

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
Minutes for Regular Board Meeting for
November 7, 2007
APPROVED MINUTES

The Regular Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes convened Wednesday, November 7, 2007, at 4175 East Bay Drive, Suite 350, Clearwater, beginning at 1:30 p.m.

- Board Members Present: Lourdes Benedict; Cecilia Burke, Chairman; Angela Loring; Commissioner Morroni (arrive at 1:35 p.m.); Donna Rippley, Secretary;
- Ex Officio Member: Charles Minor
- Board Members Absent: Barbra Mastrota, Judy Vitucci
- Advisory Members Present: Sharon Carie, Ann Hofmeister, June Moody, Virginia Rowell
- Advisory Members Absent: Sharon Carder, Terri Hajian, Anne Sullivan
- County Attorney Present: Christy Pemberton
- Staff Members Present: Linda Tamanini, Executive Director; Suzie Lewis, Supervisor for Children's Centers; Jewel Waiters, Supervisor for Family Day Care Homes; Dana Stajkowski, Recording Secretary, and other agency staff
- Call to order: The meeting was called to order at 1:30 p.m.
- Agenda: The amended agenda was accepted as presented.
- I. C. Minutes: A motion was made by Commissioner Morroni and was seconded to approve the minutes of September 19, 2007. Motion unanimously approved.
- A motion was made by Commissioner Morroni and was seconded to approve the minutes of September 27, 2007. Motion unanimously approved.
- D. Public Comment: No public comment.
- A. 1. (No public comment.)
Motion: A motion was made by Commissioner Morroni that 5 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.)

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A. 3. Ms. Tamanini noted the license is a Probationary-Provisional License not a Probational-Provisional License. (No public comment.)

Motion: A motion was made by Commissioner Morroni that 1 new Children's Center be approved for a Probationary-Provisional License. Motion unanimously approved.

A. 4. (No public comment.)

Motion: A motion was made by Commissioner Morroni that 17 new Family Day Care Homes be approved for Regular Licenses. Motion unanimously approved.

A. 5. (No public comment.)

Motion: A motion was made by Commissioner Morroni that 7 new Family Day Care Homes be approved for Provisional Licenses. Motion unanimously approved.

A. 6.

Motion: (There were no new Family Day Care Homes recommended for a Probationary-Provisional License.)

B. 1. (No public comment.)

Motion: A motion was made by Commissioner Morroni that 4 License Changes for Children's Centers be approved for Regular Licenses. Motion unanimously approved.

B. 2.

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

B. 3.

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

B.4. (No public comment.)

Motion: A motion was made by Commissioner Morroni that 2 License Changes for Family Day Care Homes be approved for a Regular License. Motion unanimously approved.

B. 5.

Motion: A motion was made by Commissioner Morroni that 1 License Change for Family Day Care Homes be approved for a Provisional License. Motion unanimously approved.

B. 6.

Motion: (There were no License Changes for Family Day Care Homes recommended for a Probationary-Provisional License.)

C.

Motion: (There were no Children's Centers recommended as a Religious Exempt Center.)

- D. Christy Donovan Pemberton, Senior Assistant County Attorney, reported on response back from Gregory D. Venz, Assistant General Counsel for the Department of Children and Families regarding the department's position regarding "whether a large family child care home licensed under section 420.3131 [Large Family Child Care Home], Florida Statutes, must at all times have a minimum of two full-time child care personnel on the licensed premises during the hours of operation." Attorney Pemberton stated there is a pending amendment to rule 65C-20.013(7). She further advised the Board to wait for the amendment. In a communication received during the Board meeting, Mr. Venz advised the amendment would be presented in 45 days.

Attorney Pemberton advised that because there were 5 out of 7 Board members present, that the five members must vote on the regulations being presented at the meeting.

Attorney Pemberton further advised that an amendment to the Bylaws was being presented, which required a one month notice before being presented for a vote. The Bylaws were noticed at the September 19, 2007 Board meeting. The recommended changes include an appointment to the Board made by the Health Department and a recommendation for the current Health Department representative to become an ex officio member of the Board.

E. 1. The following are increases to *Licensing Regulations Governing Pinellas County Children's Centers and Specialized Children's Centers for Mildly-III Children:*

65C-22.001 General Information.

