

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

Original date: August 2006; revised May 7, 2008, August 6, 2008, revised December 12, 2018

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

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to Florida Statutes, Chapter 252, and will remain in effect for up to 72 hours after the State of Emergency has been rescinded.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 After Emergency Regulations are rescinded, Licensing Regulations governing children's centers and family day care homes would again be in effect.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 A variance is a privilege and not a right; as such, it can be withdrawn at anytime, with or without cause and without the right to appeal.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

| <b>LICENSING REGULATIONS GOVERNING<br/>PINELLAS COUNTY FAMILY DAY CARE HOMES AND<br/>LARGE FAMILY CHILD CARE HOMES</b>  | <b>Waiver To Regulations</b>   |
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| <b>DEFINITIONS</b>  | <b>DEFINITIONS</b>   |
| <p><b>Family Day Care Home</b> – 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.</p> <p>A maximum of six (6) children, if no more than three (3) are under 18 months of age.</p> <p>A maximum of six (6) preschool aged children, if no more than three (3) are under 18 months of age, and all are older than 12 months of age.</p> <p>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.</p> | <p><b>Family Day Care Home</b></p> <ul style="list-style-type: none"> <li>• Waive licensed capacity to state level.</li> </ul> |
|   | <b>NUMBER/AGE RANGE OF CHILDREN</b>  |
|   | Family Day Care Home (state)   |
|   | A maximum of 4 children from birth to 12 months of age   |
|   | A maximum of 3 children from birth to 12 months of age, and other children, for a maximum total of six children                |
|   | A maximum of 6 preschool children if all are older than 12 months of age   |
|   | A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age        |

| <p style="text-align: center;"><b>LICENSING REGULATIONS GOVERNING<br/>PINELLAS COUNTY FAMILY DAY CARE HOMES AND<br/>LARGE FAMILY CHILD CARE HOMES</b></p>  | <p style="text-align: center;"><b>Waiver To Regulations</b></p>  |
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| <p><b>II. RECORDS</b><br/><b>A. Facility Records</b><br/>2. A notarized Emergency Medical Release form must be on file for each child in care.</p>   | <p><b>II. RECORDS</b><br/><b>A. Facility Records</b><br/>2. Waive to delete notarization requirement.</p>  |
| <p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b><br/><b>C. Outdoor Play Space</b><br/>2. All family day care homes must have a minimum of fifty (50) square feet per child of usable outdoor play space located on the property and which is exclusively used for the children attending or residing at the family day care home.<br/><br/>5. Fencing, including gates, must be continuous, and shall not have openings or gaps larger than 3-1/2 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.</p> | <p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b><br/><b>C. Outdoor Play Space</b><br/>2. Waive minimum square feet standard<br/><br/>5. Waive outdoor play requirement. Outdoor space that has been damaged or missing required fencing will not be used for outdoor play.</p>                                 |
| <p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b><br/><b>F. Sleeping and Napping Space</b><br/>1. &amp; 4. When napping, each child in care must be provided safe and sanitary bedding. Bedding means a cot, bed, crib, mattress, or playpen. Air mattresses, foam mattresses, and couches may not be used for napping.<br/><br/>9 . A minimum distance of two (2) feet must be maintained between individual napping space.<br/><br/>13. All bedrooms for children receiving overnight care shall contain five hundred (500) cubic feet of air space per child.</p>  | <p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b><br/><b>F. Sleeping and Napping Space</b><br/>1. &amp; 4. Waive to state level to include one (1) inch impermeable mats for resting or napping.<br/><br/>9. Waive to state level of 18 inches around individual napping space.<br/><br/>13. Waive standard</p> |