LICENSING REGULATIONS GOVERNING

PINELLAS COUNTY

FAMILY CHILD CARE HOMES

and

LARGE FAMILY CHILD CARE HOMES

Approved by Pinellas County License Board September 11, 2019
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Compiled and printed by:
Pinellas County License Board for Children's Centers and Family Child Care Homes

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LICENSING REGULATIONS
GOVERNING
PINELLAS COUNTY FAMILY CHILD CARE HOMES

These regulations meet or exceed Florida state law including, but not limited to, Chapter 402, Sections 26-319, Florida Statutes and Chapter 65C-20, 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. p.2 AN ACT DEFINING AND REGULATING CHILDREN'S CENTERS AND FAMILY CHILD 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 CHILD 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
Ch 61. **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.

This family Day Care Home/Large Family Child Care Home Handbook is incorporated by reference in rule 65C-20.008, Florida Administrative Code.

Ch 61. S.1.

PURPOSE

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

FD/LG Handbook 1.2

DEFINITIONS

F.S. 402.302(8)(a)-(d)
Ch. 61 S.2(5)(a)
8/1/07, 4/1/09, 10/6/10
5/25/11, 6/27/11,1/19/12

Family Child Care Home: means an occupied residence in which child care is regularly provided for children from at least two unrelated households with or without compensation. A family child care home shall be allowed to provide care for one of the following groups of children, that shall include household children under 13 years of age when on the premises of the family child care home or on a field trip with children enrolled in care.

A) A maximum of six (6) children, if no more than three (3) are under 18 months of age.

B) A maximum of six (6) preschool aged children, if no more than three (3) are under18 months of age, and all are older than 12 months of age.

C) A maximum of 10 children total (at least 2 of the 10 children need to be Household Children. The maximum number of Child Care Children allowed is eight [8] at any given time), of which, a maximum of eight (8) children are in Child Care Status. Of the 10 total children, no more than five (5) are pre-school age, and of those five (5), no more than three (3) are under 18 months of age, and of those three (3), no more than two (2) are under 12 months of age.

Ch 402.302(11)(a)(b)
3/6/06, 5/25/1)

Large Family Child Care Home – A large family child care home for the purposes of this regulation means a home that is licensed under section 402.3131, F.S. A large family child care home means an occupied residence in which child care is regularly provided for children with or without compensation from at least two (2) unrelated households and which has at least two (2) full-time child care personnel on the premises during the hours of operation. One (1) of the two (2) full-time child care personnel must be the operator or the operator's substitute. A large family child care home must first have operated as a licensed family child care home for two (2) consecutive years, with an operator who has had a child development associate credential or its equivalent for one (1) year, before seeking licensure as a large family child care home. The two consecutive years of operation as a licensed family child care home must have been in the state of Florida and within five years of the date of application to operate a large family child care home. A large family child care home shall be allowed to provide care for one of the following groups of children, which shall include household preschool aged children whether present or not, and household school aged children under 13 years of age when on the premises of the large family child care home or on a field trip with children enrolled in care:

FD/LF Handbook 2.2.2

A) A maximum of 8 children from birth to 24 months of age

B) A maximum of 12 children, with no more than 4 children under 24 months of age

65C-20.008 (2)

Large family child care homes must meet and comply with all standards of this regulation at all times unless there are insufficient numbers of children in care to meet the definition of a large family child care home in which case an additional employee is not required. A license to operate a large family child care home may be used to operate a family day care home when the number of children in care meets the definition of a family day care home. A license to operate a family day care home cannot be used to operate a large family child care home.

FD/LF Handbook 1.2

Active – is the status of a candidates awarded credential or certification which demonstrates that the credential requirements have been successfully met.

FD/LF 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 being used by children.

FD/LF Handbook 1.2

Begin Training – refers to a candidate's commencement of at least one of the child care training courses listed in section 402.305(2)(d)1, F.S. This may be accomplished by classroom attendance in a department-approved training course, acquiring an educational exemption from a department-approved training course, beginning a department-approved online child care training course, or by receiving results from a department-approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida family day care home or large family child care home. The large family child care home is responsible for obtaining documentation from child care personnel.

FD/LF Handbook 1.2

Birth Through Five Child Care Credential – is equivalent to a child development associate credential, pursuant to 402.305(3)(a), 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 format 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's 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 the department'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.

12/3/03
8/1/07

Child Care - Child care as it pertains to children's centers and family child 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 child care homes does not include statutorily exempt programs.

Ch 402.302(3)
8/3/05

Child Care Personnel - Child care personnel means all owners, operators, employees, and volunteers working in a family child care home. A volunteer who assists and/or is responsible for supervision of children must meet child care personnel regulations for screening and training.

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 family child care home.

FD/LF 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.

FD/LF Handbook 1.2	**Continuing Education Unit (CEU)** – is a standard unit of measure of coursework used for training and credentialing purposes. The Department will accept CEU's for training offered by the Department, 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 stated professional organizations, see definition below. CEU's awarded for training and credential purposes 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.
FD/LF Handbook 1.2	**Direct Supervision** – means watching and directing children's activities and responding to each child's needs. During napping/sleeping times, direct supervision means being within sight and sound of a child with frequent visual checks.
FD/LF Handbook 1.2	**Disposable** – means an article intended by the manufacturers to be used once and then thrown away.
FD/LF Handbook 1.2	**Early Childhood Education** refers to coursework, certification, a credential or degree specific to children ages birth through eight years.
FD/LF Handbook 1.2	**Employee –** means one additional child care personnel at least 18 years of age, who is on the premises of a home operating as a large family child care home.
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.
FD/LF Handbook 1.2	**Evening Care –** means child care provided during the evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m. to accommodate parents who work evening hours and late night shifts.
FD/LF Handbook 1.2	**Field Trip** – means any trip away from the home. Field trips commence when child care personnel and children leave the home's property, whether by vehicle or by walking.
FD/LF Handbook 1.2	**Foster Grandparents** – Foster grandparents are directly supervised volunteers who *participate in the federal program pursuant to Title 45 Public Welfare, part 2552, Code of* Federal Regulation. Foster grandparents work with one or more children with special or exceptional needs in child care programs
FD/LF Handbook 1.2	**Full Time Employee** – means one additional staff person at least 18 years of age, who is on the premises of a home operation as a large family child care home.
402.302(9)	**Household Children –** Household children means children who are related by blood, marriage, or legal adoption to, or who are the legal wards of, the family day care home operator, the large family child care home operator, or an adult household member who permanently or temporarily resides in the home. Supervision of the operator's household children shall be left to the discretion of the operator unless those children receive subsidized child care through the School Readiness Program pursuant to s. 411.0101 to be in the home.
FD/LF Handbook 1.2	**Household Member** – means members of the operator's immediate or extended family who reside in the home and non-family members who reside in the home, including long-term visitors, live-in paramours, housemates, extended seasonal visitors those who are handicapped and/or elderly. A length of stay of four weeks or greater constitutes residing in the home for purposes of the screening requirement.

FD/LF Handbook 1.2

High School Diploma, GED and/or College Degree – means a diploma or GED or their equivalent as recognized by 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, an approved 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 or recognized by the Florida Department of Education or its equivalent in other states will be accepted. If a college degree is earned outside the U.S., it must be evaluated by an approved credential evaluation agency approved by the Bureau of Educators Certification or an accredited college/university to be equivalent to a U.S. degree.

FD/LF Handbook 1.2

Hours of Operation – means the hours of the day or night that a family day care home or large family child care home has children in care.

FD/LF Handbook 1.2

Immediate – means occurring, acting, or accomplished without loss or interval of time.

FD/LF Handbook 1.2

Inactive – refers to the status of a candidate's awarded credential or certification that is no longer active; however, remains eligible for renewal.

FD/LF Handbook 1.2

Initial Screening – means a full Level 2 screening which must include 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.

Ch 61-2681

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

8/3/05

Licensing Regulations - Licensing Regulations means *Licensing Regulations Governing Pinellas County Family Child Care Homes and Large Family Child Care Homes*.

Ch 61. S.2.(7)

Operator - An operator means any person responsible for the operation of a family child care home as previously defined, whether or not he or she is the owner. Operator is commonly referred to as the provider.

FD/LF Handbook 1.2

International Association of Continuing Education and Training (IACET) – is a non-profit organization that is recognized by the American National Standards Institute as a standard setting organization for continuing education and training.

FD/LF Handbook 1.2

Napping – means a brief period of rest during daylight or early evening hours.

FD/LF Handbook 1.2

National Early Childhood Credential (NECC) pursuant to Section 402.305(3)©, F.S., is an early childhood credential approved by the department and recognized by licensing authorities in at least five states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight years, and includes at least two 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 the renewal requirements do not meet or exceed the FCCPC renewal requirements, individuals will be required to complete an FCCPC renewal. A list of approved and recognized NECC programs may be obtained from the department's website at www.myflfamilies.com/childcare.

FD/LF Handbook 1.2

Nationally Affiliated Member Based 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 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 childcare 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.

FD/LF 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 the 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.

FD/LF 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.

FD/LF Handbook 1.2

Reside – refers to any person that lives at a family day care home or large family child care home. Factors for determining residency include: use of the home address as a permanent address for personal identification or mail delivery; use of the home to store personal belongings such as furniture, clothing, and toiletry items; and names listed on official documents such as lease agreements or property taxes.

FD/LF Handbook 1.2

Sanitize – means the process of destroying or reducing organisms to a safe level which includes properly cleaned equipment and surfaces, such as sinks and sleep equipment. Sanitation shall be accomplished with the application of a chemical sanitizer or the use of Hot water or steam. Sanitizing agents must 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.

FD/LF Handbook 1.2

School-age Child – refers to any child who is at least five years old by September 1st of the beginning of the school year and who is enrolled in and attending kindergarten program or grades one through five during the school district's calendar year.

FD/LF 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.

FD/LF Handbook 1.2

Sleeping – means that normal night time sleep cycle.

Ch 402.302(16)

Secretary - Secretary means the Secretary of the Department of Children and Family Services.

8/3/05

State Approved CDA Equivalency (CDAE) - State approved CDA equivalency (CDAE) means a training program that has been approved by the Department of Children and Family Services as meeting or exceeding the criteria established for an equivalency program.

FD/LF Handbook 1.2
11/7/07

Substitutes for the Operator - Substitute for the operator means a competent adult, at least 21 years of age, who is available to take the place of the operator on a temporary or emergency basis. The substitute is considered to be child care personnel and must meet screening and training requirements as set forth in these regulations.

9/13/03 **Swimming Pool** - Swimming pool means any in-ground pool, above ground pool recessed in-ground, or spa located on the premises of the family child care home or large family child care home.

FD/LF Handbook 1.2 **Training Transcript** – is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training Transcripts may be obtained from the department's website at www.myflfamilies.com.

FD/LF Handbook 1.2 **Weighted score** – 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.

FD/LF Handbook 1.2 **Year of Experience** – means a minimum of 1040 hours of paid and/or nonpaid documented work experience, or its equivalent.

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 child care home without first obtaining a license or temporary permit as provided in this act.

LICENSE BOARD CREATION

Ch 61. S.4. There is created in Pinellas County the License Board for children's centers and family child 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 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 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, and 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) Deleted

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.

Ch 61. S.19.
6/4/03

ADVISORY COMMITTEE

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 the same.

LICENSING REGULATIONS
GOVERNING
PINELLAS COUNTY FAMILY CHILD CARE HOMES

I. PERSONNEL

Ch 402.302(3)

A. General Qualifications. Personnel in Family Child Care Homes

1. Child care personnel in family child care homes shall be subject to the applicable screening provisions contained in Ch. 435, F.S. as well as these Licensing Regulations. For purposes of screening in family child care homes, the term includes any member over the age of twelve (12) years of a family child care home operator's family, or persons over the age of twelve (12) years residing with the operator in the family child care home. Members of the operator's family, or persons residing with the operator, who are between the ages of twelve (12) and eighteen (18) years shall not be required to be fingerprinted, but shall be screened for delinquency records. A volunteer who assists on an intermittent basis for less than 10 hours per month is not subject to screening and training requirements provided that a person who meets the screening requirements of these regulations is always present and has the volunteer in his or her line of sight. Students who observe and participate in a family child care home as part of their required coursework are not subject to screening and training requirements provided that such observation and participation are on an intermittent basis and a person who meets the screening requirements of these regulations is always present and has the student in his or her line of sight.

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

2. **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 which from time to time may be amended. must be complied with by the Operator, household members, employees, substitutes, and volunteers (if required to be screened) at all times.

435.05(3)

The Operator must ensure that that household members, 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.

435.06(2)(a)

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.

435.05(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.

435.06(2)(b)

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

employed or the household member or volunteer is still eligible to have contact with child care children pursuant to these regulations.

435.06(2)(c)

The Operator 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.

3. Initial Screening

FD/LF Handbook 4.1

Operators, household members, (adults and children 12 to 17 years of age), substitutes, volunteers and Large Family Child Care Home employees must have a level 2 background screening clearance from DCF prior to obtaining a license, residing in the home, employment or volunteering unsupervised with children. 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.

FD/LF Handbook 4.1A

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 sexual offender registry search, and child abuse and neglect history for any state in which an individual resided during 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. Household members ages 12 to 17 years must complete a Juvenile Records Check with FDLE. Providers may use the public portal to request certified State of Florida criminal history juvenile record checks from this link: https://shield.fdle.state.fl.us/shield/app/orisearch.

FD/LF Handbook 4.1B

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.

FD/LF Handbook 4.1C

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

FD/LF Handbook 4.1D

d. The operator must submit to licensing a five year employment history. Licensing staff will conduct employment history checks for the operator, 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.

FD/LF Handbook 4.1E

e. The employer/owner/operator must conduct employment history checks for substitutes, 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 a 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.

FD/LF Handbook 4.1F

f. The employer/owner/operator must send a request for criminal history records for each state the individual lived in 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 the instructions and forms to complete to submit a request for a search. Once the results are received, the information must be sent to the DCF Background Screening unit. If awaiting Out-of-State criminal history results, a copy of the DCF email informing of the individual's eligibility for a provisional hire status must be in the personnel file. 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.

FD/LF Handbook 4.1G

g. 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.myflfamilies.com/backgroundscreening, click on the National Records Request link to obtain the instructions and forms to complete to submit a request for a search. Documentation of the date of the search was requested, and the date the results were received, must be maintained in the employees file for review by the licensing authority.

FD/LF Handbook 4.1H

h. 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.myflfamiles.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 finding from each state, must be documented in the employee's file for review by the licensing authority.

FD/LF Handbook 4.1 I

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

FD/LF Handbook 4.1J

j. 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 children.

3. Screening results 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 Statues. Until screening is complete showing good moral character, the employee may not be in contact with children as specified in this statute.

FD/LF Handbook 4.1K

k. The employer/owner/operator must initiate 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.

FD/LF Handbook 4.1L

l. The employer/owner/operator must add substitutes, employees and Household members to their Employee/Contractor Roster within ten days of when the individual has received a child care eligible result. Employer/owner/operator must add an end date within ten days of termination for individuals to the Employee/Contractor Roster in the Clearinghouse when employment terminates or a household member no longer resides in the home.

FD/LF Handbook 4.1M

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

<u>Large Family Child Care Home</u>
In addition to the requirements above:

FD/LF Handbook 4.1N **LG**

n. 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 licensing and screening purposes under this rule.

