

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS  
AND FAMILY DAY CARE HOMES  
Minutes for the Regular Board Meeting for  
May 7, 2008

**APPROVED MINUTES**

The Regular Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled and properly noticed for Wednesday, May 7, 2008, at 4175 East Bay Drive, Suite 350, Clearwater, to begin at 1:30 p.m.

- Board Members Present: Cecilia Burke, Chairman; Angela Loring; Barbra Mastrotta; Karen Seel; Donna Rippley, Secretary
- Board Members Absent: Lourdes Benedict, Judi Vitucci
- Ex Officio Member Present: Charles Minor
- Advisory Members Present: Sharon Carder, Sharon Carie, Terri Hajian, Ann Hofmeister, June Moody, Virginia Rowell, Anne Sullivan
- Advisory Members Absent: None
- County Attorney Present: Christy Pemberton
- Staff Members Present: Jewel Waiters, Supervisor for Family Day Care Homes; Marjorie Massarsky, Licensing Specialist Children's Centers; Dana Stajkowski, Recording Secretary; and other Health Department staff
- Call to order: The meeting was called to order at 1:35 p.m.
- Motion: A motion was made by Angela Loring and seconded to approve the minutes from March 25, 2008. Motion unanimously approved.
- Public Comment: Anne Brooks, 2801 Dovewood Street, Clearwater  
Ms. Brooks distributed and commented on a handout (attached). She stated she is "now advocating for the random application of the state statutes on ratios in family child care homes in Pinellas County to stop"; she reported that DCF states we are to count every child in the home whether related or unrelated to the provider; that in Pinellas County there are children in the household that are not counted in the capacity; that a provider could have 8 children in the household plus 5 day care children for a total of 13 children (three more than the state allows); that random application of state law is a form of discrimination and needs to stop.
- Chairman Burke: Asked if staff has thought about the scenarios Ms. Brooks presented.
- Staff Response: Jewel Waiters responded that ratios are reviewed on an ongoing basis; that staff need time to review Chapter 402 and the handout.
- Chairman Request: Requested staff review the comments/handout; that the Board may want to consider at the next meeting, when staff comes back with their report, whether or not to form a committee of the Board to look at the history of ratios, where we are now, and what different things have been proposed, and come up with a recommendation to the Board.
- Staff Response: Jewel Waiters reported there have been 2 very detailed recommendations presented to the Board from Board committees regarding ratios.
- Chairman Request: Requested that staff bring to the August Board meeting changes that have been made by Board and how it relates to Ms. Brooks' request.

Public Comment: Lynn Gibson, 8697 78<sup>th</sup> Avenue North, Largo

Ms. Gibson commented that providers are confused about the new regulation regarding substitutes when the substitute is a household member, and that substitute's pool usage.

Staff Response: Jewel Waiters responded that providers have been calling staff and that staff has been advising providers that the substitute may use the pool unless that substitute is serving in the absence of the provider.

Public Comment: Ms. Gibson stated the above public communication is all that is needed.

A. 1. (No public comment.)

Motion: A motion was made by Commissioner Seel and seconded that 3 new Children's Centers be approved for Regular Licenses. Motion unanimously approved.

A. 2. (No public comment.)

Motion: (There were no new Children's Centers recommended for a Provisional License.)

A. 3. (No public comment)

Motion: (There were no new Children's Centers recommended for a Probationary-Provisional License.)

A. 4. (No public comment.)

Motion: A motion was made by Donna Rippley and seconded that 17 new Family Day Care Homes be approved for Regular Licenses. Motion unanimously approved.

A. 5. (No public comment.) Ms. Waiters reported the total is 4.

Motion: A motion was made by Barbra Mastrotta and seconded that 4 new Family Day Care Homes be approved for Provisional Licenses. Motion unanimously approved.

A. 6. The Board discussed at length the proposed Probationary-Provisional License for Gwendolyn Hearn-Brown.

Motion: A motion was made by Commissioner Seel and seconded that 1 new Family Day Care Home be recommended for a Probationary-Provisional License. The first motion was withdrawn. A seconded motion was made by Barbra Mastrotta and seconded by Commissioner Seel to extend the Temporary Permit until June 25, 2008. Motion unanimously approved.

B. 1. (No public comment.)

Motion: A motion was made by Barbra Mastrotta and seconded that 5 License Changes for Children's Centers be approved for Regular Licenses. Motion unanimously approved.

B. 2. (No public comment)

Motion: A motion was made by Donna Rippley and seconded that 2 License Changes for Children's Centers be approved for Provisional Licenses. Motion unanimously approved.

B. 3. (No public comment)

Motion: (There were no License Changes for Children's Centers recommended for a Probationary-Provisional License.)

- II. B.4. (No public comment.)  
Motion: (There were no License Changes for Family Day Care Homes recommended for a Regular License.)
- B. 5. (No public comment.)  
Motion: (There were no License Changes for Family Day Care Homes recommended for a Provisional License.)
- B. 6. (No public comment.)  
Motion: (There were no License Changes for Family Day Care Homes recommended for a Probationary-Provisional License.)
- C. (No public comment.)  
Motion: (There were no Children's Centers recommended as a Religious Exempt Center.)
- D. Attorney Christy Pemberton reported that she is looking into how the new gun law allowing the storage of guns in cars, etc. impacts PCLB regulations.
- E. Motion: A motion was made by Barbra Mastrotta and seconded to appoint Board members: Commissioner Seel and Cecilia Burke and Advisory Committee member: Sharon Carie to the Nominating Committee for Board Chairman. Suzie Lewis was selected by the Executive Director to serve on the committee. Motion unanimously approved.
- F. Motion: A motion was made by Commissioner Seel and seconded to approve the following amended Emergency Regulations. Board made the following additions:
- Inserted "PCLB" wherever "Executive Director" is mentioned
  - In regulations for children's centers, under item number 2 in the first line – Board removed striking from the words "that sustains damage"
  - Replaced "License Board staff" with "Child Care Licensing Program".
- Motion unanimously approved.

