of any provision of this act

Ch 61 S.14(3)

3. Any ground upon which a license may be denied as prescribed in Licensing Regulations XV.E.

9/3/97

G. Suspension

Suspensions shall be for a fixed amount of time not to exceed ninety (90) days and will be based on the nature and severity of the violation and the immediate threat to the health, safety, and well-being of the children and the public.

Ch 402.312

H. License Required; Injunctive Relief

Ch 402.312(1)

1. The operation of a children's center without a license is prohibited. If the License Board discovers that a children's center is being operated without a license, the License Board is authorized to seek an injunction in the circuit court where the children's center is located to enjoin continued operation of such children's

center. When the court is closed for the transaction of judicial business, the License Board is authorized to seek an emergency injunction to enjoin continued operation of such unlicensed children's center, which injunction shall be continued, modified, or revoked on the next day of judicial business.

Ch 402.312(2) 2. Other grounds for seeking an injunction to close a children's center are that:

Ch 402.312(2)(a) a. There is any violation of the standards applied under Licensing Regulations which threatens harm to any child in the children's center.

Ch 402.312(2)(b) b. A licensee has repeatedly violated the standards provided for under Licensing Regulations.

Ch 402.312(2)(c) c. A children's center continues to have children in attendance after the closing date established by the License Board.

Ch 402.312(3) 3. An administrative fine may be imposed on any children's center operating without a license consistent with the provisions of Licensing Regulations.

Ch 61 S.21 **I. Penalty**

1. Every person who violates any of the provisions of this law governing the operation of children's centers in Pinellas County, or who operates without obtaining a license to do so, or who operates after revocation or License Board's refusal to renew license, or who intentionally or willfully makes any false statements or reports to the License Board in connection with said children's centers, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished as provided by law. Each day of operation in violation of the provisions of this section shall constitute a separate offense.

Ch 402.319 2. Other Penalties

Ch 402.319(1) a. In addition to all disciplinary sanctions enforced by the License Board as provided for herein, it is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for any person knowingly to:

Ch 402.319(1)(a) (1) Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any application for voluntary or paid employment or licensure regulated under ss. 402.301 - 402.318, all information required under those sections or a material fact used in making a determination as to such person's qualifications to be child care personnel, as defined in s. 402.302, in a child care facility, family day care home, or other child care program.

Ch 402.319(1)(b) (2) Operate or attempt to operate a child care facility without having procured a license as required by this act.

Ch 402.319(1)(d) (3) Operate or attempt to operate a child care facility or family day care home under a license that is suspended, revoked, or terminated.

Ch 402.319(1)(e) (4) Misrepresent by act or omission, a child care facility or family day care home to be duly licensed pursuant to this act without being so licensed.

Ch 402.319(1)(f) (5) Make any other misrepresentation, by act or omission, regarding the licensure or operation of a child care facility or family day care home to a parent or guardian who has a child placed in the facility or is inquiring as to placing a child in the facility, or to a representative of the licensing authority, or to a representative of a law enforcement agency, including, but not limited to, any misrepresentation as to:

Ch 402.319(1)(f)1. (a) The number of children at the child care facility or the family day

care home;

Ch 402.319(1)(f)2. (b) The part of the child care facility or family day care home designated for child care;

Ch 402.319(1)(f)3. (c) The qualifications or credentials of child care personnel;

Ch 402.319(1)(f)4. (d) Whether a family day care home or child care facility complies with the screening requirements of s. 402.305, or

Ch 402.319(1)(f)5. (e) Whether child care personnel have the training as required by s. 402.305.

Ch 402.319(2) b. If any child care personnel makes any misrepresentation in violation of this section to a parent or guardian who has placed a child in the child care facility or family day care home, and the parent or guardian relied upon the misrepresentation, and the child suffers great bodily harm, permanent disfigurement, permanent disability, or death as a result of an intentional act or negligence by the child care personnel, then the child care personnel commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775. 084.

Ch 61 S.20. **J. Violations**

The state attorney or his successor shall prosecute to final determination all violations of Licensing Regulations. In addition to other remedies the License Board may institute any appropriate action or proceeding to prevent, restrain, enjoin, abate, or otherwise discontinue violations of Licensing Regulations. In civil matters, the License Board shall be represented by the attorney for the County Commissioners with the consent of the Board of County Commissioners. If consent is withheld, the License Board may hire counsel.