FD/LF Handbook 4.1O **LG**

o. Background screening fingerprint submission must comply with s. 435.12 F.S.

FD/LF Handbook 4.1P **LG**

p. Documentation/clearance for the initial screening must be included in the Pinellas County License Board licensing file.

FD/LF Handbook 4.1Q **LG**

q. The Large Family Child Care Home operator must conduct employment history checks for home employees, 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.

FD/LF Handbook 4.1R **LG**

r. CF Form 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference in 65C-22.001(8)(a), F.A.C., must be completed at the time of initial screening or upon a change in employers, or in accordance with the local licensing agency compliance and must be obtained in the local licensing department's licensing file for all operators/applicants and all other household members, substitutes, and employees who are subject to background screening. A copy of the CF Form 1649A may be obtained from the Child Care Licensing Program's website at www.pclb.org.

8/3/05

Ch 435.07

4. **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.

435.7

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

Ch 435.07(3)

(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)(a)

(4) Disqualification from employment pursuant to these regulations may not be removed from, nor may an exemption be granted to, any personnel who is found guilty of, regardless of adjudication, or who has entered a plea of nolo contendere or guilty to, any felony covered by s.435.03 or s. 435.04 solely by reason of any pardon, executive clemency, or restoration of civil rights.

Ch. 435.07(4)(b)

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;

2. Career offender pursuant to s. 775.261; or

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

Ch 435.07(5)

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

Ch 435.09

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

No criminal, juvenile, or abuse hotline 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

6. **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

7. **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.

FD/LF Handbook 4.2

8. **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.

12/4/02
6/19/07

The Pinellas County License Board shall conduct an annual screening for abuse and neglect for family child care home and large family child care home providers.

FD/LF Handbook 4.2A

a. The five year re-screen is required for the operator, household members, substitutes, and volunteers.

FD/LF Handbook 4.2B

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 five years.

FD/LF Handbook 4.2C

c. An operator, substitute, employee, volunteer, and all household members must be re-screened as outlined in Section 402.313, F.S. and 402.3131, F.S., following a break in operation/employment in the child care industry or from residing in the home, 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.

FD/LF Handbook 4.2D

d. If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five year re-screen comes due during the leave of absence.

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

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

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

10. 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 402.319(1)(a)

11. Shall not falsify application information.

Ch 61. S.6(1)

12. Shall meet minimum age requirements. The person in charge shall be at least twenty-one (21) years of age. Substitutes must meet the minimum age requirement.

FD/LF Handbook 3.1
B,C
08/03/05

13. **Operator**
The family child care home license shall be issued in the name of the operator who must be at least twenty-one (21) years of age, and a resident of the family child care home. The operator of a family child care home may not work outside of the home or conduct a business from the home during the hours when the family child care home is operating. The operator must reside at the location of the home where the care is provided. In the event of rental or leased property, the operator shall be the individual who occupies the residence. Proof of residency must include tax records with homestead exemption, driver's license, and/or a copy of the lease. Operator must comply with local ordinances and/or Homeowners Association rules and requirements.

FD/LF Handbook 3.2

14.**Substitute**
The operator must have a written plan to provide at least one substitute, 21 years of age or older, to be available on a temporary/emergency basis.

Ch 61 S. 6(1) **LG**

Substitutes for the employee must be at least 18 years old.

FD/LF Handbook 3.2A

(a) The substitute's information (including name, date of birth, telephone number, address, anticipated number of hours worked and whether or not this person substitutes for another home) must be provided on the Application to License a Family Child Care Home.

FD/LF Handbook 3.2B

(b) The written plan must be kept current and include the name, address and telephone number of the substitute.

FD/LF Handbook 3.2C

(c) Any changes to the plan must be reported to the licensing office within 5 working days. All hours worked by the substitute must be documented in writing and maintained for 12 months.

FD/LF Handbook 3.2D

(d) Substitutes may not work for the operator more than 40 hours per month on average over a six month period in any single home for which they have been identified as the designated substitute.

FD/LF Handbook 3.2E

(e) The operator must document the hours on a monthly basis. The operator must sign a statement attesting to the number of hours that the substitute works in the operator's home. The statement must be placed in the substitute's file.

FD/LF Handbook 3.2F

(f) The operator must keep written record of the number of hours worked by the substitute and this documentation must be maintained for a 12 month period.

FD/LF Handbook 3.3

15. Large Family Child Care Home Employee
Employees in a large family child care home shall be at least 18 years of age. Large family child care homes must meet and comply with all standards in the 402.3131, Florida Statutes and with all requirements in the Family Day Care Home/Large Family Child Care Home Handbook, and in these Licensing Regulations at all times unless there are insufficient numbers of children in care to meet the definition of a large family child care home, in which case an additional employee is not required.

8/3/05 **LG**

16. Other child care staff may not work outside of the home or conduct a business while responsible for providing direct supervision of children in care.

FD/LF Handbook 4.1N **LG**

17. For the purpose of issuing a license, any out-of-state criminal offense, shall be treated as a disqualifying offense for screening purposes.

B. Staff Training

FD/LF Handbook 5.1.1

Operators and Substitutes
Prior to licensure and prior to caring for children, all family child care home operators and substitutes for the operator who work **40 hours or more per month** on average during a 6 month period must:

FD/LF Handbook 5.1.1A

1. Successfully complete the Department of Children and Family Services' 30 clock-hour Family Child Care Home Training, as evidenced by successful completion of a competency-based examinations(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Family child care home operators who successfully completed the mandatory 30 clock-hour Family Child Care Home training prior to January 1, 2004 are not required to fulfill the competency examination requirement.

   Documentation of course completion may either be a single Family Child Care Home (30 Hr) certificate or certificates for the five (5) individual training courses which total 30 clock-hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening. All certificates must be reflected on the training transcript.

FD/LF Handbook 5.1.1B

2. Complete a single course of training in early literacy and language development of children ages birth through five (5) that is a minimum of five (5) clock-hours or .5 CEUs. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma. Early literacy course documentation must be uploaded into the Florida Pathways (Registry), which may be accessed from the Department's website at www.myflfamilies.com/childcare. In order to meet this requirement, individuals must complete one (1) of the following:

   a. One of the department's online literacy courses available on the Department of Children and Family Services' website at www.myflfamilies.com/childcare; or

   b. One (1) 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 at www.myflfamilies.com/childcare (No additional courses will be approved by the department); or

   c. One (1) college level early literacy course (for credit or non-credit) if taken within the last five (5) years.

FD/LF Handbook 5.1.1C

3. Have certificate(s) of course completion for pediatric cardiopulmonary resuscitation (CPR) procedures and first aid training, which must be current and

valid at all times. 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. CPR courses must include an on-site instructor-based skills assessment that shall be documented by the certified CPR instructor. Documentation of completion of the online course and on-site assessment must be maintained at the home and available for review by the licensing authority.

FD/LF Handbook 5.1.2

4. **Substitutes for the Operator and for the Large Family Child Care Home Employees who Work Less Than 40 Hours/Month**

Substitutes and substitutes for the Large Family Child Care Home Employee
Who work less than 40 hours a month **on average** must complete:

FD/LF Handbook 5.1.2A

a. The Department of Children and Family Services' six clock-hour Family Child Care Home Rules and Regulations training, as evidenced by successful completion of a competency based examination offered by the Department of Children and Family Services or its designated training representative prior to caring for children.

FD/LF Handbook 5.1.2B

b. Substitutes who have successfully completed the three clock-hour Fundamentals of Child Care training or 30-clock-hour Family Child Care Home training are not required to complete the six (6) clock-hour Family Child Care Home Rules and Regulations course.

FD/LF Handbook 5.1.2C

c. Have certificate(s) of course completion for pediatric cardiopulmonary resuscitation (CPR) procedures and first aid training, which must be current and valid at all times. 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. CPR courses must include an on-site instructor-based skills assessment that shall be documented by the certified CPR instructor. Documentation of completion of the online course and on-site assessment must be maintained at the home and available for review by the licensing authority.

FD/LF Handbook 5.1.3

LG 5. Large Family Child Care Home Operators

In addition to the training requirements identified above, large family child care home operators must:

FD/LF Handbook 5.1.3A

LG a. Possess an active Staff Credential Verification Confirmation, documented on the Training Transcript for at least one year prior to licensure.

1. To apply for a staff credential verification, a candidate must complete CF-FSP Form 5211, Florida Child Care Staff Credential Verification Application, which is incorporated by reference in 65C-22.001(8)(d), F.A.C., and may be obtained from the DCF website, at www.myflfamilies.com/childcare.

2. Operators must meet one of the following credentials below for minimum of one year prior to initial Large Family Child Care Home Licensure:
   - An active National Early Childhood Credential (NECC); or
   - An active Birth Through Five Child Care Credential awarded as a Florida Child Care Professional Credential (FCCPC), a Florida Department of Education Child Care Apprenticeship Certificate (CCAC) or Early Childhood Professional Certificate (ECPC); or
   - An active School-Age Child Care 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; or
   - Formal Education Qualification.

3. An Employment History Recognition Exemption will not be accepted to meet the minimum staff credential requirements for Large Family Child Care Homes.

4. An Employment History Recognition Exemption and a School-Age FCCPC will not be accepted to meet the minimum staff credential Requirements for Voluntary Pre-Kindergarten (VPK).

5. Florida law requires that VPK instructional personnel possess an appropriate credential. If the Child Care Licensing Program identifies that the designated VPK teacher does not have an active credential, CCLP will notify the local Early Learning Coalition or its designated representative.

FD/LF Handbook 5.1.3B **LG** b. Maintain an active staff credential, documented on the individual's Training Transcript. Inactive staff credentials may not be used to operate a Large child care home.

- 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 Early Childhood 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 renewed, and if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.
- A staff credential awarded for formal education qualifications is always active and does not need to be renewed.
- To maintain an active Birth Through Five or School-Age Child Care Credential, every five 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 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.
- A staff credential awarded for Employment History Recognition Exemption is always active and does not need to be renewed.

FD/LF Handbook 5.2

6. Training Required Within 30 Days of Employment

FD/LF Handbook 5.2.1

a. Safe Sleep/Shaken Baby Syndrome Training

All child care personnel, including substitutes and volunteers who work in a home 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 abuse 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 home. For child care personnel, including substitutes and volunteers, to satisfy this requirement the training must be accomplished through

one of the following methods: the DCF Health Safety and Nutrition course, Department's Safe Sleep course or the Early Learning Florida's Safe Sleep Practices course. Documentation of training must be maintained on the department's training transcript in the child care personnel record.

FD/LF Handbook 5.2.2

b. Fire Extinguisher Training

All child care personnel shall be trained in the use and operation of a fire extinguisher, at each home they are employed, within 30 days of date of hire. Documentation of completed training must be maintained in the personnel record.

FD/LF Handbook 5.2.3

c. Foster Grandparent Training Requirements

Foster grandparents are required to have 100% attendance of the following DCF training courses: Family Child Care Home 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 a licensed Florida childcare facility, family day care home or large family child care home. Training must be completed within one year from the date of working in the child care industry in a licensed Florida child care facility or family child care home. 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. Foster grandparents are not counted in the staff-to-child ratio.

FD/LF Handbook 5.3 **LG** **7. Training Required Within 90 Days of Employment**

Large Family Child Care Home Operators

Within 90 days of employment in a Florida large family child care home, a large Family child care home employee must:

FD/LF Handbook 5.3.1 **LG**

a. Begin the DCF 30 clock hour Family Child Care Home training. The training shall be successfully completed within 12 months from the date on which the training began, as evidenced by the successful completion of a competency examination offered by DCF or its designated representative with a weighted score of 70 or better. 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 field. Training completion may not exceed 15 months from the date of employment in a Florida large family child care home. Documentation of course completion may either be a single Family Child Care Home (30 Hour) certificate or certificates for the five individual training courses, which total 30 clock hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening.

FD/LF Handbook 5.3.1B **LG**

b. By June 12, 2021, large family child care home employees must also have current First Aid training and pediatric cardiopulmonary resuscitation (CPR) certification. Large family child care home employees hired on or after March 12, 2021 must have current first aid training and pediatric cardiopulmonary resuscitation (CPR) certification within 90 days of hire date at the home.

FD/LF Handbook 5.4 **LG** **8. Training Required Within 6 Months of Licensure**

FD/LF Handbook 5.4.1 **LG**

Large Family Child Care Home Operators

Within six months of licensure, large family child care home operators must successfully complete 10 clock hours of specialized training from the DCF Part II training courses as evidenced by successful completion of a competency examination with a weighted score of 70 or better. These courses include:

- Special Needs Appropriate Practices (10 Hours), or
- Understanding Developmentally Appropriate Practices (5 hours) and one of the following courses:
  Infant Toddler Appropriate Practices (5 hours)
  Preschool Appropriate Practices (5 hours) School-Age Appropriate Practices (5 hours)

FD/LF Handbook 5.5 **LG** **9. Training Required Within 12 Months of Employment**

FD/LF Handbook 5.5.1 **LG** **Large Family Child Care Home Employees**

Within 12 months of date of employment in the Florida large family child care home complete a single course of training in early literacy and language development of children ages birth through five that is a minimum of five clock hours or .5 CEUS. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma. Early literacy course documentation must be uploaded into the Florida Pathways (Registry). In order to meet this requirement, employees must complete one of the following:

- One of the DCF online literacy courses available on the DCF website at www.myflfamilies.com/childcare; or
- One the DCF approved literacy training courses. A list of these courses may be obtained from the DCF website at www.myflfamilies.com/childcare (no additional courses will be approved by DCF); or
- One college level early literacy course (for credit or non-credit) if taken within the last five years.

FD/LF Handbook 5.8 **10. Training Documentation**

a. The DCF Training Transcript is the only acceptable verification of successful completion of the Department's training.

b. Any course completion certificate not documented on the Training Transcript will be considered invalid, requiring that the course(s) be retaken. Until the coursework is retaken and completed, family day care homes will be out of compliance with the mandated training standard.

c. Documentation of the in-service training requirement must be recorded on F-0077, In-Service Training Record, and maintained at the home. A new in-service training record is required for each fiscal year.

d. The in-service training records for the previous two licensing years must also be maintained at the home for review by the licensing authority.

FD/LF Handbook 5.9 **11. Staff Credentials**

Pursuant to Section 402.3131(1)(a), F.S. a licensed family day care home operator must have a child development associate credential or its equivalent for 1 year, before seeking licensure as a large family child care home.

A. A credentialed staff member is defined as a child care professional who has been issued a Staff Credential Verification documented on the individual's Training Transcript.

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

1. An active National Early Childhood Credential (NECC).
2. Formal Educational Qualifications.
3. An active Birth Through Five Child Care Credential awarded as a Florida Child

Care Professional Credential (FCCPC); Florida Department of Education Child Care Apprenticeship Certificate (CCAC), or Early Childhood Professional Certificate (ECPC).
4. An active School-Age Child Care 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.
5. 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 the Department discontinued issuing this exemption, however individuals that received the exemption prior were not affected by this change.

C. 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 Early Childhood 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.

D. A staff credential awarded for formal education qualifications is always active and does not need to be renewed.

E. To maintain an active Birth Through Five or School-Age Child Care Credential, every five 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 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.

F. A staff credential awarded for Employment History Recognition Exemption is always active and does not need to be renewed.