## REGULATIONS FOR CHILDREN’S CENTERS DURING EMERGENCIES

Original date: August 2006

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. A children’s center that sustains damage must contact the Child Care Licensing Program prior to operating. Damage to the buildings or property 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.
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 PINELLAS COUNTY CHILDREN’S CENTERS</b>	<b>PROPOSED CHANGES</b>
<p><b>DEFINITIONS</b></p> <p><b>Children’s Center</b> - A children’s center includes any day nursery, nursery school, kindergarten, or other facility whatsoever which provides child care, with or without compensation. A children’s center provides care for five (5) or more children under thirteen (13) years of age, not related to the operator by blood, marriage, or adoption away from the child’s own home for less than 24 hours per day per child. . .</p> <p><b>Nursery School</b> –                      . . . children ranging in age from two (2) years through six (6) years . . .</p> <p><b>Kindergarten</b> –                      . . . children ranging from five (5) years through seven (7) years in age . . .</p> <p><b>School Age Center</b> –                      . . . only school age children . . .</p> <p><b>Overnight Care</b> - Children’s centers licensed hereunder shall not provide regular overnight care for children . .</p>	<p><b>DEFINITIONS</b></p> <p><b>Nursery School, Kindergarten, School Age Center</b></p> <ul style="list-style-type: none"> <li>• Waive age restrictions to allow infants through school age in all categories of children’s centers.</li> </ul> <p><b>Overnight Care</b></p> <ul style="list-style-type: none"> <li>• Waive to state level to allow overnight care.</li> </ul>

<p style="text-align: center;"><b>LICENSING REGULATIONS GOVERNING PINELLAS COUNTY CHILDREN'S CENTERS</b></p>	<p style="text-align: center;"><b>PROPOSED CHANGES</b></p>
<p><b>I. PERSONNEL</b></p> <p><b>B. Education/Credentials</b></p> <p><b>1. Education Qualifications</b></p> <p>a. Day nursery workers (DNW) caring directly for children in any day nursery shall be high school graduates. School age center workers (SACW) caring directly for children in any school age center shall be high school graduates. All day nursery workers and school age center workers in the adult-child ratio hired on or after January 1, 2006, must fully meet the education requirement. Staff hired prior to January 1, 2006, will have until January 1, 2007, to satisfactorily complete a GED program or be a high school graduate.</p> <p>b. The staff member in charge (SMIC) of the staff and program of a day nursery shall be a high school graduate or have the equivalent of a high school diploma and have completed a minimum of six (6) semester hours of college credits in early childhood education with passing grades.</p> <p>c. The staff member in charge (SMIC) of the staff and program of a school-age center shall be a high school graduate or have the equivalent of a high school diploma and have completed a minimum of six (6) semester hours of college credits with passing grades in early childhood education, elementary education, physical education activities for children, guidance, recreation, or the eight content areas listed in the Licensing Regulations I.B.1.f.3.</p> <p>d. The nursery school or kindergarten teacher in charge (TIC) of curriculum, staff, and program shall have completed two (2) years of college training including twelve (12) semester credit hours in early childhood education with passing grades and shall have had two (2) years of teaching experience. Teachers (T) working directly under the person in charge of curriculum, staff, and program shall be high school graduates, and in addition shall have completed two (2) years of college training including twelve (12) semester hours credit in early childhood education with passing grades or shall have completed twelve (12) semester hours credit in early childhood education with passing grades and have had two (2) years of teaching experience.</p> <p>(1) Child care staff, not in charge of curriculum, staff, or program who does not meet requirements, may be employed temporarily as a teacher of a licensed, nursery school or kindergarten, if said staff member is in the process of acquiring the necessary educational qualifications. A teacher in the process (TIP) of acquiring the necessary educational qualification must meet the experience requirement and one of the following:</p> <p>(a) A minimum of three semester credit hours or four-quarter hours of college credits each year toward acquiring the necessary twelve semester credit hours or 16-quarter credit hours; or</p> <p>(b) Participation in the Child Development Associate credentialing program; or</p> <p>(c) Participation in the Child Care Apprenticeship Program of Pinellas County.</p> <p>(2) Successful completion of one of the above will qualify the person as a teacher or teacher in charge in a nursery school or kindergarten.</p>	<p><b>I. PERSONNEL</b></p> <p><b>B. Education/Credentials</b></p> <p><b>1. Education Qualifications</b></p> <p>Waive entire standard.</p>

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<p><b>I. PERSONNEL</b></p> <p><b>B. Education/Credentials</b></p> <p><b>1. Education Qualifications</b></p> <p>d. continued</p> <p>(3) All personnel who meet the teacher or teacher in charge education qualifications in nursery schools and kindergartens shall continue professional training by earning at least three (3) semester credit hours or appropriate quarter hours in early childhood education each three (3) years, over and above the minimum requirements herein until a minimum of thirty (30) credits has been earned.</p> <p>e. Members of child care staff in children’s centers caring exclusively for mentally or physically handicapped children are not required to meet the college credit requirements outlined herein for nursery school and kindergarten staff. They shall enroll in courses pertinent to work with exceptional children, when such courses are available in the county.</p> <p>f. Credit to meet the educational requirement for staff member in charge, teacher, teacher in charge, and teacher in process will be accepted from a college or university accredited by the Regional Institutional Accrediting Associations as listed in the <i>Directory of Postsecondary Institutions</i>.</p> <p>(1) The License Board accepts all licensed institutions listed in the Report of the Florida Board of Independent Colleges and Universities, as acceptable for credit if they offer the appropriate courses that are accepted by the License Board.</p> <p>The License Board accepts all institutions licensed or approved by the Board of Education or appropriate Board of the state where the institution is located; the applicant would have the burden of proof to show that the institution meets this requirement</p> <p>(2) Evidence of credit shall be in the form of a transcript (official or unofficial), grade card, college printout, or verification by an instructor of successful course completion. An authentic diploma from a college or university listed in the <i>Directory of Postsecondary Institutions</i> showing a major in kindergarten, elementary education, early childhood education, child development, family and consumer sciences (formerly home economics/child development), or full Florida certification in early childhood or elementary education, is acceptable in lieu of a transcript for 12 credits in early childhood education.</p> <p>(3) Course work in the following eight content areas will be acceptable for early childhood education and/or school age credit:</p> <p>(a) Planning a safe, healthy environment to invite learning for children</p> <p>(b) Steps to advance children’s physical and intellectual development</p> <p>(c) Positive ways to support children’s social and emotional development</p> <p>(d) Strategies to establish productive relationships with families</p> <p>(e) Maintaining a commitment to professionalism</p> <p>(f) Observing and recording children’s behavior</p>	