1. In order to be classified as an urban child care facility, the applicant must obtain written documentation from the local governing body that confirms the geographical area has been declared urban. Urban child care facilities must receive approval from the licensing authority and provide documentation at the time of application that the outdoor play space requirement cannot be met. An urban child care facility will not be approved if outdoor space is found by the licensing authority to be available.
2. When any vehicle is regularly used by a child care facility to provide transportation, the driver shall have a current Florida driver's license, an annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.
3. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the visual sweep was conducted.
4. Each age group or class must have a written and followed plan of scheduled activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served and include scheduled activities that:
5. Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S., constitute a violation of the standards in Section 402.301-309, F.S.

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65C-22.002 Physical Environment.

6. All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled. These items, as well as knives, sharp tools and other potentially dangerous hazards, shall be stored in a locked container or a locked area that is inaccessible to children.
7. Children up to one (1) year of age must be in an individual crib or portacrib with sides. Crib sides must be raised and secured while an infant is in the crib and bar spacings may not exceed two and three-eighths (2 3/8) inches. Cribs must meet the construction regulations as outlined in Title 16, Parts 1508 & 1509, Code of Federal Regulations.
8. Unless statutorily exempted, all child care facilities shall conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities and shall be inspected annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the licensing authority.
9. Fire drills shall be conducted monthly at various times when children are in care. A current attendance record must accompany staff out of the building during a drill or actual evacuation and be used to account for all children.
10. Toothbrushes, towels and wash cloths may not be shared.
11. (Moved to II. Action Items E.3. Staff Recommendations in Response to Public Hearing.)
12. There shall be a supply of clean diapers, clothing and linens at all times. When diapers, clothing or linens that are in use become soiled or wet, they shall be changed immediately or removed and properly disposed of.
13. All playground equipment shall be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe usage by the children. Maintenance shall include checks, at least every other month, of all supports above and below the ground and all connectors and moving parts.
14. Permanent or stationary playground equipment must have a ground cover or other protective surface under the equipment that provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls.

15. 65C-22.003 Training.

(1) Definitions.

- (a) "Active" refers to the status of a candidate's awarded credential or certification in which requirements have been successfully met.
- (b) "Before-school and after-school site" refers to a program, regardless of location, that provides child care for children who are at least five (5) years old and are enrolled in and attend a kindergarten program or grades one (1) and above during a school district's calendar year. This is limited to programs that provide care only before and after the recognized hours of a district's school day and on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.

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15. 65C-22.003 Training - continued

- (c) “Begin training for child care personnel” refers to a candidate’s commencement of at least one (1) of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance, acquiring an educational exemption from training, beginning a department-approved online child care training course, or by completion of a department-approved competency examination within the first 90 days of employment in the child care industry. The child care facility is responsible for obtaining documentation from child care personnel.
- (d) “Director,” pursuant to the definition of “operator,” in Section 402.302(11), F.S., is the onsite administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.
- (e) “Director Credential” is a department-approved comprehensive credential that consists of education and experiential requirements as referenced in paragraph 65C-22.003(8)(a), F.A.C.
- (f) “Early childhood education” refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).
- (g) “Expired” refers to the status of a candidate’s awarded credential or certification that is not eligible for renewal.
- (h) “Florida Child Care Professional Credential (FCCPC),” pursuant to Section 402.305(3)(b), F.S., is 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 (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification; “Birth Through Five (formerly the department approved CDA Equivalency training programs)” and “School-Age (formerly the Florida School-Age Certification).” A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
- (i) “Florida Department of Education Child Care Apprenticeship Certificate (CCAC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
- (j) “Florida Department of Education Early Childhood Professional Certificate (ECPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
- (k) “Florida Department of Education School-Age Professional Certificate (SAPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with school-age children and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
- (l) “Inactive” refers to the status of a candidate’s awarded credential or certification that remains eligible for renewal.
- (m) “National Early Childhood Credential (NECC)” pursuant to Section 402.305(3)(c), F.S., is an early childhood credential approved by the department and recognized by licensing authorities in at least five (5) states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at least two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.

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15. 65C-22.003 Training - continued

- (n) "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training transcripts may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
- (o) "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.