FD/LF Handbook 5.10

13. Training Providers

FD/LF Handbook 5.10.1

Part I and Part II Training Providers

Child care professionals approved to teach the Department's 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 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 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 fulltime experience in a 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 twelve 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.

FD/LF Handbook 5.10.2

Florida Birth through Five and School-Age FCCPC Child Care Professional Credential Training Program Providers

The Department is responsible for ensuring the approved Birth Through Five and School-Age FCCPC Training Providers meet the program requirements. A list of Family Day Care Home and Large Family Child Care Home Handbook approved "Birth Through Five and School-Age FCCPC Training Providers" may be obtained from the Department's website at www.myflfamilies.com/childcare.
A. The operational status of a training provider that has been approved 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 of 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 by September 30, and an open 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 or its designated representative on or by September 30. Compliant FCCPC training providers must ensure availability of all training program files to the Department upon request and be subject to both informal and formal audits/observations. Complaint FCCPC training providers who wish to change their program status to Compliant/Nonoperational or Closed must notify the Department in writing of their intent and if they currently have enrolled students, they must provide a teach out plan to the Department 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 "Complaint/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 the Department or its designated representative. Prior to returning to Compliant status, the training provider must notify the Department 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 "Noncompliant." Non-complaint 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 the FCCPC program and will be removed 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 the Department for issuance of the FCCPC, and to update the graduate's child care Training Transcript.

FD/LF Handbook 5.6

14. Annual In-Service Training All operators must complete a minimum of 10-clock hours or one (1) CEU of inservice training, annually during the state's fiscal year beginning July 1 and ending June 30. These hours are in addition to required training such as CPR, first aid, and the Child Care Water Safety Course or a current equivalent.

FD/LF Handbook 5.6

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

a. Health and Safety, including universal precautions, prevention of infectious diseases, sudden infant death syndrome, emergencies due to food and allergic reactions, and shaken baby syndrome; use of safe sleep practices; administration of medicine, emergency preparedness; handling of hazardous materials.
b. Safe Sleep Practices-American Pediatrics Standards
c. Nutrition
d. Child development - typical and atypical
e. Child transportation and safety
f. Social and Emotional Development
g. SIDS Sudden Infant Death Syndrome
h. Behavior management
i. Working with families
j. Design and use of child oriented space
k. Community, health and social service resources
l. Child abuse
m. Child care for multilingual children
n. Working with children with disabilities in child care
o. Safety in outdoor play
p. Literacy
q. Guidance and discipline
r. Computer technology
s. Leadership development/program management and child care personnel supervision
t. Age appropriate lesson planning
u. Homework assistance for school age care
v. Developing special interest centers/spaces and environments
w. Other course areas relating to child care or child care management
x. Any of the online courses offered through the DCF child care website.

8/03/05

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

training requirement.

FD/LF Handbook 5.6.1 Operators who do not complete the required annual in-service training during a given licensure year, must complete the remaining in-service training hours within 30 days of the noncompliance finding by the Child Care Licensing Program. These hours cannot be used to meet the current year's in-service training requirements.

FD/LF Handbook 5.7.1 **LG** **16. Large Family Child Care Home Employee Annual In-Service Training**

All large family child care employees, must complete the annual in-service training requirements as outlined in 5.6.1.

LG a. Large family child care home employees may apply the mandated 30-clock hour Family Child Care Home training to meet the annual in-service training requirement during the first year of employment.

LG b. All employees continuously employed or hired by the month prior to the end of the state's fiscal year, must complete the annual in-service training requirement. This includes any changes in employment from one program to another.

LG c. Employees continuously employed or hired prior to the last month of the state's fiscal year who do not complete the required annual in-service training during a given licensure year, must complete the remaining in-service training hours within 30 days of the noncompliance finding by the Child Care Licensing Program. These hours cannot be used to meet the current year's in-service training requirements.

FD/LF Handbook 5.7 **17. Training Exemptions**

Child care personnel working in a family child care home or large family child care home have one opportunity, if they choose, to exempt from one or more of the DCF training courses prior to attending training by successful completion of corresponding competency examinations. DCF or its designated representative shall exempt individuals from one or more of the DCF training courses as follows;

FD/LF Handbook 5.7 a. DCF or its designated representative will exempt from the Health, Safety and Nutrition; Child Growth and Development; and Behavior Observation and Screening courses those child care personnel who meet one of the following educational qualifications:

(1) 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.

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

(3) DCF or its designated representative 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 Practice course.

(4) DCF or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in the area of Elementary Education from the Understanding Developmentally Appropriate Practices course and the School-Age Appropriate Practices course.

(5) DCF or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in the area of Exceptional Student Education from the Special Needs Appropriate Practices course.

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

5/3/95
11/7/07

18. 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.

F.S. 402.302(9)

C. Supervision

Ch 61. S.6.(3)(c)
8/1/07, 4/1/09, 10/6/10

1. The number of children in a family child care home at any given time is limited to the maximums set forth in the definition of Family Child Care Home. Household children under 13 years of age who are in the operator's care are counted in the license capacity.

FD/LF Handbook 6A

2. The operator shall remain responsible for the supervision of the children in care and capable of responding to emergencies and the needs of the children. Child care personnel must directly supervise children, both indoors and outdoors, by sight and sound. Children must never be left without child care personnel supervision inside or outside the home, in a vehicle, or at a field trip location by themselves.

FD/LF Handbook 6B

3. Bedroom doors must remain open while children are napping or sleeping. When children are napping or sleeping, child care personnel must supervise by sound with frequent visual checks (every 10-15 minutes) to ensure the child's head is uncovered and assess the infant's breathing and color. Baby monitors are permissible however, they do not replace the frequent visual checks.

FD/LF Handbook 6K

8/3/05

4. 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 the 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.

FD/LF Handbook 6F

5. Infants must be held for bottle feedings until they are developmentally ready to sit in an age appropriate chair with good head control. There must not be any propped bottles. If a child cannot hold the bottle, child care personnel must hold the bottle during feeding.

FD/LF Handbook 6G

6. A child shall never be left unattended on a table or countertop.

FD/LF Handbook 6H

7. Constant and active supervision is required when any child is in or around water, including bathing and swimming activities. An adult should remain in direct physical contact with an infant at all times during swimming or water play. During wading and/or water play at a activities at a swimming pool on site or during a field trip, that is more than three feet deep, or at beach or lake areas, children ages 1 year up to 5 years must be within an arm's reach and in the sight of the supervising adult at all times, child care personnel must be within an arm's length providing "touch supervision." The following minimum staff-to- child ratios must apply while children are swimming o wading:

Age of Child(ren)	Staff: Child Ratio
Infant (Birth up to 1 year)	1:1
Toddler (1 year up to 3 years)	1:1
Preschooler (3 years up to 5 years)	1:4
School-Age Children (5 years and up	1:10
Mixed Age Groups	Ratio shall be based on age of the youngest child present

FD/LF Handbook 6I

8. If a home provides services to drop children off at different locations, the driver must ensure to drop the child off at the appropriate location. Each child transported must be dropped at the designated location and released to an authorized individual as agreed upon by the provider and the custodial parent or legal guardian.

FD/LF Handbook 6D

9. A child who has been placed in an isolation area due to illness must be within sight and hearing of child care personnel.

FD/LF Handbook 6E

10. Children must be attended at all times when being diapered or when changing clothes. Children must receive supervision as required by their age or developmental needs when toileting or bathing. A safety strap or harness must not be used on the diaper changing table/surface.

FD/LF Handbook 7.7 I

11. If the home uses swimming pools not at the family day care home site or takes the children to water areas such as a beach, lake, or swimming pools for swimming activities, the family child care home provider must provide one person with a certified lifeguard certificate or equivalent, who must be present when children are in the swimming area, unless a certified life-guard is on duty.

FD/LF Handbook 6.C
8/3/05

12. All family child care home operators, household members, employees, volunteers or substitutes may not use and shall be free from the influence of drugs (narcotic or other drugs) and alcohol which impairs their ability to provide supervision and safe child care. While children are in care alcohol use, and being under the influence of alcohol, is prohibited within the family child care home and all outdoor areas of the home.

FD/LF Handbook 6.J

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

FD/LF Handbook 6.L

14. 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 and that children are eating accordingly.

Ch 61. S.6.(3)(d)
3/6/06

15. In family child care homes, there shall be one (1) adult, the operator or the operator's substitute, who shall remain on the premises at all times when children in care are present.

LG **Large Family Child Care Home Supervision Requirements**
In addition to the requirements above:

FD/LF Handbook 6M

LG 16. In a large family child care home, *direct* supervision must be maintained at all times during the hours of operation.

FD/LF Handbook 6.N

LG 17. In addition to the number of child care personnel required to meet staff-to-child any more than six preschoolers participating on field trips away from the large family child care home, there must be one additional adult present per each six preschoolers, or any fraction thereof, to provide direct supervision to the children. If some children remain in the home, the adult supervision adult-to-child ratios as required in section 402.302(8), F.S., shall apply and must be maintained. In addition, one child care personnel on the field trip and one child care personnel

children must have a valid and current certificate(s) of course completion for pediatric cardiopulmonary resuscitation (CPR) procedures and first aid training. At no time shall the total number of children exceed the capacity as defined in Section 402.302(8), F.S.

Ch 61 S.2.(5)(b)
Amended Ch 2007-277
8/1/07

D. Prolonged Child Care

Child care may be provided for 24 hours or longer for a child whose parent or legal guardian works a shift of 24 hours or more. The requirement that a parent or legal guardian work a shift of 24 hours or more must be certified in writing by the employer, and the written certification must be maintained in the facility by the child care provider and made available to the License Board and the state child care licensing agency. The time that a child remains in child care, however, may not exceed 72 consecutive hours in any 7-day period. During a declared state of emergency, the License Board or the state child care licensing agency may temporarily waive the time limitations provided in this paragraph.

II. RECORDS

A. Facility Records

Ch 61. S.7.(1)
FD/LF Handbook 8.3A
11/07, 1/6/10

1. The operator shall obtain enrollment information from the child's custodial parent or legal guardian, recorded on the Enrollment form provided by the Child Care Licensing Program (CCLP), prior to accepting the child in care.

FD/LF Handbook 8.3B

The CCLP Enrollment form shall be completely filled out, kept current, and on file for each child in care and available for licensing to review. The following required information is included:

a-l included on Form CF-FSP form 5219, 3/09

a. The child's full legal name, birthdate, current address and preferred name(s).

b. The name and address of the custodial parent(s) or guardian(s).

c. Telephone numbers or instructions as to how the custodial parent(s) or legal guardian(s) may be reached during the hours the child is in care.

FD/LF Handbook 8.3C

d. Names, addresses, and telephone numbers of person(s) who can assume responsibility for the child if for some reason the parents cannot be reached immediately in an emergency. Names and addresses of persons authorized to take the child from the home.

e. The name, address, and telephone number of a physician or health resource that can be called in case of emergency and the parent's written permission to consult that physician or health resource if the parent cannot be reached.

f. List of allergies, special medical or dietary needs, or other areas of concern.

g. Signature of parent(s)/guardian(s) verifying that enrollment information is complete and accurate.

h. The agreed upon hours that the child is to be in care.

i. The child(ren)'s relationship to the provider.

j. The name, address, and telephone number of dentist.

k. The days of the week in care.

l. The meals typically served while in care.

FD/LF Handbook 8.3D

m. There shall be signed statements from the custodial parents or legal guardian that the family day care home or large family child care home has provided them with the following information: The PCLB "Know Your Child's Family Home Day Care Provider." This brochure is available at www.pclb.org.

FD/LF Handbook 8.3F

n. Enrollment information shall include parent/guardian consent for child care personnel to have access to child's records.

FD/LF Handbook 8.3E

o. Annually, during the months of August and September, the home must provide parents/guardians with information detailing the causes, symptoms and transmission of the influenza virus. To assist providers, DCF developed a brochure, CF1 75-70, June 2009, Influenza Virus, Guide to Parents, incorporated by reference in 65C-22.001(8)(n), F.A.C, which may be obtained from the PCLB website, www.pclb.org.

FD/LF Handbook 8.3G

p. Annually, during the months of April and September, the operator must provide parents with information regarding the potential for distracted parents to fail to drop off a child at the family child care home or the large family child care home 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 at www.pclb.org.

7/25/91

2. A notarized Emergency Medical Release form must be on file for each child in care.

12/2/92

3. A health certificate must be kept for each child in care including the provider's own preschool children.

FD/LF Handbook 8.2 & Ch 61. s.7(1)

a. Student Health Examination. The family child care home provider is responsible for obtaining a current, complete and properly executed DH Form 3040, Student Health Examination Form, incorporated by reference in 65C-22.001(8)(q), F.A.C, and maintaining a current copy at the family child care home, or a signed statement by an authorized professional that indicates the results of the components included in the health examination from the custodial parent or legal guardian within 30 days of enrollment.

FD/LF Handbook 8.2B,C

(1) This Student Health Examination shall be completed by a person given statutory authority to perform health examinations. And is valid for two (2) years from the date the physical was performed and must be on file as long as the child is in care.

FD/LF Handbook 8.1

b. Immunizations. The family child care home provider is responsible for obtaining for each child in care, a current, complete and properly executed Florida Certification of Immunization form, Parts A-1, B and or C, DH 680 (July 2010), or the Religious Exemption from Immunization form DH Form 680 and DH Form 681 (July 2008) from the custodial parent or legal guardian, with 30 days of enrollment.

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 should provide documentation of a scheduled appointment or arrangement to receive immunizations. Providers must include a general statement in parent handbook/policies to inform parents/guardians, at time of enrollment, that some children in care may not have current immunizations.

DH Form 680 or DH Form 681 may be obtained from the local health department. 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.

Providers may receive additional information on immunization requirements by obtaining the most current edition of the "Immunization Guidelines - Florida Schools, Child Care Facilities and Family Child Care Homes" as referenced in 64D-3.011, F.A.C.

It is recommended that child care personnel are current with all immunizations routinely recommended for adults by the Advisory Committee on Immunization Practices (ACIP) of the Center for Disease Control and Prevention (CDC), as referenced in Caring for Our Children Basic Health and Safety Foundations for Early Care and Education, which is incorporated in 65C022.001(7)(v), F.A.C.

Documentation of current immunizations must be available for review upon request by the Child Care Licensing Program.

8/3/05

c. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information

FD/LF Handbook 8.1B & 8.2D

d. If the custodial parents or legal guardians fail to provide the documentation required in sub-paragraphs (a) or (b) above within 30 days of enrollment, the family child care home shall not allow the child to remain in the program.

FD/LF Handbook 8.2E

4. School aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the family child care home as such records are on file at the school where the child is enrolled.

Ch 402.305(9)(d)

5. Exemptions - 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.

FD/LF Handbook 8.2F

6. If the custodial parents or legal guardians need assistance concerning these requirements, the family child care home shall refer them to the Department of Health or to the child's physician.

FD/LF Handbook 8.2G

7. Medical records in this section are the property of the custodial parent or legal guardian and must be returned when the child is no longer in care. The medical records are transferable if the child is placed in a different family child care home.

FD/LF Handbook 8.2H

8. Any child who has or is at an increased risk for chronic physical, developmental, behavioral or emotional condition and requires additional services must have an 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.