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<p><b>I. PERSONNEL</b>  <b>B. Education/Credentials</b>  <b>1. Education Qualifications</b>                      f. continued                      (3) continued                      (g) Principles of child growth and development                      (h) Strategies to manage an effective children’s program operation                      (4) In lieu of completion of six (6) semester hours of college credits in the eight content areas, a staff member in charge of a day nursery, school-age center or nonpublic school may satisfactorily complete a CDA credential, a state approved equivalent, or a Florida School-Age Certification. This may be documented on a transcript, diploma, or certificate.</p>	
<p><b>I. PERSONNEL</b>  <b>C. Training Requirements</b>  <b>3. Infant Center Training</b>                      a. Director Training                      (1) Prior to issuance of a temporary permit, the director shall be required to attend the entire License Board training, Director’s Orientation for Infant Care, specifically for directors who plan to provide for infant care.                      (2) A new director of an existing children’s center providing infant care must attend within ninety (90) days of hire the entire License Board training, Director’s Orientation for Infant Care, or the entire Department of Children and Family Services’ specialized training course, Infant and Toddler Appropriate Practices.                      b. Child Care Staff Training Child care staff caring for infants shall attend the entire Department of Children and Family Services’ specialized training course, Infant and Toddler Appropriate Practices, within ninety (90) days of employment; and in addition, annual in-service training of ten (10) hours shall include four (4) hours of training specifically related to infant care.</p>	<p><b>I. PERSONNEL</b>  <b>C. Training Requirements</b>  <b>3. Infant Center Training</b>                      Waive entire standard.</p>
<p><b>II. SUPERVISION</b>  <b>A. General Supervisory Standards</b>                      5. Infants shall not be combined with children two (2) years of age or older except any child two (2) years of age or older may be allowed to be enrolled or remain in the infant group when necessary for developmentally appropriate placement. Any child enrolled in the infant group cannot visit, be temporarily assigned to another group, or take part in activities with children other than those in the infant rooms.                      8. Adults shall be engaged in child care exclusively and shall regularly work no more than eight (8) hours in twenty-four hours.                      9. A staff member qualified to be in charge shall be on the premises at all times when children are present.</p>	<p><b>II. SUPERVISION</b>  <b>A. General Supervisory Standards</b>                      5. Waive entire standard.                      8. Waive work hours to no more than twelve (12) hours in twenty-four (24) hours.                      9. Waive entire standard.</p>

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<p><b>V. RECORDS</b>  <b>A. Facility Records</b>                      5. Children’s Health Requirements                          f. No infant shall be admitted to the children’s center without first obtaining immunizations appropriate to the age according to standards.                       6. A notarized Emergency Medical Release form must be on file for each child in care. The form is valid for one year from the date of notarization.</p>	<p><b>V. RECORDS</b>  <b>A. Facility Records</b>                      5. Children’s Health Requirements.                          Waive to state level of obtaining immunizations within 30 days of enrollment.                       6. Emergency Medical Release.                          Waive to delete notarization requirement.</p>
<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>C. Indoor Play Space</b>                      Indoor play space is required.                      1. A children’s center that holds a valid license on October 1, 1992, must have a minimum of 25 square feet of usable indoor floor space for each child. . .                       8. For infants, there must be a minimum of 35 square feet per child of suitable and usable space, which includes open play space. Applications received after January 1, 1993 for programs serving infants under one year of age must meet the requirement of a minimum of 50 square feet per child of suitable and usable space, which includes open play space. All infant rooms shall include a diapering area with hand-washing facilities with hot (temperature not to exceed 110 °F.) and cold running water.</p>	<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>C. Indoor Play Space</b>                      1. Waive to state level of a minimum of 20 square feet of usable floor space.                       8. Waive 50 square feet to 35 square feet per child of suitable and usable space.                           Waive to delete hot water requirement.</p>
<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>D. Outdoor Play Space</b>                      8. A separate fenced play area shall be provided for infants under two (2) years of age.</p>	<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>D. Outdoor Play Space</b>                      8. Waive entire standard.</p>
<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>E. Napping Space</b>                      5. Cots and/or cribs shall be set up so that each child is no closer to another, during the nap period, than two-feet. . .</p>	<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>E. Napping Space</b>                      5. Waive to state level of 18 inches around individual napping space.</p>
<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>F. Bathroom Facilities</b>                      2. For children’s centers, having one (1) to thirty-six (36) children, there shall be a minimum of two (2) toilets and two (2) wash basins. There shall be a minimum of one (1) toilet and one (1) wash basin for every eighteen (18) children thereafter.                       4. For infants one year of age, a bathroom must be adjoining each infant room and may be shared only with other infant rooms. . .</p>	<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>F. Bathroom Facilities</b>                      2. Waive to state level of one (1) sink/washbasin for one to fifteen (15) children; 1 additional sink/washbasin for every thirty (30) thereafter.                       4. Waive to delete bathroom adjoining one (1) year old infant room.</p>
<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>F. Bathroom Facilities</b>                      6. For school-age centers, having one (1) to thirty (30) children, there shall be a minimum of two (2) toilets and two (2) wash basins. There shall be one (1) toilet and one (1) wash basin for every thirty (30) children thereafter.</p>	<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>F. Bathroom Facilities</b>                      6. Waive to state level of one (1) sink/washbasin for the first fifteen (15) children; 1 additional sink/washbasin for every thirty (30) thereafter.</p>

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<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>H. Indoor Equipment</b>                      4. Shelves shall be provided for equipment and supplies in rooms used by children. .                      .                      5. Tables and chairs suitable in size and sufficient for the total number of children and for the age group under care must be provided and maintained.                      6. For preschool children, adequate and appropriate equipment and materials shall include but are not limited to:                      a. Dramatic play materials: toy housekeeping furniture, supplies, and props.                      b. Construction play materials: fluid and structured, unit blocks, water play, sand play, and other mediums.                      c. Art, music, and creative expression materials: easels, paints, brushes, paper, scissors, crayons, markers, clay/play dough, rhythm instruments, and a source of music, such as a tape or CD player.                      d. Early literacy and language materials: books, puppets, flannel boards, and writing supplies.                      e. Science and math games and materials: magnifying glasses, magnets, measuring equipment, textured objects, geometric shapes, and supplies for counting, matching, sorting, patterning and sequencing.                      f. Gross and fine motor development: balls, climbing and balancing equipment, puzzles, and other manipulatives.</p>	<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>H. Indoor Equipment</b>                      4. Waive to allow for shelving alternative.                      5. Waive to delete "sufficient for the total number of children".                      6. a. - g.                      Waive to delete equipment and materials for specific areas.</p>
<p><b>VI. PHYSICAL ENVIRONMENT</b>  <b>H. Indoor Equipment</b>                      6. continued                      g. Other materials that will enhance the child's development.                        For programs using nationally recognized early childhood educational theory, such as Montessori programs, equivalent equipment and materials may be used. Equivalences must be approved by the License Board for adequacy and appropriateness.                      . . .                      10. a. A cloth sheet which can be fastened to the cot is required as the "washable cover" for cots. . .                        b. Each child in care must be provided safe and sanitary bedding to be used when napping. Bedding means a cot or crib. . .                        11. Infants up to one (1) year of age must sleep in individually assigned cribs or portacribs.</p>	<p>10. a. Waive to delete the fastenings for cloth sheet.                        b. Waive to state level to include floor mats at least one (1) inch thick and covered with an impermeable surface for resting/napping.                        11. Waive to state level to include play pens for resting/napping.</p>
<p><b>X. APPLICATION, FEES, LICENSE</b>  <b>C. License</b>                      . . . Said license shall set out on the face thereof the maximum number of children to be allowed in attendance at any given time.</p>	<p><b>X. APPLICATION, FEES, LICENSE</b>  <b>C. License</b>                      Waive to exceed license capacity, if space and staffing requirements are met.</p>