(2) Training Requirements.

- (a) Child care personnel hired on or after October 1, 1992 must successfully complete the Department of Children and Family Services' 40 hour Introductory Child Care Training, as evidenced by successful completion of competency based examinations offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Child care personnel who successfully completed the mandatory 40 hour Introductory Child Care Training prior to January 1, 2004 are not required to fulfill the competency examination requirement.
 - 1. All child care personnel must complete training within 12 months from the date training begins and may not exceed 15 months from the date of employment in the child care industry.
 - 2. The 40 hour Introductory Child Care Training requirement is divided into two (2) parts. Part I is comprised of 30 hours of training that consists of the Department of Children and Family Services' training courses, developed by the department, identified below:
 - a. Child Care Facility Rules and Regulations;
 - b. Health, Safety, and Nutrition;
 - c. Identifying and Reporting Child Abuse and Neglect;
 - d. Child Growth and Development; and
 - e. Behavioral Observation and Screening.
 - 3. Part II is comprised of 10 hours of training that consists of a selection from the Department of Children and Family Services' specialized training courses, developed by the department, identified below:
 - a. Infant and Toddler Appropriate Practices (10 hours),
 - b. Preschool Appropriate Practices (10 hours),
 - c. School-Age Appropriate Practices (10 hours),
 - d. Special Needs Appropriate Practices (10 hours),
 - e. Basic Guidance and Discipline (5 hours online),
 - f. Computer Technology for Child Care Professionals (5 hours online),
 - g. Early Literacy for Children Age Birth to Three (5 hours online),
 - h. Early Childhood Computer Learning Centers (5 hours online), or
 - i. Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online).
- (b) Pursuant to Section 402.305(2)(d)5., F.S., all child care personnel must complete a single course of training in early literacy and language development of children ages birth through five (5) that is a minimum of five (5) clock-hours or .5 CEUs.
 - 1. All child care personnel must complete early literacy training within 12 months of date of employment in the child care industry. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma.
 - 2. In order to meet the literacy training requirement, child care personnel must complete one (1) of the following:
 - a. One (1) of the department's online literacy courses available on the Department of Children and Family Services' website at www.myflorida.com/childcare; or
 - b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority or on the Department of Children and Family Services' website at www.myflorida.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.

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15. 65C-22.003 Training. continued

(3) Exemptions from the Introductory Child Care Training.

- (a) Competency Examination Exemptions. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. Exemption examinations are not available for the department's online Part II specialized training courses.
- (b) Educational Exemptions.
 1. The Department of Children and Family Services or its designated representative shall exempt child care personnel from the Health, Safety and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:
 - a. Associate's degree or higher with six (6) college credit hours in early childhood/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade.
 - b. An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).
 2. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.
 3. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Elementary Education from the School-Age Appropriate Practices course.
 4. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Exceptional Student Education from the Special Needs Appropriate Practices course.
 5. There are no educational exemptions from the Child Care Facility Rules and Regulations and the Identifying and Reporting Child Abuse and Neglect courses or from the department's online training courses.

(4) Documentation of Training. Training completed successfully will be documented on the training transcript or on CF-FSP 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference. CF-FSP 5267 may be obtained from the licensing authority or on the Department of Children and Family Services' website at www.myflorida.com/childcare by clicking on the training link.

- (a) A copy of the CF-FSP Form 5267 or training transcript must be included in each staff member's child care personnel record and maintained at each child care facility.
- (b) A copy of the CF-FSP Form 5267 or training transcript for the director of a child care facility must be included in the department's official licensing file.

(5) . . .

(6) Annual In-Service Training.

- (a) All child care facility personnel must complete a minimum of 10 clock-hours or one (1) CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.
- (b) The annual 10 clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12, must be completed in one (1) or more of the following areas (college level courses will be accepted):
 1. Health and safety, including universal precautions;
 2. through 13. No change.
 14. Safety in outdoor play;
 15. through 19. No change.
 20. Homework assistance for school-age care;
 21. through 22. No change.

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15. 65C-22.003 Training. continued

- (c) . . . A new in-service training record is required each fiscal year. The in-service training records for the previous two (2) fiscal years must also be maintained at the child care facility for review by the licensing authority.