FD/LF Handbook 7.24

9. **Medication**
Family child care homes are not required to give medication, however, if they choose to do so, the following shall apply:

FD/LF Handbook 7.24A

a. The family child care home must have written authorization from the custodial parent or legal guardian to dispense 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 dispensed; and date, time and amount of dosage to be given. This record shall be initialed or signed by the family

child care home provider who gave the medication. Prescription and non-prescription medications that are used on an "as needed" basis require the parent/legal guardian to provide additional documentation on the authorization form to describe the symptoms that would require the medication to be given. The child care personnel must never administer a medication that is prescribed for one child to another child.

FD/LF Handbook 7.24C-E

b. Prescription and non-prescription medication brought to the family child care home by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name of the physician and/or pharmacy and contact information, child's name, name of medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label and maintained at the appropriate temperature.

FD/LF Handbook 7.24B

c. Any known allergies to medication, or special restrictions must also be documented, maintained in the child's file, and posted with stored medications.

Ch 61.S.9.(g)2 & 5/1/09
FD/LG Handbook 7.24H

d. All medicines shall be stored separately in a locked area or inaccessible and out of the reach of a child and must have child resistant caps, if applicable.

FD/LF Handbook 7.24G

8/3/05

e. The operator must maintain a record for each child receiving medications that documents the full name of the child, the name of the medication, the date and time the medication was dispensed, the amount of dosage to be given, 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.

FD/LF Handbook 7.24I
8/3/05

f. Medication which has expired or is no longer being administered shall be returned to the custodial parent or legal guardian, or discarded if the child is no longer enrolled in care at the family child care home.

FD/LF Handbook 7.24F
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. 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.

FD/LF Handbook 7.24J

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 education on proper administration procedures.

FD/LF Handbook 7.24K

i. Child care personnel should ensure sun safety for themselves and children under their supervision by keeping younger infants than six months out of direct sunlight, limiting sun exposure when ultraviolet rays are strongest and applying sunscreen with written permission of parents/guardians. Manufacturer directions should be followed.

FD/LF Handbook 7.24L

j. Use of diaper creams and insect repellant may only be utilized with written permission from parents/guardians. Manufacturer instructions should be followed.

FD/LF Handbook 7.24M

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

FD/LF Handbook 8.4
Ch 61. S.7.(1)

10. **Daily Attendance**

a. A daily attendance record shall be kept for each child in care.

FD/LF Handbook 8.4A

b. Daily attendance of children must be taken and recorded by the child care personnel, documenting the time when each child enters and departs the home.

FD/LF Handbook 8.4B

c. The custodial parent or guardian may document the time when his/her child enters and departs the family day care home. However, the operator is responsible for ensuring the attendance record is complete and accurate.

FD/LF Handbook 8.4C

d. If a child does not arrive to the home or the agreed upon designated pick-up location, and the home has an arrangement/agreement in place to provide transportation or accept the child from other means of transportation, such as but not limited to, school district buses, contracted transportation services, city buses, or if the child is walking to the home on their own the 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 the child care personnel is 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 on the attendance roster.

FD/LF Handbook 8.4D

e. Attendance records must be maintained for a minimum of 12 months and available for licensing to review.

FD/LF Handbook 8.4E

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

Ch 61. S.7.(1)
FD/LF 2.1F

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

8/3/05

12. In addition to posting the license as required, the provider shall post with the license:

    a. Each administrative fine for a violation of any standard.
    b. An explanation, written in simple language, of each administrative fine.
    c. A description, written in simple language, of the corrective action, if any, taken by the provider for each administrative fine. Included in the description shall be the dates on which the corrective action was taken.
    d. Each administrative fine, explanation, and description of corrective action shall remain posted for one (1) year after issuance date.

8/3/05

13. The most recent License Board inspection report shall be readily available to parents.

FD/LF Handbook 4.3

B. Background Screening Documentation

FD/LF Handbook 4.3B
8/3/05

1. CF Form 1649A, Child Care Attestation of Good Moral Character, incorporated by reference in 65C-22.001(8)(a), F.A.C., must be completed for all child care personnel at the time of initial screening or upon change in employers, or in accordance with the local licensing agency compliance and must be obtained in the local licensing department's licensing file for all operators/applicants and all other household members, substitutes, and employees who are subject to background screening. A copy of the CF Form 1649A may be obtained at www.pclb.org.

FD/LF Handbook 4.3C

2. A copy of the eligible results 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's eligibility for a provisional hire status must be in the personnel file.

*FD/LF Handbook 4.3*D

3. 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.

*FD/LF Handbook 4.3*E

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

*FD/LF Handbook 4.3*F

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

*FD/LF Handbook 4.3*G

6. A copy of background screening clearance documents for the operator, household members, substitutes and Large Family Child Care Home employees must be provided to the Child Care Licensing Program for inclusion in the official licensing file or in accordance with the appropriate local licensing agency requirements.

*FD/LF Handbook 4.3*H

7. The operator, substitute, employee and/or volunteer must complete CF-FSP 5337, Child Abuse and Neglect Reporting Requirements, incorporated by reference in 65C- 20.001(8)(l), F.A.C. signed prior to initial licensure and annually thereafter.

*FD/LF Handbook 4.3*I

8. Volunteers must complete a CF-FSP 5217 Volunteer Acknowledgement, incorporated by refence in 65C-22.001(8)(e), F.A., prior to volunteering in the home. Written documentation of volunteer hours must be maintained at the home and available for review by the licensing authority.

FD/LF Handbook 4.3J

9. Household members aged 12 to 17 years must complete Juvenile Records Check with FDLE.

Ch 61. S.7.(2)

C. License Board Records

All applications for licenses, inspection reports on family child care homes, 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 family child care home.

12/2/92

D. Planned/Unplanned Activities

The provider must have a written schedule of varied daily activities. The schedule may be flexible and emphasize the homelike atmosphere of family child care.

Activities should be appropriate to the developmental stages of the children in care.

FD/LF Handbook 2.5 **LG**

Large Family Child Care Homes

Each group or class must have a written and followed plan of scheduled activities posted in a conspicuous location accessible to the custodial parents or legal guardian. The written plan shall include a variety of activities that range from structured to unstructured activities that encourage a child's developmental growth. The written plan must meet the needs of the children being serviced and include scheduled activities that:

FD/LF Handbook 2.5A **LG**

1. Promote social, emotional, intellectual and physical growth;

FD/LF Handbook 2.5B **LG**

2. Include quiet and active play, both indoors and outdoors, and

FD/LF Handbook 2.5C **LG**

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

FD/LF Handbook 2.5D **LG**

4. Do not include the use of electronic media for children under two years of age. Electronic media may only be used for educational purposed or physical activity for children 2 years of age and older for no more than 1 to 2 hours per day.

FD/LF Handbook 2.5E **LG**

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

FD/LF Handbook 2.5F

6. Provide adequate time and space for infants, birth 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 in care shall be provided opportunities for outdoor time each day that weather permits.

FD/LF Handbook 2.5G

7. The program must make reasonable accommodations as required by the American Disabilities Act (42 U.S.C. 12101) to the environment, planned activities and schedule so that children with special needs may participate.

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

Ch 61. S.9.(1)

III. SAFETY, HEALTH AND SANITATION

Each family child care home must pass a sanitary inspection before it can be licensed and at least once annually before it can be relicensed. The premises, furnishings, and equipment shall be kept clean, free of rodents, vermin, and in general good order.

FD/LF Handbook 7.11A.

It is the responsibility of the operator to ensure all areas of the home are free from fire hazards such as lint and dust build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents.

A. First Aid Treatment and Emergency Procedures

FD/LF Handbook 7.19

1. At least one first aid kit containing materials to administer first aid must be maintained on the premises of the family child care home at all times and on activities away from the home. The first aid kit shall be kept out of reach of children and must be accessible to child care personnel. First aid kits or supplies must be restocked after each use. The kit must be clearly labeled "First Aid" and must, at a minimum, include:

    a. Liquid soap and hand sanitizer (to be used with supervision if hands are visibly soiled and if no water is present)
    b. Adhesive bandages
    c. Disposable non-porous gloves
    d. Cotton balls or applicators
    e. Sterile gauze pads or rolls
    f. Adhesive tape
    g. Digital thermometer
    h. Tweezers
    i. Pre-moistened wipes
    j. Scissors
    k. Bottled water (for cleaning wounds or eyes), and
    l. A current resource guide on first aid and CPR procedures

FD/LF Handbook 7.20

2. Emergency Procedures and Notification
   The operator shall have a procedure for responding when an immediate emergency medical response is required. Emergency procedures must be posted and readily accessible. The operator shall develop contingency plans for

emergencies or disaster situations when it may not be possible to follow standard emergency procedures. All child care personnel must be trained to manage an emergency.

12/2/92

a. The provider shall develop and post in a conspicuous location, the emergency plan of evacuation in case of fire. The plan shall include the escape route and the location of children's records.

FD/LF Handbook 7.22A

b. Each provider shall develop a written emergency preparedness plan on file in the License Board office for the evacuation and care of children in case of emergencies and disasters, including but not limited to hurricanes, floods, fires, bomb threats, chemical leaks, relocation, shelter in place, lockdown, inclement weather (tornadoes) or evacuations mandated by government officials for public health or safety. The plan shall include arrangements for transportation, food and water supply, parent and provider communication, availability of children's records, and supervision of children during evacuation and relocation. The plan must describe how the home will notify and update parents/guardians. Daily attendance rosters must be used to account for all children once gathered in a safe space after exit and upon return to the home.

11/7/07

FD/LF Handbook 7.22
8/3/05

c. To continue operation when a family child care home or property sustains damage from a natural disaster, fire, or other event, the License Board staff must be notified within twenty-four (24) hours as to their status of operation to ensure health standards are met for continued operation as a home child care.

If the family child care home closes temporarily, prior to re-opening, the License Board staff must inspect to ensure health and safety standards.

FD/LF Handbook 7.20A
12/2/92

d. Emergency telephone numbers, (including ambulance, fire, police, poison control center, Florida Abuse Hotline, the County Public Health Unit), the home address and the directions to the home (including major intersections and local landmarks), must be posted on or near all telephones and shall be used to protect the health, safety, and well-being of any child in care.

FD/LF Handbook 7.20B

To meet the immediate needs of the child, child care personnel shall call 911 or other emergency numbers in the event of an emergency.

FD/LF Handbook 7.20C

e. Custodial parents or legal guardians shall be notified immediately in the event of any serious illness, accident, injury, or emergency involving their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, child care personnel must contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow the written instructions provided by the custodial parent or legal guardian.

FD/LF Handbook 7.20D

f. All accidents, incidents, or unusual occurrences that are threatening to the health, safety, or welfare of a child, and observed health related signs and symptoms which occur at a family child care home, on field trips, or during transportation, must be documented on the day they occur. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken, and signature of operator and custodial parent or legal guardian. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence.

FD/LF Handbook 7.20E

Records of accidents, incidents, and observed health related signs and symptoms must be maintained for 12 months.

FD/LF Handbook 7.20F

If the parent or 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.

FD/LF Handbook 7.20G

g. After the occurrence of an incident that involved the serious injury or death of a child, the operator must notify the licensing authority immediately in order for the licensing authority to ensure health standards are met for continued operation as a family day care home.

FD/LF Handbook 7.20H

h. The home must have a written plan for reporting and managing any incident or unusual occurrence that is threatening to the health, safety and welfare of the children, or child care personnel to the licensing authority. The following types of incidents must be addressed:

1. Lost or missing child
2. Suspected maltreatment of a 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 home.

FD/LF Handbook 7.21A

i. During the home's licensure year, fire drills utilizing the approved alarm system or smoke detectors must be conducted monthly at various dates and times when children are in care. When the alarm is sounded, all adults and children must evacuate the home.

FD/LF Handbook 7.21B

j. When the home's approved fire alarm alert system or smoke detector(s) is/are activated or initiated, all adults and children must evacuate the home.

FD/LF Handbook 7.21C

k. The fire alarm system or smoke detector(s) must be operable at all times.

FD/LF Handbook 7.21D

l. A current attendance record and parent/guardian contact information must accompany child care personnel out of the home during a drill or actual evacuation, and must be used to account for all children.

The operator must maintain a written record of the fire drills showing the date, number of children and
staff 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:

1. One (1) fire drill during the established napping/sleeping times

2. One (1) fire drill using an alternate evacuation route, and

3. One (1) fire drill in the presence and at the request of the Child Care Licensing Program staff in coordination with the operator.

FD/LF Handbook 7.22B

m. Emergency preparedness drills shall be conducted when children are in care. Each drill, excluding the fire drills, outlined in the emergency preparedness plan must be practiced a minimum of one time per year.

FD/LF Handbook 7.22D

n. The operator shall maintain a written record of the emergency preparedness drills showing the type of drill, date conducted, number of children in attendance, and time taken for all individuals to complete the drill. Documentation of all drills must be maintained for a minimum of 12 months.

FD/LF Handbook 7.22E

o. 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.

FD/LF Handbook 7.22C

p. A current attendance record and parent/guardian contact information must accompany the child care personnel during the drill or actual emergency and must be used to account for all children.

FD/LF Handbook 7.22F

q. A home that chooses to operate using an alternate power source, such as a generator, must be 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 home must install and maintain a carbon monoxide detector.

Large Family Child Care Home Emergency Preparedness
In addition to the requirements above:

FD/LF Handbook 7.22G **LG**

r. The operator shall prepare an emergency evacuation plan including a diagram of safe routes by which the child care personnel and children may exit each area of the home in the event of fire emergency requiring evacuation.

FD/LF Handbook 7.22H **LG**

s. This plan shall be posted and shared with employees, substitutes, custodial parents, and/or legal guardians.

FD/LF Handbook 7.23

B. Communicable Disease Control

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 providers shall develop a written exposure plan regarding universal safety precautions, recommended by the Center 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 home's exposure plan regarding standard precautions before beginning to work and annually thereafter. Written documentation that child care personnel have participated in the home'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.

FD/LF Handbook 7.23A

1. Children in care shall be observed on a daily basis for signs of communicable disease. Signs and symptoms of a suspected communicable disease include the following:
   - Severe coughing, causing the child to become red or blue in the face or to make a whooping sound;
   - Difficult or rapid breathing;
   - Stiff neck;
   - Diarrhea (more than one abnormally loose stool within a 24 hour period);
   - Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness (Any infant younger than 2 months of age with fever should be given immediate medical attention);
   - Pink Eye;
   - Exposed, open skin lesions;
   - Unusually dark urine and/or gray or white stool;
   - Yellowish skin or eyes; or
   - Any other unusual sign or symptom of illness.

FD/LF Handbook 7.23B

2. The family child care home shall have a designated isolation area for a child who becomes ill. The child's condition shall be closely observed. Any child who is suspected of having a communicable disease or who has a fever of 101 degrees Fahrenheit or higher, in conjunction with any of the signs and symptoms listed above, shall be placed in the isolation area. Linens and disposables shall be changed after each use. For children whose symptoms do not require exclusion, verbal or written notification to the parent/guardian at the end of the day is acceptable.

FD/LF Handbook 7.23C

3. The condition shall be reported to the custodial parent or legal guardian and the child shall be removed from the family child care home. Such children shall not return to the home without medical authorization, or until the signs and symptoms of the disease are no longer present.

FD/LF Handbook 7.23C1

(a) A child identified as having head lice shall not be permitted to return until the following day and only provided that treatment has occurred and been verified. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a custodial parent or legal guardian that treatment has occurred. The operator must also treat areas, equipment, toys, and furnishings, with which the child has been in contact.