**REGULATIONS FOR FAMILY DAY CARE HOMES AND LARGE FAMILY CHILD CARE HOMES DURING EMERGENCIES** Original date: August 2006

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3. Emergency Regulations represent a variance to Licensing Regulations. A variance is a privilege and not a right; as such, it can be withdrawn at anytime, with or without cause and without the right to appeal. Negative sanctions may also be brought against the licensee’s regular license, if appropriate.
4. The PCLB Executive Director is given the authority to approve specific centers or homes to use Emergency Regulations during states of emergency declared by the Board of County Commissioners of Hillsborough, Pasco, or Manatee pursuant to Florida Statutes, Chapter 252, upon a showing that the licensee’s request is based upon the need to care for refugee/evacuee children.

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

<p align="center"><b>LICENSING REGULATIONS GOVERNING PINELLAS COUNTY FAMILY DAY CARE HOMES AND LARGE FAMILY CHILD CARE HOMES</b></p>	<p align="center"><b>PROPOSED CHANGES</b></p>											
<p><b>I. PERSONNEL</b> <b>B. Staff Training</b> 8. A provider, with a swimming pool other than a spa on the premises and the provider's substitute shall satisfactorily complete a Child Care Water Safety course or the current equivalent prior to issuance of a license.</p>	<p><b>I. PERSONNEL</b> <b>B. Staff Training</b> 8. Waive entire standard.</p>											
<p><b>I. PERSONNEL</b> <b>C. Supervision</b> 1. The number of children in a family day care home at any given time is limited to a maximum of five (5) children. This includes preschool household members, whether present or not, and children of any age who are in the operator's care and do not reside in the family day care home. No more than three (3) of the five (5) children may be under two (2) years of age or no more than three (3) of the five (5) children may be under 18 months of age if the provider has proof of completion of the training course "Beyond Cribs and Rattles" or a current equivalent as determined by the License Board.</p>	<p><b>The following corresponds to the capacity component of the Definition.</b></p> <p><b>I. PERSONNEL</b> <b>C. Supervision</b> 1. Waive licensed capacity to state level under the condition that a second adult is assisting with child care.</p> <table border="1" data-bbox="997 597 1940 980"> <thead> <tr> <th data-bbox="997 597 1478 695"> <p align="center">NUMBER/AGE RANGE OF CHILDREN Family Day Care Home (state)</p> </th> <th data-bbox="1478 597 1940 695"> <p align="center">NUMBER OF ADULTS (The second adult must have on file an Attestation of Good Moral Character and Local Law Enforcement Screening Results.)</p> </th> </tr> </thead> <tbody> <tr> <td data-bbox="997 695 1478 764"> <p>A maximum of 4 children from birth to 12 months of age</p> </td> <td data-bbox="1478 695 1940 764"> <p align="center">2</p> </td> </tr> <tr> <td data-bbox="997 764 1478 839"> <p>A maximum of 3 children from birth to 12 months of age, and other children, for a maximum total of six children</p> </td> <td data-bbox="1478 764 1940 839"> <p align="center">2</p> </td> </tr> <tr> <td data-bbox="997 839 1478 906"> <p>A maximum of 6 preschool children if all are older than 12 months of age</p> </td> <td data-bbox="1478 839 1940 906"> <p align="center">2</p> </td> </tr> <tr> <td data-bbox="997 906 1478 980"> <p>A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age</p> </td> <td data-bbox="1478 906 1940 980"> <p align="center">2</p> </td> </tr> </tbody> </table>		<p align="center">NUMBER/AGE RANGE OF CHILDREN Family Day Care Home (state)</p>	<p align="center">NUMBER OF ADULTS (The second adult must have on file an Attestation of Good Moral Character and Local Law Enforcement Screening Results.)</p>	<p>A maximum of 4 children from birth to 12 months of age</p>	<p align="center">2</p>	<p>A maximum of 3 children from birth to 12 months of age, and other children, for a maximum total of six children</p>	<p align="center">2</p>	<p>A maximum of 6 preschool children if all are older than 12 months of age</p>	<p align="center">2</p>	<p>A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age</p>	<p align="center">2</p>
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<p><b>II. RECORDS</b> <b>A. Facility Records</b> 2. A notarized Emergency Medical Release form must be on file for each child in care. The form is valid for one year from the date of notarization.  3. A health certificate must be kept for each child in care including the provider's own preschool children.</p>	<p><b>II. RECORDS</b> <b>A. Facility Records</b> 2. Waive to delete notarization requirement.  3. Waive entire standard.</p>											
<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b> <b>C. Outdoor Play Space</b> 1. All family day care homes must have a minimum of fifty (50) square feet per child of usable outdoor play space located on the property and which is exclusively used for the children attending or residing at the family day care home.  4. Fencing, including gates must be sturdy and secure and continuous and shall not have gaps that would allow children to exit the outdoor play area. The base of the fence must remain at ground level, free from erosion or buildup.</p>	<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b> <b>C. Outdoor Play Space</b> 1. Waive to include a minimum of 250 square feet.  4. Waive entire standard.</p>											