Ch 61 S.16. **K. Procedure for Reinstatement of Revoked or Suspended License**

1. When a license has been revoked or suspended in accordance with the provisions of Licensing Regulations the licensee, provided he has not previously had a license revoked or suspended under Licensing Regulations, may within three (3) years after the order has become final, request a hearing for the purpose of showing that the reasons for the revocation or suspension of license have been corrected and that the license should be reinstated. No licensee who has previously had a license suspended or revoked under Licensing Regulations, shall request a hearing to reinstate the license prior to one (1) year after the order becomes final. Any licensee whose license has been revoked or suspended must show the grounds upon which he or it relies in attempting to re-qualify. Any licensee whose license has been revoked or suspended three (3) times under the provisions of Licensing Regulations shall not be permitted to re-apply for a license.

2. The request for hearing shall be in writing, and shall be delivered to the License Board office in person or by due course of mail.

3. Any hearing conducted under this section shall not operate to stay or supersede any order revoking or suspending a license.

4. Hearings conducted under this section shall be conducted in the same manner as prescribed in Chapter 120, F.S., Administrative Procedure Act.

XVI. ENFORCEMENT OF NONPUBLIC SCHOOLS

Ch 402.3025(2)(d)1. A. Programs for children who are at least three (3) years of age, but under five (5) years of age, which are not licensed under Licensing Regulations shall substantially comply with the minimum Licensing Regulations.

Ch 402.3025(2)(d)2. B. The License Board shall enforce compliance with such standards, where possible, to eliminate or minimize duplicative inspections or visits by staff enforcing the minimum

Licensing Regulations.

Ch 402.3025(2)(d)3. C. The License Board may commence and maintain all proper and necessary actions and proceedings for any or all of the following purposes:

Ch 402.3025(2)(d)3.a. 1. To protect the health, sanitation, safety, and well-being of all children under care.

Ch 402.3025(2)(d)3.b. 2. To enforce its rules and regulations.

Ch 402.3025(2)(d)3.c. 3. To use corrective action plans, whenever possible, to attain compliance prior to the use of more restrictive enforcement measures.

Ch 402.3025(2)(d)3.d. 4. To make application for injunction to the proper circuit court, and the judge of that court shall have jurisdiction upon hearing and for cause shown to grant a temporary or permanent injunction, or both, restraining any person from violating or continuing to violate any of the provisions of Licensing Regulations. Any violation of this section or of the standards applied under Licensing Regulations which threatens harm to any child in the school's programs for children who are at least three (3) years of age, but are under five (5) years of age, or repeated violations of this section or the standards under Licensing Regulations, shall be grounds to seek an injunction to close a program in a school.

Ch 402.3025(2)(d)3.e. 5. To impose an administrative fine, not to exceed $100.00, for each violation of the Licensing Regulations.

Ch 402.3025(2)(d)4. D. It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for any person willfully, knowingly, or intentionally to:

Ch 402.3025(2)(d)4.a. 1. Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any required written documentation for exclusion from licensure pursuant to this section a material fact used in making a determination as to such exclusion; or

Ch 402.3025(2)(d)4.b. 2. Use information from the criminal records or central abuse registry obtained under Licensing Regulations I.A. for any purpose other than screening that person for employment as specified in those sections or release such information to any other person for any purpose other than screening for employment as specified in those sections.

Ch 402.3025(2)(d)5. E. It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any person willfully, knowingly, or intentionally to use information from the juvenile records of any person obtained under Licensing Regulations I.A. for any purpose other than screening for employment as specified in those sections or to release information from such records to any other person for any purpose other than screening for employment as specified in those sections.

Ch 402.3025(5)(e) F. The License Board and the nonpublic school accrediting agencies are encouraged to develop agreements to facilitate the enforcement of the Licensing Regulations as they relate to the schools which the agencies accredit.

The following section, "Gold Seal Quality Care Program" (65C-22.009 F.A.C.) is included for the provider's convenience. The License Board does not award Gold Seal accreditation. Contact the Department of Children and Family Services for further information.

65C-22.009 **Gold Seal Quality Care Program**

(1) Definitions

(a) "Class I Violation" has the same meaning provided for the same term in subparagraph 65C022.010(2)(d)1.,F.A.C

(b) "Class II Violation" has the same meaning as provided for the same term in subparagraph 65C-22.010(2)(d)2.,F.A.C.

(c) "Class III Violation" has the same meaning as provided for the same term in subparagraph 65C-22.010(2)(d)3.,F.A.C

(d) Gold Seal Quality Care Provider means a child care center, regulated by the department or local licensing authority, that meets the accreditation compliance requirements in Section 402.281(1), F.S.