FD/LF Handbook 7.23C2

(b). An operator, substitute, employee, volunteer or household member who develops signs and symptoms of a communicable disease or who has a fever of 101 degrees Fahrenheit or higher, in conjunction with any of the signs and symptoms listed in paragraph 5.B.1., shall leave the areas of the home occupied by the children and shall not return without medical authorization, or until the signs and symptoms are no longer present. If it is the operator who is ill, the substitute must assume the operator's responsibilities.

FD/LF Handbook 7.23C3

(c) If the local health department official or primary health care provider suspects that a child, household member 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 should not return until the health department or primary health care providers determines the risk of transmission is no longer present.

FD/LF Handbook 7.23

4. Communicable Disease Outbreaks. Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease and follow the health department's direction. A suspected outbreak occurs when two or more children or adults have the onset of similar signs or symptoms, described above, within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected in a child or employee.

FD/LF Handbook 7.3A
12/2/92

5. All family child care home operators shall inform custodial parents or legal guardian in writing, if someone living in the home smokes, including e-cigarettes and vaping. Pursuant to Chapter 386, F.S., while children are in care, smoking is prohibited within the family child care home, on all outdoor play areas and in vehicles when transporting children. Tobacco and other smoking equipment/materials must be kept inaccessible to children at all times.

FD/LF Handbook 7.3B

6. Smoking is prohibited in all outdoor areas used by children in care, including field trips, while children are in care.

IV. PHYSICAL PLANT HOUSING FAMILY CHILD CARE HOMES

Ch 61. S.9.(3)(a) **A. Building**

All local building, fire, and health requirements must be met and maintained. The building housing a family child care home must be safe and in good repair. It must be adequately lighted and have a safe source of heat.

FD/LF Handbook 7.11B 7/25/91

1. The family child care home shall have an operable smoke detector and fire extinguisher with a current certificate. At least one (1) operable smoke detector must be installed on each floor of the family child care home. There shall be a minimum of two (2) smoke detectors installed in homes with split floor plans.

FD/LF Handbook 7.11D **LG**

2. A copy of the current and approved annual fire inspection report completed by a Certified fire inspector must be on file with the licensing authority.

FD/LF Handbook 7.11C **LG**

3. Large family child care homes shall conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C. Uniform Fire Safety Standards for Child Care Facilities.

FD/LF Handbook 7.12A 11/7/07

4. The family child care home shall have at least one operable, installed, corded telephone installed in a room approved for child care.

FD/LF Handbook 7.12B

5. At all times and appropriate for the activity, lighting in family child care homes must be sufficient enough to allow for safe movement and egress, and permit the child care personnel to visually observe and supervise children in care.

Ch 61. S.9.(3)

6. The family child care home shall have a safe source of heat.

FD/LF Handbook 7.12C

The home must have proper ventilation and the temperature maintained between sixty-five (65) and eighty-two (82) degrees Fahrenheit.

7/25/91

7. Portable electric fans within reach of children must have adequate protective screening.

FD/LF Handbook 7.1

8. Animals, pets or fowl must be properly vaccinated, if vaccinations are available for the type of animal, pet or fowl, and be free from disease. Animals that are poisonous, aggressive, venomous, or pose a potential threat of harm to children in care are prohibited. Custodial parents or legal guardian must be informed in writing of all animals on the premises of the home. Such information may be provided by way of a parent flier, a notification statement, or a statement included in the child's enrollment form. Documentation of current immunizations must be available for review upon request by the licensing authority.

8/3/05

9. Any animal, which according to the records of Pinellas County Animal Services has bitten a human more than once, or exhibited aggressive behavior, or has been declared dangerous pursuant to Chapter 767.12, Chapter 14 Pinellas County Code, or any comparable law, shall not be on the property of the family child care home.

FD/LF Handbook 7.2A

10. All areas and surfaces accessible to children shall be free of toxic substances and hazardous materials/equipment/tools, including power tools, plastic bags, matches, candles, lighters, etc. These items as well as knives, sharp tools, BB guns, pellet guns and other potentially dangerous hazards, shall either be stored in a locked area or must be inaccessible and out of a child's reach.

FD/LF Handbook 7.2B

11. All potentially harmful items including cleaning supplies, flammable products, poisonous and toxic and hazardous materials must be labeled and used according to manufacturer's recommendation.

FD/LF Handbook 7.2C	12. Narcotics, alcohol, or other impairing drugs/paraphernalia must be kept inaccessible to children at all times.
FD/LF Handbook 7.2D	13. 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 a tub on the countertop, sweeping. This does not include cleaning with hazardous materials or any cleaning which poses a risk of slipping or falling.
7/25/91	14. Locks not accessible to children must be on all doors leading to the outside areas and to areas off limits to children.
8/3/05	15 All exits leading to the outside of the family child care home shall be free of any obstruction.
8/3/05	16. Homes shall not have burglar bars. Homes holding a valid license on December 31, 2005, and having burglar bars may maintain those bars, however they are required to pass an annual inspection by the fire department.
7/25/91 & *FD/LF Handbook 7.E*	17. All accessible safety 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.
12/2/92 & *FD/LF Handbook 7.4*	18. At all times when children are in care, all firearms and weapons as defined in Chapter 790.001, F.S., must be stored in a location inaccessible to children and in accordance with Section 790174.F.S. No firearms or weapons as defined in Section 790.001, F.S., shall be kept upon any person located on the premises, excluding federal, state or local law enforcement officers. It is recommended that parents/guardians be informed of this policy. Ammunition must be stored separately from firearms and out of sight and reach of children. Exception: Firearm cases or racks within reach of children must be locked to prevent removal of firearms by children.
11/7/07	19. If a family child care home or a large home has well water, the provider, prior to issuance of a temporary permit, must submit to the License Board written verification from the Pinellas County Health Department of satisfactory well water. Thereafter, the provider must have the well water tested on a quarterly basis and submit to the License Board written verification from the Pinellas County Health Department of approved well water. Well water used for lawn watering only does not need to be tested unless it is used for children's water play.
FD/LF Handbook 7A	20. Indoor and outdoor play areas must be inspected daily for basic health and safety and documented on a daily inspection log. Any problems noted must be corrected before the play area is used by children. Documentation must be maintained for 12 months.
FD/LF Handbook 7B	21. Guardrails or protective barriers, such as baby gates, should be provided at open sides of stairs, ramps, and other walking surfaces from which there is more than a 30 inch vertical distance fall.
FD/LF Handbook 7C	22. No electrical device or apparatus accessible to children shall be located in a Place where it can be plugged into an electrical outlet where a person is in contact with a water source, such as a sink, tub, shower area, water table or swimming pool.
FD/LF Handbook 7D	23. Carbon monoxide detector(s) must be installed as 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. Indoor Floor Space

8/3/05

1. A family child care home must have thirty-five (35) square feet of usable indoor floor space per child, which does not include bedrooms unless it can be demonstrated that these bedrooms are used as multipurpose activity rooms.

8/3/05
FD/LF Handbook 7.5F **LG**

2. Usable indoor floor space refers to that space available for indoor play and activities. 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, 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.

FD/LF Handbook 7.5 **LG**

3. In addition to meeting the requirements above, a large family child care home must have 35 square feet of usable floor space per child that does not include bedrooms unless it can be demonstrated that these bedrooms are used as multipurpose activity rooms.

8/3/05
FD/LF Handbook 7.5 G

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

8/3/05
FD/LF Handbook 7.5 H

5. Where infants are in care, they shall have open indoor floor space outside of cribs and playpens.

Ch 61. S.9.(3)(b)

6. A porch will be considered as indoor play space if it is enclosed and can be adequately heated.

Ch 61. S.9.(3)(c)

C. Outdoor Play Space

FD/LF Handbook 7.6I

1. All family child care homes' 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. All playground equipment, if provided, shall be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe usage by children.

8/3/05, 4/1/09

2. All family child care homes must have a minimum of fifty (50) square feet per child of usable outdoor play area located on the property and which is exclusively used for the children attending or residing at the family child care home.

FD/LF Handbook 7.6A

3. The outdoor play area shall be clean, free of litter, nails, glass, and other hazards.

FD/LF Handbook 7.6C
11/7/07, 4/1/09

4. The outdoor play area must be enclosed with safe and adequate fencing or walls a minimum of four (4) feet in height. The fence must not prevent the supervision of children. The fence must be in good condition and conform to applicable local building codes. These areas must have at least two exits, with at least one being remote from the home. If an outdoor play area was approved for usage by the Child Care Licensing Program prior to the effective date of this rule, 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.

   Gates on the fence must be locked while children in care are in the outdoor play space.

   Outdoor activities conducted at the family child care home shall be conducted in the designated outdoor space.

FD/LF Handbook 7.6F
8/3/05

5. Fencing, including gates, must be continuous, and shall not have openings or gaps larger than 3 ½ inches that would allow children to exit the outdoor play area. The bottom or base of the fence must remain at ground level and free from erosion or buildup to prevent inside or outside access by children or animals.

FD/LF Handbook 7.6G

The fence, decking and gates must be constructed to discourage climbing.

8/3/05
FD/LF Handbook 7.6L

6. All equipment, fences, and objects on the family child care home premises shall be free of sharp, broken, and jagged edges and properly placed to prevent overcrowding or safety hazards in any one area.

Ch 61. S.9.(3)(c)

7. It shall have adequate sun, with provision for shade in warm weather.

FD/LF Handbook 7.6H

8. Outdoor play areas must be free from unsecured bodies of water. All water hazards must be inaccessible to children and enclosed with a fence that is 4 to 6 feet high or higher and bottom or base of the fence must remain at ground level.

FD/LF Handbook 7.6D

9. Homes caring only for infants under 12 months of age shall not be required to have an outdoor play area; however, infants in care shall be provided opportunities for outdoor time each day that weather permits.

FD/LF Handbook 7.6E

10. For all homes including those providing evening care, the outdoor play area shall maintain safe and adequate fencing or walls, a minimum of four feet in height, if the family day care home property borders a public road/street or laned road/street with public access with a speed limit of 25 miles per hour or greater, must maintain safe and adequate fencing or walls a minimum of four feet in height around the outdoor play area.

8/3/05

D. Equipment Maintenance

1. Toys must be safe and maintained in a sanitary condition.

FD/LF Handbook 7.6K

2. Permanent or stationary playground equipment must have ground cover or other protective surface under the equipment, which provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls. Equipment used for climbing must not be placed over, or immediately next to hard surfaces not intended for use as surfacing for climbing equipment. All permanent/anchored playground equipment must be placed over a shock absorbing material that is either the unitary or the loose fill type extending beyond the perimeter of the stationary equipment. Untreated organic materials that support colonization or molds and bacteria shall not be used.

FD/LF Handbook 7.6M

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

FD/LF Handbook 7.6B

4. Tubs, buckets, and other open containers of water should be emptied immediately after use.

FD/LF Handbook 7.6J

5. Maintenance shall include checks at least every other month of all supports above and below the ground, all connectors, and moving parts. Documentation must be maintained for a 12 month period.

FD/LF Handbook 7.6N

6. The outdoor play areas and equipment shall be inspected prior to usage daily for basic health and safety, including, but not limited to:
   - Missing or broken parts;
   - Protrusion of nuts and bolts;
   - Rust and chipping or peeling paint;

- Sharp edges, splinters, and rough surfaces;
- Stability of handholds
- Visible cracks
- Stability of non-anchored large play equipment, (e.g. playhouses);
- Wear and deterioration;
- Vandalism or trash

Any problems noted must be corrected before the play area is used by children.

FD/LF Handbook 7.6O **LG** 7. In addition to meeting the requirements above:
12/5/01, 4/1/09
All large family child care homes must have a minimum of 50 square feet per child of usable outdoor play area located on their property and which is used for the children attending or residing at the large family child care home, during operating hours.

5/3/95 **E. Rules for Pools Located at Family Child Care Homes and Large Homes**

9/13/03 Children in care are prohibited from using swimming pools located at family child care homes and large homes.

10/6/10 If a family child care home has a swimming pool, it shall be maintained by using chlorine or other suitable chemicals, so that the bottom of the pool is clearly visible.

1. **Fences, locks and chemicals**

FD/LF Handbook 7.7A

a. All in-ground swimming pools and above-ground swimming pools more than one foot deep, shall have either a fence or barrier, on all four sides, at a minimum of four feet in height, separating the home from the swimming pool. The fence or barrier shall not have any gaps or openings that would allow a young child to crawl under, squeeze through, or climb the barrier. The exterior wall of the home, with an ingress and egress, does not constitute a fence or barrier.

A pool alarm that is operable at all times when children are in care may be used in lieu of the fence or barrier that separates the exterior wall of the home from the pool.

FD/LF Handbook 7.7E

Barriers may be temporary in nature, but must be sturdy and meet all the above requirements and be in place during all times when children are in care. The wall of an above ground swimming pool may be used as its barrier; however, such structure must be at least four (4) feet in height.

FD/LF Handbook 7.7F

In addition, any ladder or steps that are the means of access to an above ground pool must be removed at all times while children are in care.

2/1/06

All doors and gates in the fence or barrier shall be locked at all times when children are in care. In addition, child care personnel shall ensure that all egress and ingress leading to the pool, spa, or hot tub area remain locked at all times while children are in care.

FD/LF Handbook 7.7D

FD/LF Handbook 7.7B

b. All spas and hot tubs must meet the same barrier requirements for in-ground and above ground swimming pools, or instead, spas and hot tubs may be covered with a safety cover, that meets the requirements of Section 515.25(1), F.S., at all time when children are in care. A tarpaulin or canvas covering is not permitted. The exterior wall of the home with an ingress and egress does not constitute a fence or barrier.

FD/LF Handbook 7.7C

c. Locks not accessible to children shall be on all doors or gates leading to the swimming pool. If a hook and eye lock is used, the hook must have a spring. All doors or gates in the fence or barrier shall be locked at all times when children are in care.

FD/LF Handbook 7.7G

d. If a home has a swimming pool, it shall be maintained using chlorine or other suitable chemicals. Water in swimming pools or spas must be maintained at all times to ensure visibility to the bottom. Wading pools, including inflatable water slides with landing area where water collects, are prohibited.

2/1/06

e. For an above ground pool, in existence at a licensed home prior to October 1, 2003, a sturdy, secure fence may be added to the pool wall to bring the combined height of the pool wall and fence to at least five (5) feet, thus eliminating the need for a separate fence or pool alarm. Ladders or steps that lead to above ground pool areas must be inaccessible to children.

5/3/95

2. If a swimming pool is deeper than four (4) feet, a shepherd's crook is required. The shepherd's crook must not conduct electricity, must be prominently and appropriately mounted at pool side for ready accessibility.

2/1/06

3. Swimming pool and/or spa are off limits to all children, the provider and other child care personnel during child care hours. Other adults eighteen (18) years and older may use the pool during child care hours as long as all pool regulations are maintained.

FD/LF Handbook 7.7

If the home uses swimming pools not at the family day care home site or takes the children to water areas such as a beach or lake for swimming activities

FD/LF Handbook 7.7 I

a. The operator must provide one person with a certified lifeguard certificate or equivalent who must be present when children are in the swimming area, unless a certified lifeguard is on duty.