<p style="text-align: center;"><b>LICENSING REGULATIONS GOVERNING PINELLAS COUNTY FAMILY DAY CARE HOMES AND LARGE FAMILY CHILD CARE HOMES</b></p>	<p style="text-align: center;"><b>PROPOSED CHANGES</b></p>
<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b>  <b>F. Sleeping and Napping Space</b>                      2. When napping, each child in care must be provided safe and sanitary bedding. Bedding means a cot, bed, crib, mattress, or playpen. Air mattresses, foam mattresses, and couches may not be used for napping.</p> <p>8. A minimum distance of two (2) feet must be maintained between individual napping space.</p>	<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b>  <b>F. Sleeping and Napping Space</b>                      2. Waive to state level to include one (1) inch impermeable mats for resting or napping.</p> <p>8. Waive to state level of 18 inches around individual napping space.</p>
<p><b>IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b>  <b>G. Bathroom Facilities</b>                      1. Homes shall have at least one (1) toilet, one (1) bathtub and one (1) lavatory for handwashing purposes, provided no more than a total of eight (8) persons, including family of the operator, are using the bathroom facilities of the home.</p>	<p><b>PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES</b>  <b>G. Bathroom Facilities</b>                      1. Waive the total number of persons allowed to use bathroom facilities.</p>

- II. G. Chairman Burke presented the Bylaws Committee report and changes to the Bylaws. The Bylaws Committee minutes follow:

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS  
AND FAMILY DAY CARE HOMES  
Minutes from Bylaws Committee Meeting  
January 31, 2008

The Bylaws Committee of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled to convene Thursday, January 31, 2008, at 4175 East Bay Drive, Suite 350, Clearwater beginning at 11:30 a.m.

Members Present: Board: Cecilia Burke, Chairman; Judy Vitucci, Barbra Mastrota; Family Day Care Provider: Anne Brooks

Members Absent: Advisory Committee: June Moody

Staff Members Present: Dana Stajkowski, Recording Secretary

Call to order: The meeting was called to order at 11:35 a.m.

The meeting was duly noticed in the St. Petersburg Times legal section and posted on the website.

The committee met to discuss updating the Bylaws and to include a voting representative for family day care home providers and a non-voting member for large family child care home providers.

In addition, the Committee made the following recommendations to be included in Board Policies:

- That the following associations nominate and elect representatives for Board and Advisory Committee positions:
  - Pinellas Early Childhood Association (PECA) nominate and elect representatives for children's centers, privately-operated children's centers, school age centers, and faith based children's centers.
  - Heart to Heart Child Care Association and Pinellas Providers Child Care Home Association nominate and elect representatives for family day care homes and large family child care homes.

All replacement recommendations will be given to the licensing staff for review of licensing records and to make the recommendations to the Board on behalf of the above named associations.

Committee Motion: A motion was made by Judi Vitucci and seconded by Anne Brooks to recommend changes to the Bylaws. Motion adopted.

The committee adjourned at 1:00 p.m.

Motion: A motion was made by Barbra Mastrota and seconded to approve the following changes to the Bylaws as presented by the Committee. Motion unanimously approved.

Changes –  
Board\*:

- (4) The district school superintendent or his/her designee with an expertise or a teacher in elementary preschool education ~~delegated by him/her~~.
- (6) Two members in good standing from ~~the Pinellas County preschool associations, Pinellas Early Childhood Association~~, selected by majority vote of the elected officers of those organizations. ~~said association~~.

Note: The Upper Pinellas County Preschool Association and the Pinellas County Preschool Association on Children Under Six delineated in the Special Act no longer exist under those names.

Motion: A motion was made by Commissioner Seel and seconded to approve the amended Bylaws as follows. Motion unanimously approved.

PINELLAS COUNTY LICENSE BOARD FOR  
CHILDREN'S CENTERS AND FAMILY DAY CARE HOMES

BYLAWS

(Adopted 9/2/98, effective 10/1/98)

(Revised 7/7/99, 12/6/00, 5/5/04, 5/2/07, 11/7/07, 5/7/08)

Article I - Name \*

The organization is created by Legislative Acts, Chapter 61-2681 amended by Chapters 70-893 and 2007-277, and is known as the Pinellas County License Board for Children's Centers and Family Day Care Homes, hereinafter referred to as the Pinellas County License Board, License Board or Board.

Article II - Purpose \*

The purpose of the Pinellas County License Board is to protect the health, safety, and mental development of children cared for in children's centers and family day care homes in Pinellas County.

Article III - Members

**Board\*:**

The Board shall consist of seven voting members:

- (1) A member of the board of county commissioners, said member to be designated by action of the board of county commissioners.
- (2) The director of the district division of family services or a person delegated by him/her.
- (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.
- (4) The district school superintendent or his/her designee with an expertise in elementary preschool education.
- (5) The county health officer or a person delegated by him/her.

Note: Due to the Interlocal Agreement between Pinellas County License Board and the Pinellas County Health Department and the due process rights of child care providers, a person delegated by the County Health Officer, who is not an employee of the County Health Officer must serve as the Board member.

- (6) Two members in good standing from Pinellas County preschool associations, selected by majority vote of the elected officers of those organizations.

Note: The Upper Pinellas County Preschool Association and the Pinellas County Preschool Association on Children Under Six delineated in the Special Act no longer exist under those names.

Vacancies:

In the event of a vacancy in a License Board position listed above, the organization to be represented is responsible for naming the delegate.

**Advisory Committee:**

The license board shall appoint a committee to serve in a non-voting advisory capacity. Members shall serve a two (2) year term; there is no limitation on the number of terms a person may serve. Such committee shall consist of:

- (1) Three (3) operators in good standing, representing privately-operated children's centers, school age centers, and faith-based children's centers.

- (2) Two (2) other persons qualified by education and experience in the field of early childhood education.
- (3) Two (2) operators in good standing, one (1) representing family day care homes and one (1) representing large family child care homes.
- (4) One (1) person qualified by experience as a member and chairman of the License Board.

**Vacancies:**

In the event of a vacancy in any Advisory Committee position, License Board staff shall make a recommendation(s) for replacement to be voted on by the Board.

**Ex Officio:**

The County Health Officer or a person designated by him/her shall serve in an *ex officio* capacity to serve in a non-voting advisory capacity. The *ex officio* member of the Board must not address the Board or its members as to any quasi-judicial matters coming before the Board for consideration.

**Article IV - Officers and Their Duties**

The officers shall consist of an elected Chairman and an appointed Secretary.