(e) "Gold Seal Quality Care Accrediting Association" means an accrediting association that has applied to and been approved by DCF as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 402.281(3)F.A.C.

(f) "Regulated by the Department" means a children's center that has been licensed by the Pinellas County License Board or a facility that is exempt from licensure pursuant to Section 402.3025 or 402.316, F.S., that has agreed to periodic inspection by the Child Care Licensing Program as part of the application process.

(2) Gold Seal Quality Care Provider Requirements

(a) A child care center regulated by the Pinellas County License Board seeking designation as a Gold Seal Quality Care provider shall apply to DCF on form CF-FSP Form 5386, Gold Seal Quality Care Provider Application, May 2019, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This for may be obtained from DCF's website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref-05542.
Once reviewed and approved by DCF, the designation will be issued in the legal name of the provider. The designation will be effective the date approved by DCF through the duration of the provider's accreditation certification, up to a maximum of five years, unless terminated by DCF or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) A child care center operating on a military installation must submit to the Child Care Licensing Program copies of any inspection reports conducted by the Department of Defense within 15 business days from the date of the inspection. The Child Care Licensing Program will review the inspection to determine compliance with criteria for the issuance of and to maintain an active Gold Seal Quality Care Provider Designation.

(c) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Accrediting Association. The name and address of the accrediting association certificate required by form CF-FSP Form 5386, must be the same as on the provider's license. A list of approved accrediting associations may be obtained from the DCF website, www.myflfamilies.com/childcare.
2. Meet the criteria of Section 402.281(4), F.S.

(d) To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. DCF cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation.

(3) Gold Seal Quality Enforcement

(a) Gold Seal Quality Care providers must maintain accreditation an continuously meet the standards established by their Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider's Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider's accreditation.

(b) A provider's Gold Seal designation will be terminated if DCF of local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination.

(c) DCF will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers 180 days from the date of notification to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. DCF will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180 day period.

(4) Gold Seal Quality Care Accrediting Association Requirements

(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care centers in Florida for a period of five years prior to submission of an application to DCF.

2. Hold an active corporation registration with the Florida Department of State to do business in Florida.

3. Submit and meet all requirements outlined on the CF-FSP Form 5315, Gold Seal Quality Care Accrediting Association Application, May, 2019, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the DCF website at www. myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref-10508.

4. Submit a crosswalk of the Accrediting Association's standards with DCF's Gold Seal Quality Standards.

(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of denial.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF-FSP 5389, Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities, April 2015. This form is incorporated by reference and a copy may be obtained from DCF's website www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref-05514. DCF will evaluate applications in the manner describe in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from DCF's website at www.myflfamilies.com/childcare or from the following link: http//www.flrules.org/Gateway/reference.asp?No=Ref-05545.

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5387, Gold Seal Quality Care Standards for Child Care Programs, April 2015. This form includes the United States Department of Agriculture's Food Program (USDA's CACFP) guidelines, N-050-06 Child Care Food Program Meal Pattern for Children, August 2013 and Adult Care Food Program Meal Pattern, November 20, 2012. This form and the USDA's CACFP guidelines are incorporated by reference and may be obtained from DCF's website at www.myflfamiles.com/childcare or from the links: https://www.flrules.org/Gateway/reference.asp?No=Ref-00513, Http://www.flrules.org?Gateway/reference.asp?No=Ref-05543, and

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by DCF or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(g) The following acts or omissions are grounds for revocation of an accrediting association's approval.

1. Failure to notify DCF of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by DCF.

2. Any changes resulting in the Association's inability to meet the criteria provided in Section 402.281, F.S.

(h) A Gold Seal Accrediting Association must notify DCF, in writing, within fifteen days of a

revocation or expiration of the accreditation of a child care provider in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide DCF such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a two year period.

(i) Gold Seal Quality Care Associations must apply to renew approval by submitting CF-FSP Form 5315 a minimum of six months prior to end of the five year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed DCF's Gold Seal standards in order to have its approval renewed.

(j) An accrediting association approved under this rule may notify DCF and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) DCF will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An Accrediting Association approved by DCF as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups and membership groups or subgroups, to issued accreditations to Florida child care providers for the purposes of Gold Seal designation.

The Pinellas County License Board for
Children's Centers and Family Day Care Homes
and its services are funded by the Juvenile Welfare Board,
the Department of Children and Families,
and the Florida Department of Health in Pinellas County