FD/LF Handbook 7.7J

b. Providers must ensure that all pools and spas have drain covers that are in compliance with the Virginia Graeme Baker Pool and Spa Safety Act, 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

FD/LF Handbook 7.7 K

c. Each 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, in addition to the shepherd's crook. The equipment must be long enough to reach the center of the pool, kept in good repair and stored safely and conveniently for 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.

F. Sleeping and Napping Space

FD/LF Handbook 7.8A

1. A family child care home must include a designated area where each child can sit quietly or lie down to rest or nap. Each child in care must be provided safe and sanitary bedding to be used when napping or sleeping. All bedding and linens must be thoroughly cleaned and sanitized before use by another child. Linens must be washed at least once a week and more often if soiled or dirty. 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.

FD/LF Handbook 7.8G

2. Bedding must be appropriate for the child's size.

FD/LF Handbook 7.8H

3. Nap bedding is not required for school age children; however, the family child care home provider shall provide an area as described below for those children choosing to rest.

FD/LF Handbook 7.8F

4. Sleep bedding includes beds, cribs or mattresses. Nap bedding includes sleep bedding, cots, playpens or play yards. Air and foam mattresses are prohibited.

12/2/92

5. Infants and toddlers shall not routinely be left in playpens or cribs except for rest or sleep. For sleeping and napping, infants through the age of twelve (12) months must be in their own crib, porta crib, or playpen with sides.

11/7/07

6. When infants are napping or sleeping, cribs must have a well-fitting, protected mattress covered by a well-fitting, cloth crib sheet. Pillows may not be used nor shall soft items such as blankets, towels, etc. be used under the infants when sleeping or napping.

FD/LF Handbook 7.8I

7. Children one year of age or older may nap or sleep on beds used by the family provided individual linens are provided for each child. Each child shall have a separate bed, cot, crib, playpen, or mattress, except that two sibling preschool children may share a double bed.

FD/LF Handbook 7.8K

8. If the children are sleeping overnight, the operator must ensure accepted bedtime routines, such as brushing teeth and face and hand washing are followed. Toothbrushes, towels, and wash cloths may not be shared.

Ch 61. S.9.(3)(d)3. &

FD/LF Handbook 7.8M

9. Napping spaces shall not be under furniture, against furniture that may create a hazard, or blocking exit routes. A minimum distance of two feet must be maintained around individual napping spaces, except a maximum of two sides of a napping space may be against a solid barrier, such as a wall. The solid side of a crib does not meet the definition of a solid barrier.

Ch 61. S.9.(3)(d)4.5.

10. No child over the age of two (2) shall sleep in the same room with two (2) adults. Children of opposite sex over the age of five (5) shall not sleep in the same room.

Ch 61. S.9.(3)(d)6.

11. Sleeping quarters shall be near enough to those of a responsible adult to facilitate supervision of children.

FD/LF Handbook 7.8E

12. When napping or sleeping, young infants that are not capable of rolling over on their own shall be positioned on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome (SIDS), unless an alternative 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 shall be maintained in the child's record. 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.

Ch 61. S.9.(3)(d)3.

13. All bedrooms for children receiving overnight care shall contain five hundred (500) cubic feet of air space per child.

FD/LF Handbook 7.8L

14. Napping spaces shall not be designated in kitchens, bathrooms, utility rooms, or garages.

FD/LF Handbook 7.8B

15. 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 Basic Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001(7)(v), F.A.C. Cribs, play yards bassinets, and playpens used for infants must have tight fitting 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.

FD/LF Handbook 7.8J

16. The operator must prepare a written plan outlining the sleeping arrangements of the children in care to be provided to the licensing specialist upon request.

Ch 61. S.9.(3)(f)1.
FD/LF Handbook 7.8C
11/7/07

17. Cribs, bassinets, or playpens with bases raised above the floor shall be provided for infants. Before purchase and use, cribs and play yards must be in compliance with 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.

FD/LF Handbook 7.8D

18. Children must not be placed in cribs, playpens, play yards or other sleeping and napping bedding with items that could pose a strangulation or suffocation risk. Cribs, playpens, play yards and other napping and sleeping bedding being used by a child must be placed a minimum of 2 feet away from window blinds, draperies or any window treatment/cover that pose a strangulation hazard.

G. Bathroom Facilities

Ch 61. S.9.(3)(e)1, 6/27/11

1. Homes shall have at least one (1) toilet, one (1) bathtub and one (1) lavatory for handwashing purposes.

FD/LF Handbook 7.15B

2. Potty chairs, if used, shall be cleaned, and sanitized or disinfected after each use.

FD/LF Handbook 7.17

3. Each child shall have his own individually labeled towel or wash cloth. If disposable towels are used, they shall be discarded after each use. Individually labeled towels and wash cloths must be washed at least once a week and stored in a sanitary manner which prevents the spread of germs.

FD/LF Handbook 7.15C

4. Each family child care home shall provide and maintain toilet and bath facilities that are easily accessible and at a height usable by the children. Platforms or stools are acceptable when they are safely constructed, with impervious surfaces, and can be easily cleaned and sanitized or disinfected.

FD/LF Handbook 7.15D

5. Running water, soap, trash receptacles, toilet paper and individual towels/disposable towels shall be available and within reach of children using the toileting facility.

H. Equipment and Indoor Play Areas

Ch 61. S.9.(3)(f)2.

1. Play materials, toys, books, and equipment safe and developmentally appropriate shall be provided and accessible to children.

12/2/02

Television, if used, shall be limited and appropriate.

FD/LF Handbook 7.10B

2. The operator shall make available toys, equipment and furnishings suitable to each child's age and development and of a quantity suitable for each child to be involved in activities.

FD/LF Handbook 7.10C

3. Toys, equipment and furnishing must be safe and maintained in a sanitary condition. The program must follow a routine schedule of cleaning, sanitizing and disinfecting toys, equipment, and furnishings. These items must be cleaned and sanitized or disinfected immediately prior to another child's use if exposed to bodily fluids, such as saliva. Homes 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, floors, diaper pails, toilets, and sinks. Weekly equipment items include but are not limited to: linens, machine washable cloth toys, play activity centers, dress-up clothes, cribs, mats, and cots.

FD/LF Handbook 7.5A

4. Operators must promote developmentally appropriate active play for all children, including infants and toddlers every day.

FD/LG Handbook 7.5B

5. All areas of the home including the play areas shall be in good repair, clean and free of litter, nails, glass and other hazards.

FD/LG Handbook 7.5C

6. Strings and cords long enough to encircle a child's neck, such as those on toys and window coverings, shall not be accessible to children.

FD/LF Handbook 7.5D

7. Bathtubs, buckets, diaper pails, and other open containers of water must be emptied immediately after use.

I. Cleanliness and Orderliness of the Family Child Care Home

Ch 61. S.9.(3)(g)1. & FD/LF Handbook 7.10A

1. All parts of the home, both indoors and outdoors, including the furnishings, equipment, and plumbing, shall be kept clean and sanitary, free of hazards, in an orderly condition, and in good repair at all times. Provider should monitor the Consumer Product Safety Commission (CPSC) recommendation for use of equipment.

FD/LF Handbook 7.9

2. Rodents and vermin shall be exterminated. Pest control shall not take place while rooms are occupied by children. A home 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.

FD/LF Handbook 7.15A

3. Soiled items shall be immediately placed in plastic lined, securely covered containers, which are not accessible to children. The container shall be emptied, cleaned, and sanitized or disinfected daily. Children's wet or soiled clothing and crib sheets shall be changed promptly.

FD/LF Handbook 7.18 & 7/25/91 11/7/07

4. When children in diapers are in care, there shall be a designated diaper changing area with an impermeable surface that is cleaned and sanitized or disinfected after each use. The diaper changing area shall be located separate from the food preparation, food service and feeding area. Items unrelated to diaper changing shall not be stored in the designated diaper changing area nor shall they be placed on the diaper changing table.

FD/LF Handbook 7.16

5. Child care personnel and children shall wash their hands with soap and running water, drying thoroughly, following personal hygiene procedures for themselves, or when assisting others and immediately after outdoor play. Situations or times that children and child care personnel must perform hand hygiene should be posted in all food preparation, diapering and toileting areas.

   The operator, substitutes, employees, volunteers and children shall abide by the Centers for Disease Control guidelines for handwashing incorporated by reference in 65C-22.001(8)(u), F.A.C. Copies of the Center for Disease Control Guidelines may be obtained at www.cdc.gov.

   Hands must be washed:

   - Upon arrival for the day, after breaks, or when moving from one group to another

   Before and after the following activities:

   - Preparing food or beverages;
   - Eating, handling food, or feeding a child;
   - Brushing or helping brush a child's teeth; Giving medication or applying a medical ointment or cream in which a break in the skin (e.g., sores, cuts, or scrapes) may be encountered;
   - Playing in water (including swimming) that is used by more than one person; and
   - Diapering

After the following activities:

- Using the toilet or helping a child use the toilet;
- Handling bodily fluid (mucus, blood, vomit);
- Handling animals or cleaning up animal waste;
- Playing in sand, on wooden play sets, and outdoors; and
- Cleaning or handling the garbage.

FD/LF Handbook 7.15E

6. Single service paper or plastic plates, utensils, and cups shall not be reused.

FD/LF Handbook 7.15F

7. Plates, utensils, cups, bottles and sippy cups provided by the family child care home that are not disposable shall be washed, rinsed and sanitized between uses.

FD/LF Handbook 7.15G

8. All bottles and sippy cups prepared and used continuously throughout the day shall be individually labeled with the child's first and last name. This does not limit any type of identification system in addition to names. Sippy cups or bottles brought from home shall be individual labeled with the child's first and last name and must be returned to the custodial parent or legal guardian daily.

V. TRANSPORTATION

FD/LF Handbook 2.4

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 home, and vehicles used to provide transportation through a contract agreement with an outside entity ore person.

FD/LF Handbook 2.4.1

1. Driver Requirements

The driver of any vehicle used by a child care program to provide transportation must have the following:

FD/LF Handbook 2.4.1

(a) A valid Florida driver's license including the proper endorsement; and

(b) An annual physical examination which grants medical approval to drive, and a valid certificate(s) of course completion for first aid training and pediatric cardiopulmonary resuscitation (CPR) procedures.

Documentation must be maintained at the home for licensing review.

F/LF Handbook 2.4.2

2. Transportation Log

A log must be maintained for all children being transported in the vehicle or on foot away from and/or to the premises of the home. The log must be retained for a minimum of 12 months. The log must include each child's name, date, time of departure, time of arrival and the signature of the driver verifying all children were accounted for during the visual sweep.

FD/LF Handbook 2.4.2A

(a) Prior to transporting children, the transportation log must be recorded, signed and dated immediately, verifying that all children were accounted for and that the log is complete.

FD/LF Handbook 2.4.2B

(b) Upon arrival at the destination, the driver of the vehicle shall:

- Mark each child off the log as the child departs the vehicle,
- Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and
- Sign, date, and record the transportation log immediately, verifying that all

children were all accounted for and that the visual sweep was conducted.
- If the provider contracts/agrees with an outside entity/person to provide transportation, then the provider must perform the duties of the driver outlined above in numbers 1-3.

Large Family Day Care Home
In addition to the transportation log requirements above, the home employee or person(s) authorized by the large family child care home operator must:

FD/LF Handbook 2.4.2C **LG** (c) Conduct a second physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

FD/LF Handbook 2.4.2D **LG** (d) Sign, date and record the transportation log immediately, verifying that all children were accounted for, and that the log is complete.

FD/LF Handbook 2.4.3

3. Emergency Care Plans
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 on foot while away from the home.

A. 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 on the field trip and inaccessible to the children. A designated child care personnel in the vehicle or on the field trip must be trained to recognize and respond appropriately to the medical emergency per medication training requirements in section 7.24, J.
B. Each child with an allergy should have a written emergency care plan that includes:
   1. Instructions regarding the allergen to which the child is allergic and steps to be taken to avoid that allergen;
   2. 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.
   3. Specific symptoms that would indicate the need to administer one or more medications.
C. Based on the child's emergency care plan, provided by the parent/legal guardian or physician, 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.
D. Child care personnel shall notify parents/guardians immediately of any lsuspected 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.

FD/LF Handbook 2.4.4

4. Vehicle Requirements
For the purpose of this section, vehicles refer to those owned, operated or regularly used by the child care home, and vehicles that provide transportation through a contract or agreement with an outside entity. Parent's/guardians' personal vehicles used for transporting during field trips are excluded from meeting these requirements of this sub-section.

FD/LF Handbook 2.4.4A (a) All vehicles regularly used to transport children must be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic must be maintained in the vehicle.

FD/LF Handbook 2.4.4B (b) The maximum number of individuals transported in a vehicle shall not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts that are operational.

FD/LF Handbook 2.4.4C (c) When transporting children, staff-to-child ratios must be maintained at all times.

FD/LF Handbook 2.4.4D

(d) An adult must remain within sight and hearing of children being transported in a vehicle so as to respond to the needs of the children at all times.

FD/LF Handbook 2.4.4E

(e) All family child care providers must maintain documentation of current insurance of all vehicles used to transport children in care.

FD/LF Handbook 2.4.4F

(f) Smoking, including e-cigarettes and vaping, is prohibited in all vehicles while being used to transport children.

FD/LF Handbook 2.44G

(g) Emergency medical consent forms or copies of the consent forms signed by the custodial parent or legal guardian and emergency contact numbers must accompany the children on all field trips.

FD/LF Handbook 2.4.4H
12/2/92

(h) A permission and transportation release form signed by the custodial parent or legal guardian of the children in care must be on file for planned and unplanned activities. Written permission may be in the form of a general permission slip.
Documentation of parental permission must be maintained for a minimum of 12 months from the date of planned and unplanned activities.

FD/LF Handbook 2.44I

(i) The interior of vehicles, when being used to transport children, should be maintained at a temperature comfortable to children. (between 65- and 82-degrees Fahrenheit). The vehicle can be ventilated either by mechanical or natural means to maintain the temperature.

FD/LF Handbook 2.44J

(j) 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 safety requirements are met.

Ch 61 S. 9.(2)

(k) Vehicles used for transporting children shall be maintained in safe condition at all times.

FD/LF Handbook 2.4.5
6/4/03

5. Seat Belt/Child Restraints
Each child, when transported, must be in a back seat, in an individual factory installed seat belt or federally approved properly installed child safety restraint, unless the vehicle is excluded from this requirement by Florida Statute. 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) Car safety seats 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 seats after a crash.

FD/LF Handbook 2.4.5A

(a) Children age birth to one year old must be secured in a rear-facing car safety seat.

FD/LF Handbook 2.4.5B

(b) Children aged one through 3 years, such restraint device must be a separate carrier or a vehicle built-in child seat.

FD/LF Handbook 2.4.5C

(c) 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.

FD/LF Handbook 2.4.5D

(d) Children aged 5 years and older must be in seat belts.

FD/LF Handbook 2.4.5E **LG** (e) In addition to the transportation requirements above a large family child care home must comply with the following:

- When one child care personnel takes some children on a field trip and

one child care personnel remains on the premises with the remainder of the children in care, the operator or employee transporting children is totally responsible for the care and supervision of those children and shall follow the transportation guidelines specified above.