**Chairman:**

At the next to the last meeting of the fiscal year, a nominating committee shall be formed consisting of two Board members and one Advisory Committee member nominated and elected by the Board and one staff member selected by the Executive Director. The nominating committee shall present a recommendation for chairman to the Board at the last meeting of the fiscal year. The election of the chairman shall occur at this meeting. There is no limitation on the number of terms a chairman may serve.

**Duties:**

The chairman shall preside at all Board meetings and shall conduct the annual evaluation of the Executive Director. The chairman shall also appoint a search committee who will make a recommendation to the Board for the Executive Director position, if the position becomes vacant.

**Secretary:**

The secretary shall be appointed by the chairman.

**Duties:**

The secretary shall sign all minutes upon approval and serve as chairman in the absence of the chairman.

**Board Member's Duties:**

Board members are expected to attend all Board meetings.

Board members are expected to serve on Board committees.

Board members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Board members will communicate the mission and goals of the License Board.

Board members will actively participate in improving and enhancing child care in Pinellas County.

Board members are required to vote (yea, nay or abstain) on each issue presented for a vote at Board meetings.

Board members shall complete the Financial Disclosure form annually.

Board members have responsibility for the hiring of the Executive Director.

**Advisory Committee Member's Duties:**

Advisory Committee members are expected to attend all Board meetings.

Advisory Committee members are expected to serve on Board committees.

Minutes – May 7, 2008

Advisory Committee members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Advisory Committee members will communicate the mission and goals of the License Board.

Advisory Committee members will actively participate in improving and enhancing child care in Pinellas County.

**Ex Officio Member's Duties:**

Ex Officio members are expected to attend all Board meetings.

Ex Officio members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Ex Officio members will actively participate in improving and enhancing child care in Pinellas County.

Ex Officio members will not advise the Board on quasi-judicial matters.

Article V - Fiscal Year

The fiscal year shall be October 1 through September 30.

Article VI - Meetings

**Regular Meetings:**

The Board shall hold quarterly meetings. Meetings may be called by the chairman whenever he/she deems it necessary or by a quorum of the Board members as set forth in Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida.

Government in the Sunshine:

All meetings of the Board and Board committees shall be held in accordance with Government in the Sunshine Law. Sunshine rules apply to both Board and Advisory Committee members.

**Special Meetings:**

Special meetings may be called by:

- a) the Chairman
- b) the Secretary in the Chairman's absence
- c) vote of the Board

**Minutes:**

Minutes of each meeting shall be accurately taken, provided to Board and Advisory Committee members at or before the next regular meeting, approved by the Board, signed by the Secretary and preserved.

Article VII - Quorum

General business requires a majority of the Board members.

The Board has the power and duty to promulgate and adopt rules and regulations for the purposes of administering and enforcing minimum standards. To do so, procedures in Section 5 of Chapter 61-2681, amended by Chapters 70-893 and 2007-277, must be followed. To adopt a proposed new standard requires a five-sevenths (5/7) vote of Board membership.

Article VIII - Committees

New committees may be created by the Board through a motion and majority vote or by the chairman as needed. The chairman shall appoint members of the committee.

Article IX - Parliamentary Authority

Roberts Rules of Order Newly Revised, shall be the parliamentary authority of the organization. All articles in the bylaws shall be interpreted to be consistent with Roberts Rules of Order Newly Revised.

Article X - Amendments

Action to amend bylaws requires a five-sevenths (5/7) vote.

The bylaws may be amended at any meeting provided that notice has been given one month in advance.

Exception: Items stated in Chapter 61-2681, amended by Chapters 70-893 and 2007-277, and noted with an asterisk in these bylaws require legislative action to amend.

Article XI - Conflict of Interest

No member of the Board of Directors, staff or paid consultants of the Agency shall have any direct or indirect financial interest in the assets, leases, business transactions or professional services of the Agency. Any Board member who individually or as part of a business or professional firm is involved in the business transactions or current professional service of the Agency shall disclose this relationship and shall not participate in any vote taken in respect to such transactions or services.

Members of the Board shall avoid entering into contracts or agreements involving, directly or indirectly, members of the Board in a manner that would be, or give the appearance of being, a conflict of interest.

Members of the Board will, prior to voting on a funding issue which involves any program or agency in which they participate as an employee or member of the governing authority, disclose their interest in said program or agency and file a disclosure statement.

No member of the Board will vote on any issue that will benefit her/himself, any relative, or friend, or a company or agency for which any Board member is an employee or volunteer.

Members of the Board will comply with all Florida Statutes relating to “conflicts of interest.”

Article XII - Staff:

Staff is defined as the people responsible for monitoring and inspecting family day care homes, children’s centers, and large family child care homes, and includes the Executive Director and the personnel providing support to those people responsible for monitoring and inspecting.

Article XIII - The Agency Director

The agency director shall implement policies of the Board and shall be responsible for the daily operation of the agency.

\* As stated in Chapter 61-2681, as amended by Chapters 70-893 and 2007-277, amended as necessary pursuant to the Interlocal Agreement between the Pinellas County License Board and the Pinellas County Health Department.

II. G. 2

Chairman Burke presented the Evaluation Committee recommendation for an evaluation tool to be used for the Executive Director.

Ann Hofmeister stated that the committee had also agreed on a comments area after each section of the evaluation.

Board Direction:

Board requested a final report in August on how this evaluation will impact the Health Department evaluation and to find out what JWB used.

Motion:

A motion was made by Barbra Mastrota and seconded to approve the following Evaluation Committee recommendation for an evaluation tool. Motion unanimously approved.

**Board Policy Facilitation** – *Helps develop policy that best achieves the PCLB mission, vision, values, goals, and objectives.*

1. Initiates review and revision of current PCLB policies. Continuously seeks (or encourages others to seek) opportunities for improved or innovative approaches to achieving the mission and vision of PCLB.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
2. Gathers information – Identifies/recognizes information gaps or the need for additional information and obtains it; verifies facts and obtains additional information as requested by Board.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
3. Organizes information – Organizes information and data to identify/explain trends, problems, and opportunities.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
4. Performs data analysis – Organizes and analyzes quantitative data to support policy recommendations.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
5. Evaluates/selects policy recommendations – Generates and considers options to achieve long range goals or PCLB vision; develops decision criteria considering such factors as cost, benefits, risks, timing, buy-in, organizational goals and values, legal and ethical constraints, and the impact upon children and child care providers.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
6. Regularly reviews and analyzes current policies and trends and makes relevant recommendations for improvement and change as needed, follows established guidelines and Board direction to make changes.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations

