

# EMERGENCY REGULATIONS FOR PINELLAS COUNTY FAMILY DAY CARE HOMES AND LARGE FAMILY CHILD CARE HOMES

Original date: August 2006; revised May 7, 2008, August 6, 2008

All licensing regulations will be in effect during emergencies. Only the following regulations have been decreased. Licensees wishing to operate under these self-executing Emergency Regulations would be subject to conditions 1-3 listed below; 4 is an agency operation policy.

1. Emergency Regulations will become effective upon the declaration of a State of Emergency by the Pinellas County Board of County Commissioners pursuant to Florida Statutes, Chapter 252, and will remain in effect for up to 72 hours after the State of Emergency has been rescinded. The PCLB Executive Director, or designee, is granted the authority to extend the use of Emergency Regulations as the situation dictates. After Emergency Regulations are rescinded, Licensing Regulations governing children's centers and family day care homes would again be in effect.
2. After a fire or natural disaster, the children's center/family day care home or large family day care home provider must notify the Child Care Licensing Program within 24 hours as to their status of operation in order for the Child Care Licensing Program to ensure health standards are met for continued operation as a children's center/family day care home or large family child care home. Damage to the building or property/home may require approval from the Child Care Licensing Program and in addition may require the Health Department and/or other agencies to inspect and approve the premises. (*Wording corrected 9/12/08*)
3. Emergency Regulations represent a variance to Licensing Regulations. A variance is a privilege and not a right; as such, it can be withdrawn at anytime, with or without cause and without the right to appeal. Negative sanctions may also be brought against the licensee's regular license, if appropriate.
4. The PCLB Executive Director is given the authority to approve specific centers or homes to use Emergency Regulations during states of emergency declared by the Board of County Commissioners of Hillsborough, Pasco, or Manatee pursuant to Florida Statutes, Chapter 252, upon a showing that the licensee's request is based upon the need to care for refugee/evacuee children.

LICENSING REGULATIONS GOVERNING PINELLAS COUNTY FAMILY DAY CARE HOMES AND LARGE FAMILY CHILD CARE HOMES	PROPOSED CHANGES	
<b>DEFINITIONS</b>  <b>Family Day Care Home</b> – A family day care home means an occupied place of residence of a family, person, or persons who regularly provide child care and training for children from at least two (2) unrelated households, with or without compensation, for no more than five (5) children at any given time under thirteen (13) years of age who are not related to such person or persons by blood, marriage, or adoption. This includes preschool household members whether present or not and children of any age who are in the operator's care and do not reside in the family day care home. Of those five (5) children, no more than three (3) of the five (5) children may be under two (2) years of age, or no more than three (3) of the five (5) children may be under 18 months of age if the provider has proof of completion of an approved training course. A family day care home shall provide child care for a period less than 24 hours per day per child.	<b>DEFINITIONS</b>  <b>Family Day Care Home</b> <ul style="list-style-type: none"> <li>• Waive licensed capacity to state level under the condition that a second adult is assisting with child care.</li> </ul>	
	<b>NUMBER/AGE RANGE OF CHILDREN</b> Family Day Care Home (state)	<b>NUMBER OF ADULTS</b> (The second adult must have on file an Attestation of Good Moral Character and Local Law Enforcement Screening Results.)
	A maximum of 4 children from birth to 12 months of age	2
	A maximum of 3 children from birth to 12 months of age, and other children, for a maximum total of six children	2
	A maximum of 6 preschool children if all are older than 12 months of age	2
	A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age	2

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<p><b>I. PERSONNEL</b> <b>B. Staff Training</b> 8. A provider, with a swimming pool other than a spa on the premises and the provider's substitute shall satisfactorily complete a Child Care Water Safety course or the current equivalent prior to issuance of a license.</p>	<p><b>I. PERSONNEL</b> <b>B. Staff Training</b> 8. Waive entire standard.</p>		
<p><b>I. PERSONNEL</b> <b>C. Supervision</b> 1. The number of children in a family day care home at any given time is limited to a maximum of five (5) children. This includes preschool household members, whether present or not, and children of any age who are in the operator's care and do not reside in the family day care home. No more than three (3) of the five (5) children may be under two (2) years of age or no more than three (3) of the five (5) children may be under 18 months of age if the provider has proof of completion of the training course "Beyond Cribs and Rattles" or a current equivalent as determined by the License Board.</p>	<p><b>The following corresponds to the capacity component of the Definition.</b></p>		
	<p><b>I. PERSONNEL</b> <b>C. Supervision</b> 1. Waive licensed capacity to state level under the condition that a second adult is assisting with child care.</p>		
	<p><b>NUMBER/AGE RANGE OF CHILDREN</b> Family Day Care Home (state)</p>	<p><b>NUMBER OF ADULTS</b> (The second adult must have on file an Attestation of Good Moral Character and Local Law Enforcement Screening Results.)</p>	
	<p>A maximum of 4 children from birth to 12 months of age</p>	<p style="text-align: center;">2</p>	
	<p>A maximum of 3 children from birth to 12 months of age, and other children, for a maximum total of six children</p>	<p style="text-align: center;">2</p>	
<p>A maximum of 6 preschool children if all are older than 12 months of age</p>	<p style="text-align: center;">2</p>		
<p>A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age</p>	<p style="text-align: center;">2</p>		
<p><b>II. RECORDS</b> <b>A. Facility Records</b> 2. A notarized Emergency Medical Release form must be on file for each child in care. The form is valid for one year from the date of notarization.  3. A health certificate must be kept for each child in care including the provider's own preschool children.</p>	<p><b>II. RECORDS</b> <b>A. Facility Records</b> 2. Waive to delete notarization requirement.  3. Waive entire standard.</p>		

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<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b></p> <p><b>C. Outdoor Play Space</b></p> <ol style="list-style-type: none"> <li>1. All family day care homes must have a minimum of fifty (50) square feet per child of usable outdoor play space located on the property and which is exclusively used for the children attending or residing at the family day care home.</li>   <li>4. Fencing, including gates must be sturdy and secure and continuous and shall not have gaps that would allow children to exit the outdoor play area. The base of the fence must remain at ground level, free from erosion or buildup.</li> </ol>	<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b></p> <p><b>C. Outdoor Play Space</b></p> <ol style="list-style-type: none"> <li>1. Waive to include a minimum of 250 square feet.</li>   <li>4. Waive entire standard.</li> </ol>
<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b></p> <p><b>F. Sleeping and Napping Space</b></p> <ol style="list-style-type: none"> <li>2. When napping, each child in care must be provided safe and sanitary bedding. Bedding means a cot, bed, crib, mattress, or playpen. Air mattresses, foam mattresses, and couches may not be used for napping.</li>   <li>8. A minimum distance of two (2) feet must be maintained between individual napping space.</li> </ol>	<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b></p> <p><b>F. Sleeping and Napping Space</b></p> <ol style="list-style-type: none"> <li>2. Waive to state level to include one (1) inch impermeable mats for resting or napping.</li>   <li>8. Waive to state level of 18 inches around individual napping space.</li> </ol>
<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b></p> <p><b>G. Bathroom Facilities</b></p> <ol style="list-style-type: none"> <li>1. Homes shall have at least one (1) toilet, one (1) bathtub and one (1) lavatory for handwashing purposes, provided no more than a total of eight (8) persons, including family of the operator, are using the bathroom facilities of the home.</li> </ol>	<p><b>PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b></p> <p><b>G. Bathroom Facilities</b></p> <ol style="list-style-type: none"> <li>1. Waive the total number of persons allowed to use bathroom facilities.</li> </ol>