VI. NUTRITION PRACTICES

FD/LF Handbook 7.14A 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. Children are at a higher risk for contracting food-borne illness, as their bodies are in the process of growing, developing, and building adequate immune systems to fight illness. While some food-borne illnesses originate at farms or food manufacturing plants, the majority are the result of poor food handling practices. Child care personnel, while working in the food preparation area, must use clean disposable gloves, utensils, or similar items in the food preparation area to prevent contact with ready-to-eat foods.

FD/LF Handbook 7.14A

1. If the operator chooses to supply food, the operator shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children.
   Weekly meal and snack menus shall be planned and written, and must be available for review upon request by the licensing authority. Meals and snacks must contain, at a minimum, the meal and snack patterns shown for infants and children in the Child Care Food Program (CCFP) guidelines, incorporated by reference in 65C-22.001(8)(r) and (s), F.A.C., and may be found at http:www.floridahealth.gov/programs-and-services/childrens-heath/child-care-food-program/nutrition/_documents/meal-pattern-for children-9-16.pdf.

FD/LF Handbook 7.14B

2. Breakfast shall consist of at least three different food groups; lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. The USDA MyPlate is to be used to determine which food groups to serve at each meal or snack serving size and age appropriateness of the selected foods for children. Copies of the USDA MyPlate dieting guidelines, incorporated by reference in 65C-22.001(8)(t), F.A.C., may be obtained from the USDA website at http://www.choosemyplate.gov.

FD/LF Handbook 7.14C

3. 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 shall be maintained in the child's file for as long as the child is in care. If the custodial parent or legal guardian notifies the family day care home of any known food allergies, written documentation must be maintained in the child's file.

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FD/LF Handbook 7.14D

4. Daily meal and snack menus shall be maintained for a minimum of 12 months for licensing purposes. Operators who participate in the USDA Food Program, shall provide nutritious meals and snacks and must keep menus in accordance with the Department of Health and the USDA.

FD/LF Handbook 7.14E

5. Clean, sanitary drinking water shall be readily accessible in indoor and outdoor areas, throughout the day for all children. On hot days, bottle fed infants may be given additional breast milk 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 by the child's pediatrician. Homes 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.

FD/LF Handbook 7.14F

6. 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, popcorns, chips, pretzel nuggets, whole grapes, nuts, cheese cubes/sticks and any food that is of similar shape and size of the trachea. 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.

FD/LF Handbook 7.14G 7. Due to 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 food must be of a safe consistency and must be developmentally appropriate for the age and developmental ability of the infant.

FD/LF Handbook 7.14H 8. Breastmilk and formula must be handled in a sanitary manner at all times and according to manufacturer's instructions and instructions by parents/guardians. Prepared bottles must be placed in the refrigerator immediately and used within 24hours. 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 Basic Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001(7)(v), F.A.C.

FD/LF Handbook 7.14I 9. Bottled breast milk, infant bottles and formula must not be heated in the microwave. Heated bottles and foods must be tested before feeding to ensure heat is evenly

&8/3/05 distributed and to prevent injury to children. A bottle can only be warmed once. A warmed bottle cannot be returned to the refrigerator or re-warmed. All breastmilk and infant formula left in bottles after feedings must be discarded within one hour after serving an infant. Unused breastmilk may be returned to the parent/guardian in the bottle or container.

FD/LF Handbook 7.14J 10. Breastmilk or infant formula provided for a specific infant by a parent or guardian must not be fed to other children. In the event that the wrong breastmilk or formula is given 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 or breastmilk was intended for. These incidents must be documented as an accident/incident.

FD/LF Handbook 7.14K 11. Previously opened baby food jars must not be accepted. If food is fed directly from the jar by the caregiver, the jar can be used for only one feeding and remainder discarded.

FD/LF Handbook 7.14L 12 Providers shall develop and follow procedures for the preparation and storage of expressed breastmilk that ensures the health and safety of all infants, as outlined by the Academy of Breastfeeding Medicine Protocol, and prohibits the use of infant formula for a breastfed infant without parental consent, as refenced 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.

FD/LF Handbook 7.14M 13**. Food Allergies**

Each child's food allergies shall be posted prominently in the kitchen or wherever food is served with permission of the parent/guardian, and shared with child care personnel working in the home. Each child with a food allergy should have a written care plan that includes:

- Instructions regarding the food(s) to which the child is allergic and steps to be taken to avoid that food;
- 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;
- Specific symptoms that would indicate the need to administer one or more medications.

Based on a child's care plan and prior to caring for the child, the operator and substitute should receive training for and implementing measures for preventing exposure to specific food(s) to which the child is allergic; recognizing the symptoms of an allergic reaction; treating allergic reactions.

The written care plan, a mobile phone, and the proper medications for appropriate treatment if the child develops an acute allergic reaction should be routinely carried

on field trips or transportation out of the home setting.

The operator or substitute shall notify parents/guardians immediately of any suspected allergic reactions, as well as the ingestion of or contact with the problem food even if a reaction did not occur. The operator or substitute should contact the emergency medical services system immediately whenever epinephrine has been administered.

FD/LF Handbook 7.13 14. **Food Preparation/Storage**
Proper storage of food is essential to prevent food contamination, as well as, insect and rodent infestation. Correct handling and storage of all food is a key component in preventing food-borne illnesses. To prevent bacteria growth, cold food must be kept at or below 41 degrees Fahrenheit and hot foods at or above 135 degrees Fahrenheit.

FD/LF Handbook 7.13A 15. Poisonous/toxic chemicals or cleaning products must be store separately from food. Products must not be stored on shelves above food preparation areas and/or food products intended for human consumption, unless placed in bins that are impermeable.

FD/LF Handbook 7.13B 16. Food containers such as cans, plastic containers, boxes and bags must be stored above the floor on clean surfaces protected from splash and other contamination.

FD/LF Handbook 7.13C 17. Opened packages of dried good and perishable or leftover food items must be properly covered/sealed in containers or bags and stored appropriately to prevent contamination.

FD/LF Handbook 7.13D 18. Refrigerators/freezers must have accurate food grade thermometer designed to measure cold storage temperature and these must be placed inside each refrigerator 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 require 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 reading must be made.

FD/LF Handbook 7.13E 19. A food preparation area shall be clean and free of dust, dirt, food particles and grease deposits.

FD/LF Handbook 7.13F 20. Food provided by parents/guardians must be properly stored and handled in a sanitary manner at all times to prevent contamination or spoilage. If food is supposed to be kept cold, the food must be stored in a refrigerator until eaten, or parents/guardians must include ice packs to keep food cold.

VII. CHILD DISCIPLINE

6/4/03 Minimum standards for child discipline practices shall ensure that age-appropriate, constructive disciplinary practices are used for children in care.

FD/LF Handbook 2.3A A. Operators shall adopt a discipline policy consistent with Section 402.305(12), F.S., including 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.

FD/LF Handbook 2.3C B. Verification that the home has provided the parent or guardian a written copy of the disciplinary and expulsion policies used by the home must be documented on the enrollment form with a signature of the custodial parent or legal guardian.

FD/LF Handbook 2.3D C. Active play, both indoor and outdoor, must not be completely withheld from children who misbehave. For example, a child being placed in time-out 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.

FD/LF Handbook 2.3B 6/4/03, 4/1/09

D. All family child care home operators, including substitutes, employees and volunteers, must comply with the home's written disciplinary and expulsion policies.

6/4/03, 4/1/09

E. A copy of the written 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. Preventative and discipline practices should be used as learning opportunities to guide children's behavior development. A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed and be available for review.

FD/LF Handbook 2.3E

FD/LF Handbook 2.3 F

F. The following discipline techniques shall be prohibited in the home:

1. The use of corporal punishment. Including but not limited to:
    - Hitting, spanking, shaking, slapping, twisting, pulling, squeezing or biting;
    - Demanding excessive physical exercise, excessive rest, or strenuous or bizarre postures;
    - Compelling a child to eat or have in his/her mouth soap, food, spices, or foreign substances;
    - Exposing a child to extreme temperatures;
    - 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 restrict 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. Place a child in a crib/portable crib for a time-out or for disciplinary reasons.

FD/LF Handbook 2.3 G

G. Providers that care for infants 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 section 5.2.1.

Ch 39.201

VIII. REPORTING CHILD ABUSE AND NEGLECT

A. Definitions

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.
2. "Neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment.
3. "Harm" to a child's health or welfare can occur when any person:

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

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.

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.

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

1. Any person including, but not limited to, any:

a. School teacher or other school official or personnel;

b. Social worker, child 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 of Children and Family Services in the manner prescribed in subsection 2.

9/11/09

An open child abuse investigation involving the Family Child Care Home, Large Family Child Care Home shall be reported to the Child Care Licensing Program (CCLP) within 24 hours or the next business day upon initial knowledge of the investigation.

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.

3. Reporters in occupation categories, designated in subsection (2) 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.

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 of Children and Family Services 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 of Children and Family Services, provided the fact that such person made the report is not disclosed.

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 of Children and Family Services or any law enforcement agency, shall be immune from any civil or criminal liability

which might otherwise result by reason of such action.

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.

7. No resident or employee of a facility 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.

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.

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 misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

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.

FD/LF Handbook 9.2A 11/7/07

C. Violation

1. Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39.201, F.S. or Chapter 827, constitute a violation of the standards in 402.301-.319, F.S.

FD/LF Handbook 9.2A &4/1/09

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

FD/LF Handbook 9.2B

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.

IX. APPLICATION, FEES, LICENSE

A. Application

Ch 61. S.10.(1)
Ch 65-20.008(1)

1. Application for license shall be made on the Child Care Licensing Program's current F-0054 Application for License to Operate a Family Day Care Home available through the child care licensing programs' office and shall be accompanied by fee.

Ch 61. S.10.(1)
Ch 65-20.008(2)

LG

2. Application for license shall be made on the Child Care Licensing Program's current F-0054B Application for License to Operate a Family Day Care Home available through the child care licensing programs' office and shall be accompanied by fee.

FD/LF Handbook 2.1 E **LG**
3/6/02

8/3/05
5/25/11

3. A large family child care home must first have operated as a licensed family day home for two consecutive years, with an operator who has had a child development associate credential or its equivalent, verified on the DCF training transcript, for one year. The two consecutive years of operation as a licensed family day care home must have been in the state of Florida, and within five years of the date of application to operate a large family child care home.

3/6/02 **LG**

4. The operator must meet all the requirements in Licensing Regulations Governing Pinellas County Family Day Care Homes and Large Family Child Care Homes. An application for a large family child care home license will be considered as long as none of the following has occurred with the two (2) years prior to the application:

   a. placement on the Pinellas County License Board enforcement plan
   b. imposition of a Class I Administrative fine
   c. a finding of over capacity.

Ch 61. S.10.(2)

5. Application shall be under oath and shall contain the following:

Ch 61. S.10.(2)(a)

   a. The name of the applicant.

   b. The address of the home for which a license is sought.

3/9/05

   c. The maximum number of children allowed in attendance at any given time, ages of children, and hours of care.

   d. Such information relating to the experience, training, and moral character of the applicant, and household members, as the Board may deem necessary.

Ch 402.3055(1)(a)

   e. A question that specifically asks the applicant, owner, or operator whether or not they have had any administrative action while employed in a family child care home or large home.

Ch 65C-20.008(4)
6/19/07

6. The initial application will not be considered complete until the License Board receives proof of background screening clearance on the operator/applicant of the family child care home and all other household members, employees, substitutes and volunteers who are subject to background screening pursuant to Sections 402.313(3) and 402.3131(2), F.S. A screening conducted under this rule is valid for five (5) years, at which time a re-screen must be conducted in the same manner as the initial screening. If the designated substitute changes during the licensure year, prior to taking care of children, the new designated substitute for the operator must comply with background screening requirements and the License Board must receive proof of background screening clearances.

FD/LF Handbook 2.1 D

7. The provider is responsible for confirming with the county/city zoning authority that the property can be used for the operation of a child care prior to operation. The "land use" must be applied correctly to avoid noncompliance with county/city zoning and potential fines or closure.

FD/LF Handbook 2.1 E
Ch 65C-20.008(6)

8. The family day care home or large family child care home must not be used for any business or other purpose unrelated to providing child care that would 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.

5/1/95

9. Family Child Care Home Request for License Change
   a. Family child care home providers making changes affecting the face of their license other than a change of address or addition of provider as noted in 5.a., must submit a Request for License Change. A new license

reflecting the change(s) and showing the same expiration date as the last license will be issued following review of the request. These changes include:

(1) provider's name change due to marital status,
(2) removal of a provider's name,
(3) addition of "doing business as,"
(4) capacity change,
(5) addition of or deletion of overnight care,
(6) addition or deletion of a swimming pool or spa,
(7) address change by Postal Service or municipality.

b. Exception: A change of address is considered a new home and an application for a new license is required.

5/1/95 10. Family Child Care Home Addition of Provider's Name(s)

a. A family child care home application for change of license is to be filed for an addition of a provider's name(s).

b. The application for change of license is to be filed and approved before the change occurs even though this may be before the date of license expiration. A temporary permit is issued when all requirements are met. The application for license change must be presented to the License Board for determination. It is not a renewal with the automatic issuance of license.

Ch 61. S.10.(3) **B. Fees**

1. The License Board is authorized to charge an application fee not in excess of twenty-five dollars ($25.00) for each family child care home for which a license is sought. All family child care home application fees are set at $25.00.

11/7/07 2. In addition to the application fee, each family child care home will be charged a license fee of $25.00.

11/7/07 **LG** 3. In addition to the application fee, each large family child care home will be charged a license fee of $50.00

11/7/07 4. Prior to issuance of a temporary permit or license, the applicant or provider 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 immediately 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 dishonored check 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.

Ch 61. S.11.(1) **C. License**

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 therefrom 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.

2. The family child care home license shall be issued in the name of the operator.

5/3/95

D. Temporary Permit

1. A temporary permit will be issued by staff to a family child 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 is to be signed by the chairman or two 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

5/14/09

1. Approximately 90 days prior to the expiration of a license, the licensing program shall provide renewal application and forms to the provider addressing all licensing renewal requirements including background screening.

Ch 65C-20.008(3)

2. 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 completed renewal application at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in 65C-20.012(3)(d), F.A.C.

FD/LF Handbook 2.1A

3. All fines imposed through the administrative process or an administrative against an applicant must be paid before a license can be issued. If, at the time of a license 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 a pending revocation proceeding, a satisfactory inspection is required and the issuance of a license is dependent upon the final order.

FD/LF Handbook 2.1B

4. 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 sufficient application for the renewal of the 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 in care during the application determination and any subsequent administrative hearing. This provision does not limit the License Board's authority to issue an emergency suspension order.

Ch 61 S.12.

5. If action is pending to revoke or suspend the license of the applicant, the applicant may continue under the old license pending the outcome of the action.

Ch 402.308(4)(b)

6. Prior to the renewal of a license, the License Board shall reexamine the family child care home, including in that process the examination of the premises and records of the family child care home to determine that minimum standards for licensing continue to be met.

Ch 402.308(4)(c)

7. The License Board shall coordinate all inspections of family child care homes. The family child care home 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 15 days after written notice that such conflict exists.

Ch 402.308(4)(d)

8. The License Board shall issue a license or renew a license upon being satisfied that all standards 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 family child care home personnel have failed the screening required by Licensing Regulations.

Ch 61. S.11.(3)

F. Term; Assignment

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.

8/3/05

If the provider voluntarily closes the family child care home or large home, the license will be considered null and void.