Comments:

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**Regulatory Standard Promulgation** – *Helps develop standards based on meeting or exceeding state requirements and the protection of children’s health, safety and development.*

1. Initiates review and revision of current PCLB standards. Continuously seeks (or encourages others to seek) opportunities for improved or innovative approaches to achieving optimum protection for the health, safety and development of children in child care settings.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
2. Gathers information – Identifies/recognizes information gaps or the need for additional information and obtains it; verifies facts and obtains additional information as requested by Board.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
3. Organizes information – Organizes information and data to identify/explain trends, problems, and opportunities.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
4. Performs data analysis – Organizes and analyzes quantitative data to support recommendations for standards.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
5. Evaluates/selects recommendations for increases and decreases in licensing standards – Based on research, data analysis, generates and considers recommendations for licensing standards (or by other means) to achieve the protection of health, safety, and development of children taking into consideration factors such as cost, benefits, risks, timing, outcomes, ethical constraints, and the impact upon children, families, and child care providers.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
6. Presentation - Provides Board with written notification of proposed changes, rationale and background and conducts an oral presentation of proposed standards with opportunity for Board questions and input. Suggests new standards based on licensing experiences that impact the health, safety, and development of children.

Comments:

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**Communication with Board** – *Facilitates the flow of ideas, information, and understanding between and among staff, Board, and other child care entities. Clearly conveys information and ideas through a variety of media to individuals or groups in a manner that engages the audience and facilitates the understanding and retention of the message. Clearly expresses ideas in memos, letters, reports, and orally.*

1. Organizes the communication – Clarifies purpose and importance: stresses major points; follows a logical sequence. Informs Board of background, rationale, and impact of recommended changes in regulations.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
2. Maintains Board members' attention – Keeps the Board members engaged through use of techniques such as analogies, illustrations, body language, voice inflection.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
3. Adjusts to the Board members – Frames message in line with Board members' experience, background, and expectations; uses terms, examples, and analogies that are meaningful to the Board members.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
4. Ensures understanding – Seeks input from Board members; checks understanding; presents message in different ways to enhance understanding.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
5. Comprehends communication from others – attends to messages from others; correctly interprets the message and responds appropriately and in a timely manner.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
6. Uses effective interpersonal skills to help people feel valued, appreciated, respected.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
7. Consistently interacts and communicates with a number of community committees, is an active participant and member, always represents the mission of PCLB, raises community awareness of PCLB and mission.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations

Comments:

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**Communication with providers** – *Facilitates the flow of ideas, information, and understanding between and among providers. Clearly conveys information and ideas through a variety of media to individuals or groups in a manner that engages the audience and facilitates the understanding and retention of the message. Clearly expresses ideas in memos, letters, reports, and orally; raises awareness of PCLB mission and vision.*

1. Organizes the communication – Clarifies purpose and importance: stresses major points; follows a logical sequence. Informs provider(s) of background, rationale, and impact of recommended changes in regulations.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
2. Maintains audience attention – When presenting information, keeps the audience engaged through use of techniques such as analogies, illustrations, body language, voice inflection.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
3. Adjusts to the audience – Frames message in line with audience experience, background, and expectations; uses terms, examples, and analogies that are meaningful to the audience.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
4. Ensures understanding – Seeks input from provider(s); checks understanding; presents message in different ways to enhance understanding.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
5. Comprehends communication from others – attends to messages from others; correctly interprets the message and responds appropriately and in a timely manner.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
6. Uses effective interpersonal skills to help people feel valued, appreciated, respected.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations

Comments:

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**Building Partnerships** – *Uses appropriate interpersonal styles and communication methods to work effectively with community partners (e.g. Board, staff, providers, media, community organizations, and other child care entities).*

1. Seeks opportunities – Proactively tries to build effective working relationships with child serving agencies and others.

- Does not meet expectations                       Meets expectations                       Exceeds expectations

2. Uses effective interpersonal skills.

- Does not meet expectations                       Meets expectations                       Exceeds expectations

3. Uses appropriate influence strategies, demonstrating benefits to gain understanding and agreement; uses different approaches as needed to gain cooperation and/or commitment.

- Does not meet expectations                       Meets expectations                       Exceeds expectations

4. Consistently interacts and communicates with a number of community committees, is an active participant and member, always represents the mission of PCLB, raises community awareness of PCLB and its mission.

- Does not meet expectations                       Meets expectations                       Exceeds expectations

Comments:

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**Orientation, Facilitation of Learning, Coaching** – *Provides initial, individual orientation and facilitates ongoing learning of Board and Advisory Committee members. Provides timely guidance and feedback to help others strengthen specific knowledge/skill areas needed to accomplish a task or solve problems.*

1. Orients new Board members prior to first Board meeting – Provides necessary background information, reviews agency operations, and coaches new member through first Board report.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
2. Clarifies the current situation – Clarifies expected Board responsibilities, knowledge, and level of proficiency by seeking and giving information and checking for understanding.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
3. Provides information of relevant learning opportunities, resources, and opportunities for observation; initiates Board presentations on current issues.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
4. Uses effective interpersonal skills – Establishes good interpersonal relationships by helping people feel valued, appreciated, and included in discussions.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations

Comments:

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**Leading through vision and values** – *Keeps the organization's vision and values at the forefront of decision making and actions.*

1. Communicates the importance of PCLB vision and values – Helps Board members to understand the PCLB vision and values and their importance.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
2. Moves Board to action – Translates the vision and values into day-to-day activities and behaviors; guides and motivates Board members to take actions that support the vision and values.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations
  
3. Models the vision and values – Takes actions, makes decisions, shapes teams, influences committees or group priorities to reflect the PCLB vision and values.  
 Does not meet expectations                       Meets expectations                       Exceeds expectations

Comments:

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G. 3.

Motion: A motion was made by Commission Seel and seconded to approve the Overnight Care Committee recommendation.

Minutes from the Overnight Care Committee Meeting April 16, 2008

The Overnight Care Committee of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled to convene Wednesday, April 16, 2008, at 4175 East Bay Drive, Suite 350, Clearwater beginning at 6:00 p.m.

Members Present: Board member: Judi Vitucci (Healthy Start), Chairman  
Family Day Care Home Providers: Anne Brooks, S. Lynn Gibson, June Moody

Member Absent: Cecilia Burke

Recording Secretary: Dana Stajkowski

Call to order: The meeting was called to order at 6:00 p.m.

The meeting was duly noticed in the St. Petersburg Times legal section and posted on the website.

The committee agreed to educate parents by recommending to Board the placement of the Overnight Care regulations on the Child Care Licensing Program website.

In addition, Judi Vitucci will request educational materials regarding overnight care be included in the packet mailed to parents from Coordinated Child Care Resource and Referral.

Committee members will email to Dana Stajkowski additional educational information they would like to place on the Child Care Licensing Program website regarding Overnight Care. Dana Stajkowski will forward the requests to Judi Vitucci who will make the recommendation to Board at the May 7, 2008 meeting.

The meeting was adjourned.

Public Comment: Lynn Gibson stated that she is concerned that safe people are in overnight care homes; that she has reviewed internet reports (referring to printed documents in her hand) regarding arrestees having addresses of providers; that she has on a number of occasions given the internet address to licensing staff; that she reviewed inspection reports on providers whose addresses appear on arrest reports and found nothing regarding the arrest; that she hoped nothing happens to children in care when there is an internet source that can be checked for criminal activity associated with providers' addresses.

When asked by Ann Hofmeister if she had given these reports to staff, Ms. Gibson responded that it was not her job to do staff's job; that she has asked staff to use the website addresses; that staff/Board would need to make it a requirement of staff to check the website before that would happen.

Staff response: Jewel Waiters reported that she would like to answer Ms. Gibson's accusation by informing her and the Board that staff does background screening as required by law; that Ms. Gibson may have someone who has been arrested, but until due process is complete the provider will continue to be licensed; convictions may not be a disqualification for child care; not all batteries, marijuana possession, shoplifting convictions are disqualifiers; that Ms. Gibson is presenting a false sense of security because juveniles often have disqualifying convictions that will not show during staff's local screenings. This information is received from the Background Screening Unit. The same is true for records out of the county and state.

G. 3. – continued                    That she (Jewel Waiters) reviews all screening hits for a provider against the list of 48 disqualifiers; that even if someone is disqualified they can request and may receive an exemption.

Chairman Burke:                    Ms. Burke clarified for Board that Ms. Gibson is using the Sheriff's website, entering an address and receiving a list of people that staff may not be aware is living in the home.

Attorney Pemberton:            Attorney Pemberton stated that just because someone is charged doesn't mean they are convicted; that just because they are convicted doesn't mean they are disqualified; and that if they are disqualified doesn't mean they didn't receive an exemption. She stated further that there are legally reliable avenues to do background screening which include paperwork from the Sheriff's Department, DCF, and FDLE and that these sources can be used to do a denial; that internet searches are of limited reliability and would not be an official background check and if the Board were to direct staff to run addresses on the internet that someone could not be disqualified based on that information alone; that staff would then with the case number in hand need to review the court files, see if there was an adjudication, etc.

However, if Board is talking about making website addresses available to parents; parents ultimately decide where to put their child(ren).

Staff Response:                    In answer to a Board question, Ms. Waiters responded that the burden of proof is on the provider to prove that a disqualified individual is no longer in the home or the License Board will close the home.

Motion:                                A motion was made by Commissioner Seel and seconded to add to her previous motion the request that staff and legal come back to Board with a list of websites to be posted to the PCLB website along with liability protection. Motion unanimously approved.

Motion:                                Commissioner Seel restated her first motion that was seconded to approve the Overnight Care Committee recommendation. Motion unanimously approved.

G. 4.                                    Chairman Burke presented the Training and Education Committee report that Beyond Cribs and Rattles will continue to be offered for providers wishing to have a capacity of 5 children with no more than 3 under 18 months; that she will ask the Early Learning Coalition or Coordinated Child Care to continue the discussion.

Board response:                    The vehicle already exists for this type of conversation through the Early Learning Coalition.

Motion:                                A motion was made by Barbra Mastrota and seconded to accept the Training and Education Committee report. Motion unanimously approved.

III. Information Items:

A.                                        Staff presented the timeline for increases in regulations including enforcement. Board requested the Public Hearing be held at 6:30 p.m.

B.                                        To the Chairman's question regarding rent in the budget, Pervinder Birk responded that when the budget was first prepared that it was not known where the License Board staff would reside and that rent is allocated by the number of staff in the program and use of common areas; that the budget bottom line is the same but that budget items are being realigned and will be brought back to the Board for approval.

Minutes – May 7, 2008

Advisory Committee  
Recommendation:

June Moody recommended using the PCLB website to solicit provider input when recommendations to increase/decrease regulations substantially impact the provider. Ms. Moody is concerned that not all providers are being represented through the family day care home associations.

Chairman Direction:

Chairman Burke directed staff to look into Ms. Moody's recommendation and report to Board.

Public Comment:

Lynn Gibson requested the LFCCH concern regarding 2 staff on the premises at all times be put on the August agenda.

Adjournment:

The meeting was adjourned at 3:45 p.m.

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Donna Rippley, Secretary

Anne Brooks  
5/7/08

Question

1. Is Pinellas County License Board for Children's Centers and Family Child Care Homes bound by law and DCF contract to Meet or Exceed the DCF regulations concerning licensed child care? One adult to five preschoolers exceeds the state law.

DCF Answer

1. Yes, based on Section 402.306(1), Florida Statutes, any county whose licensing standards meet or exceed state minimum standards may:

- (a) Designate a local licensing agency to license child care facilities in the county; or
- (b) Contract with the department to delegate the administration of state minimum standards in the county to the department

Question

2. Does not counting a licensed providers personal school age children under the age of 13 years in their total capacity meet DCF regulations?

DCF Answer

2. No, based on Section 402.302(7), Florida Statutes, which states that a family day care home shall be allowed to provide care for one of the following groups of children, **which shall include those children under 13 years of age who are related to the caregiver:**

- (a) A maximum of four children birth to 12 months of age.
- (b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
- (c) A maximum of six preschool children if all are older than 12 months of age.
- (d) 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.

In Pinellas County these ratios apply as follows.

- (a) A maximum of four children birth to 12 months of age. NOT ALLOWED
- (b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children. NOT ALLOWED
- (c) A maximum of six preschool children if all are older than 12 months of age. NOT ALLOWED
- (d) 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. ALLOWED AND USED WITH MODIFICATION OF 18 MONTHS AND **IN SOME HOMES** LIMIT OF 5 CHILDREN TOTAL.

The ratios in EVERY Family Child Care Home in Pinellas County except for Large Family falls under ratio (d).