G. Inspection

FD/LF Handbook 9.1A

1. Access. The child care personnel must allow access to the entire premises of the family child care home or large family child care home to inspect for compliance with family child care home and large family child care home minimum standards pursuant to s. 402.311, Florida Statute. Child care personnel must not interfere with or prevent the licensing authority from copying records, photographing or recording a location/activity on the premises as documentation for the inspection.

FD/LF Handbook 9.1B

2. Access to the family child care home also includes access by the parent, legal guardian, and/or custodian, to their child(ren) while in care.

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 family child care home or large family child care home 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 family child care home or large family child care home 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 XIII. C.5.a.(1) for such refusal.

3. Inspection shall be at least once annually.

9/3/97

H. Corrective Action

1. When the Child Care Licensing Program determines that a family child care home or large family child care home is not in compliance with the Licensing Regulations, the Child Care Licensing Program shall make a reasonable attempt to discuss each violation with the provider and the time which the Child Care Licensing Program will establish for the provider 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 provider 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.

3. The Child Care Licensing Program may document any action by the provider taken to correct any violation cited.

X. ADVERTISING

Ch 61. S.18.
8/1/07

A. A family child care home or large home licensed by the License Board may publish advertisements only of the service for which it is specifically licensed under Licensing Regulations. No person, firm, partnership, organization, corporation, association, or other group or society, unless licensed as a family child care home, large home, or legally exempt from licensure, shall publish any advertisement soliciting child care. The holder of a temporary permit may only advertise for the service for which the temporary permit was issued and the advertisement must state that the advertiser is the holder of a temporary permit.

5/19/86

B. "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 circulations or other means of publication designed to draw attention to child care services. This list is not intended to be exclusive.

5/19/86

C. A prospective family child care home 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 home is prospective and does not have the requisite temporary permit or license. It will be sufficient if the advertisement specifies that the home has applied for a temporary permit or license and that receipt of the same is pending.

5/19/86

D. The following does not constitute "advertising:"

1. Advertisements in the classified ads for employment purposes.

2. Preliminary community survey to determine whether or not a child care service is needed.

11/7/07; 402.318

E. A person, as defined in s. 1.01(3), may not advertise a family child care home or large home, as defined by the licensing regulations, without including within such advertisement the License Board license number of such family child care home or

large home. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or 775.083.

Ch 411.0101

XI. CHILD CARE AND EARLY CHILDHOOD RESOURCE AND REFERRAL

A family child care home licensed under *Licensing Regulations Governing Pinellas County Family Child Care Homes* 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
Ch 411.0101(3)(a)(6) D. Fees and eligibility for services
Ch 411.0101(3)(a)(4) E. Number of children served
Ch 411.0101(3)(a)(5) F. Significant program information
Ch 411.0101(3)(a)(7) G. Availability of transportation

XII. 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 family child care homes for child care, and shall work cooperatively with other organizations and agencies concerned with child care.

Ch 65C-20.012

XIII. ENFORCEMENT of FAMILY CHILD CARE HOMES

This rule establishes the grounds under which the License Board may issue an administrative fine, deny, suspend, revoke a license or place a licensee on probation status as well as uniform system of procedures to impose disciplinary sanctions.

Ch65C02-.012(1) (1) Definitions

Ch65C02-.012((1)a) **(a) Day:** means a weekday, excluding weekends and holidays.

Ch 65C-20.012(1.)(b.) **(b) Probation:** is a licensing status indicating the license is in jeopardy of being revoked or not renewed due to violations within the control of the provider. 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 home must operate during the probationary period.

Ch 65C-20.012(1.)(c.) **(c) Standards:** are requirements for the operation of a licensed family child care home or large family child care home provided in statute or in rule.

Ch 65C-20.012(1.)(d) **(d) Technical Assistance:** means a License Board offer of assistance to a licensee to correct the statutory or regulatory violations.

Ch 65C-20.012(1.)(e.) **(e) Violation:** means a finding of noncompliance by the Child Care Licensing Program with a licensing standard.

Ch 65C-20.012(1)(e)1 1. Class 1 Violation is an incident of noncompliance with a Class I standard as described in the Family Day Care Home Standards Classification Summary and Large Family Child Care Home Standard Classification Summary, which is incorporated by reference. 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. Class I violations are the most serious in nature.

9/11/09

Ch 65C-20.012(1)(e)2. 2. Class II Violation is an incident of noncompliance with an individual Class II standard as described in the Family Day Care Home Standards Classification Summary and Large Family Child Care Home Standard Classification Summary. Class II violations are less serious in nature than Class I violations.

Ch 65C-20.012(1)(e)3 3. Class III Violation is an incident of noncompliance with an individual Class III standard as described on the Family Day Care Home Standards Classification Summary and Large Family Child Care Home Standard Classification Summary. Class III violations are less serious in nature than either Class I or Class II violations.

Ch 65C-20.012(2) (2) Authority

The operation of a family day care home is prohibited unless licensed, as required by county ordinance or resolution. The local licensing agency shall have the authority to seek an injunction in the circuit court where the home is located to stop the continued operation of a family child care home that is not licensed. For licensed family day care homes, the local licensing authority shall also have the authority to seek an injunction in the circuit court where the home is located to stop the continued operation if the family day care home is in violation of the minimum standards. Pursuant to Section 120.60(6), F.S., an emergency suspension order may also be used to stop the continued operation if the family day care home poses immediate serious danger to the public health, safety, or welfare of the children who are enrolled.

Ch 65C-20.012(3) **A. Disciplinary Sanctions**

Ch 65C-20.012(3)(a) 1. 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 Family Day Care Home Standards Classification Summary and Large Family Child Care Home Standard Classification Summary and the progressive disciplinary actions prescribed for each class by this rule are based on the provisions of Section 40.310(1)(b), F.S.

Ch 65C-20.012(3)(b) 2. Each standard violation has an assigned classification based on the nature or severity of the violation(s) as identified within the applicable Standards Classification Summary.

Ch 65C-20.012(3)(c) 3. Technical assistance shall be provided for all violations. A grace period is provided, wherein a violation 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. A violation that has been withdrawn by the License Board or has been dismissed as the 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 License Board of its burden to prove that violation for purposes of progressive discipline upon the alleged occurrence of a subsequent violation.

Ch 65C-20.012(3)(d) 4. Failure to submit a completed current F-0054 Application to Operate a Family Day Care Home or F-0054B Application for License to Operate a Large Family Child Care Home forms incorporated by reference at least 45 days prior to the expiration date of the current license constitutes a licensing violation. The Child Care Licensing Program shall issue an administrative complaint imposing a fie 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.

Ch 65C-20.012(3)(e) 5. Disciplinary sanctions for licensing violations shall be progressively enforced as follows:

Ch 65C-20.012(3)(d.)(1.) **a. Class 1 Violations**

Ch 65C-20.012(3)(e)1.a. (1) For the first and second violation of a Class I standard, the Child Care Licensing Program shall, upon applying the factors in Section

402.310(1)(e), F.S,. impose a fine not less than $100 nor more than $500 **per day** for each violation and may impose other disciplinary sanctions in addition to the fine.

Ch 65C-20.012(3)(e)1.b.& 9/11/09

(2) For the third and subsequent violations of a Class I standard, the Child Care Licensing Program shall suspend, deny or revoke the license for state mandated Class 1 Violations as identified by "1s" in the applicable Standard Classification Summary. The Child Care Licensing Program, upon applying the factors in Section 402.310(1)(b), F.S. may also levy a fine not less than $100 nor more than $500 **per day** for each violation in addition to any other disciplinary sanction.

Ch 65C-20.012(3)(e)2.

b. Class 2 Violations

Ch 65C-20.012(3)(e)2.a.

(1) For the second violation of a Class 2 standard, the Child Care Licensing Program shall issue an administrative complaint imposing a fine of $50 for each violation.

Ch 65C-20.012(3)(e)2.b.& 9/11/09

(2) For the third violation of a Class 2 standard, of the same standard within a two (2) year period, the Child Care Licensing Program shall issue an administrative complaint imposing a fine of $60 **per day** for each violation.

Ch 65C-20.012(3)(e)2.c.& 9/11/09

(3) For the fourth violation of the same Class 2 standard, within a two (2) year period, the Child Care Licensing Program shall issue an administrative complaint placing the provider's license on probation status for a period not to exceed six (6) months, and the Child Care Licensing Program shall also issue an administrative complaint imposing an additional fine of $75 **per day** for each violation.

Ch 65C-20.012(3)(e)2.d.& 9/11/09

(4) For the fifth and subsequent violations of the same Class 2 standard, the Child Care Licensing Program shall issue an administrative complaint to suspend, deny, or revoke the license, and the Child Care Licensing Program shall also issue an administrative complaint imposing an additional fine of $100 **per day** for each violation. However, for the fifth violation of a Children's Health and/or Immunization standard, the Child Care Licensing program will not place the provider's license on a probation status.

Ch 65C-20.012(3)(e)(3)

c. Class 3 Violations

Ch 65C-20.012(3)(e)3.a

(1) For the third violation the same Class III standard, the Child Care Licensing Program shall impose a fine of $25 for each violation. This violation and subsequent violations of the same standard within a two year period will be classified as "Class 3."

Ch 65C-20.012(3)(e)3.b. & 9/11/09

(2) For the fourth violation of a Class 3 standard, the Child Care Licensing Program shall impose a fine of $30 **per day** for each violation.

Ch 65C-20.012(3)(e)3.c & 9/11/09

(3) For the fifth violation of a Class 3 standard, of the same standard within a two (2) year period, the Child Care Licensing Program shall issue an administrative complaint placing the provider's license on probation status for a period not to exceed six (6) months, and the Child Care Licensing Program shall also issue an administrative complaint imposing a fine of $40 **per day** for each violation.

Ch 65C-20.012(3)(e)3.d. & 9/11/09

(4) For the sixth and subsequent violations of the same Class 3 standard, the Child Care Licensing Program shall suspend, deny, or revoke the

license, and the Child Care Licensing Program shall impose a fine of $50 **per day** for each violation. However, for the sixth and subsequent violation of the same Class III Children's Health and/or 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.

Ch 65C-20.012(4) 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.

B. 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 F.S. 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.

C. 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 family day care home or large family day care home is in compliance with the requirements for screening of child care personnel in the Licensing Regulations I.A.

Ch 65C-20.008(5) 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 XIII D. Provisional License will remain the same. No application for change shall be accepted during the probationary-provisional license period.

Ch 61. S.13.

D. License, Grounds for Denial

1. An application for license may be denied for any of the following reasons:

Ch 61. S.13.(1)

a. failure to meet any of the minimum standards,

Ch 61. S.13.(2)

b. 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.14.

E. License, Grounds for Revocation

1. The License Board may revoke or suspend a license for any of the following reasons:

Ch 61. S.14.(1)

a. cruelty or indifference to the welfare of children;

Ch 61. S.14.(2)

b. violation of any provision of this act;

Ch 61. S.14.(3)

c. any ground upon which a license may be denied as prescribed above in Licensing Regulations XIII.

9/3/97

F. 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.

G. Procedure for Reinstatement of Revoked or Suspended License

Ch 61 S.16.(1)

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 requalify. 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.

H. License Required; Injunctive Relief

Ch 402.312(1)
Ch 65C-20.012(2)
2/1/06

1. The operation of a family child care home without a license or a large family child care home without a license is prohibited. If the License Board discovers that a family child care home is being operated without a license, or a large home is being operated without a license, the License Board is authorized to seek injunctive relief in the circuit court where the home is located to enjoin continued operation of the family child care home or large home that is not licensed. 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 family day care home, or unlicensed large family day care home, which injunction shall be continued, modified, or revoked on the next day of judicial business. Pursuant to Section 120.60(6), F.S. an emergency suspension order may also be used to stop the continued operation if the family child care home poses immediate serious danger to the public health, safety, or welfare of the children who are enrolled.

Ch 402.312(2)

2. Other grounds for seeking an injunction to close a family child care home, or large home 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 a family child care home, or large home.

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 family child care home, or large home 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 family child care home, or large home operating without a license consistent with the provisions of s. 402.310.

Ch 61. S.21.

I. Penalty

Every person who violates any of the provisions of this law governing the operation of family child care homes 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 family child care homes, 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 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.

1. Penalties

FD/LF Handbook 9.1C

a. Pursuant to s. 402.319, Florida Statute, it is a first degree misdemeanor to make any misrepresentation, by act or omission, regarding the licensure or operation of a family child care home or large family child care home to a parent or guardian who has a child placed in the family child care home or is inquiring as to placing a child in the family child care home, or to a representative of the License Board, or to a representative of a law enforcement agency, including, but not limited to, any misrepresentation as to:

(a) The number of children at the family child care home;

(b) The part of the family child care home designated for child care;

(c) The qualifications or credentials of child care personnel;
(d) Whether a family child care home complies with the screening requirements of s. 402.305, F.S., or

(e) Whether child care personnel have the training as required by s. 402.305, F.S.

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 family child 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.

The following section, "Gold Seal Quality Care Program" (65C-20.014 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-20.014 **Gold Seal Quality Care Program**

(1) Definitions.

a. Class I Violation has the same meaning as provided for the same term in subparagraph 65C-20.012(1)(e)1.,F.A.C.

b. Class II Violation has the same meaning as provided for the same term in subparagraph 65C-20.012(1)(e)2.,F.A.C.

c. Class III Violation has the same meaning as provided for the same term in subparagraph 65C-20.012(1)(e)3.,F.A.C.

d. Gold Seal Quality Care Provider means a family day care home or large family child care home licensed by DCF or the 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 the Department as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 402.281(3), F.S.

(2) Gold Seal Quality Care Provider Requirements

a. Gold Seal Quality Care Provider Designation Certificate

A licensed family day care home or large family child care home program seeking designation as a Gold Seal Quality Care provider shall apply to the Department on form F- FSP Form 5386, Gold Seal Quality Care Provider Application, May 2019, is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department's website at www.myflfamilies.com/childcare. Once reviewed and approved by the Department through the duration of the provider's accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

b. A licensed family day care home or large family child care home operating on a military installation must submit to the Department copies of any inspection reports conducted by the Department of Defense within 15 business days from the date of the inspection. The Department will review the inspection to determine compliance with criteria for the issuance and maintenance of 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 Care Accrediting Association. The name on the accrediting association certificate required by CF-FSP Form 5386 must be the same as that on the provider's license. A list of approved associations may be obtained from the Department website at 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. The Department cannot Guarantee late-filed renewal forms will be processed in time to avoid a lapse in designation.

(3) Gold Seal Quality Care Enforcement

1. Gold Seal Quality Care providers must maintain accreditation and 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 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.

2. A provider's Gold Seal designation will be terminated if the Department or 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.

3. The Department 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. The Department 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) Accrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care family care homes and large family child care homes in Florida for a period of five years prior to submission of an application to the Department.

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 Department's website at www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/ reference.asp?N=Ref-05506.

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 5390, Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, 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-0551409. 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-05512.

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5387, Gold Seal Quality Care Standards for Family Day Care Homes and Large Child Care Homes, 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 Patter 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-00508, http://www.flrules.org?Gateway/reference.asp?No=Ref-05510, and http://www.flrules.org/Gateway/reference.asp?No=Ref=055411.

(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 Sea 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 Sea standards in order to have its approval renewed.

(j) An accrediting association approved under this rule must 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