(7) Staff Credentials.

- (a) Staff Credential Requirement. Pursuant to Section 402.305(3), F.S., a licensed child care facility must have one (1) credentialed staff member for every 20 children.

1. A credentialed staff member is defined as a child care professional who has been issued a CF-FSP Form 5206, April 2006, Staff Credential Verification, which is incorporated by reference, by the department.
2. To apply for a CF-FSP Form 5206, a candidate must complete CF-FSP Form 5211, April 2006, Staff Credential Application, which is incorporated by reference, copies of which may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare, and meet one (1) of the following six (6) qualifications as cited on CF-FSP Form 5211:
 - a. An active National Early Childhood Credential (NECC).
 - b. Formal Educational Qualifications.
 - c. An active Birth Through Five Florida Child Care Professional Credential awarded by successful completion of a Birth Through Five FCCPC Training Program as documented on CF-FSP Form 5270, April 2006, Florida Child Care Professional Credential Certificate, which is incorporated by reference. A list of approved programs is maintained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 - d. An active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC) (formerly CDA Equivalent), or School-Age Professional Certificate (SAPC) (formerly School-Age Certification Training).
 - e. An active School-Age Florida Child Care Professional Credential awarded by successful completion of a School-Age FCCPC Training Program as documented on CF-FSP Form 5270. A list of approved programs is maintained on the Department of Children and Family Services' website at www.myflorida.com/childcare. Graduates who successfully complete a school-age training program offered by a branch of the U.S. Military will be recognized as having met the School-Age FCCPC requirement. A School-Age FCCPC will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK).
 - f. Employment History Recognition Exemption. An Employment History Recognition Exemption will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK) or towards a Director Credential. Applications for Employment History Recognition Exemption will not be accepted after July 1, 2006.

- (b) Calculation of Number of Personnel Necessary. The required number of credentialed staff for a facility shall be calculated as follows:

1. Child care facilities with 19 or fewer children or that operate less than eight (8) hours per week are not subject to the staff credential requirement.
2. For every 20 children, a child care facility must have one (1) child care staff member who meets the staff credential requirement. Based on this formula, child care facilities with 20-39 children must have one (1) credentialed staff member, facilities with 40-59 children must have two (2) credentialed staff members, and so on. The licensing authority will calculate the number of credentialed personnel required based on daily attendance.
3. Child care personnel meeting the staff credential requirement in paragraph 65C-22.003(7)(a), F.A.C., must work at the facility a minimum of 20 hours per week. A credentialed staff person must be on-site during all operational hours for those facilities that operate 20 hours or less per week.
4. Nap time and lunch times are excluded from this calculation.
5. Volunteers who meet the credential requirement will be included in calculating the credential ratio.
6. Children who are five (5) years old and who are enrolled in and attend a kindergarten program or grades one (1) and above are excluded from the credential ratio.

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15. 65C-22.003 Training. Staff Credentials - continued

7. An individual with an expired or inactive credential is ineligible to be counted as a credentialed staff member pursuant to subparagraph 65C-22.003(7)(a)1., F.A.C., until the credential is renewed or the individual meets one (1) of the qualifications listed in paragraph 65C-22.003(7)(a), F.A.C.
- (c) On-Site Documentation. A copy of the CF-FSP Form 5206 for each credentialed staff member must be maintained on-site at the child care facility, in the employee personnel file, for review by child care licensing staff. In addition to CF-FSP Form 5206, child care facilities must maintain written documentation of credentialed personnel's work schedules. Examples of written documentation are employee time sheets, personnel work schedules, and employment records.
- (d) Staff Credential Renewal.
 1. A National Early Childhood Credential must be renewed through the agency that awarded the credential. Prior to December 31, 2008, a National Early Childhood Credential may comply with the Birth Through Five Florida Child Care Professional Credential renewal process referenced in subparagraph 65C-22.003(7)(d)3., F.A.C., if the credential was issued prior to December 31, 2003.
 2. A staff credential awarded for formal education qualifications does not need to be renewed to remain active.
 3. To maintain an active Birth Through Five FCCPC, every five (5) years a candidate must renew their Birth Through Five FCCPC by completing CF-FSP 5273, April 2006, Birth Through Five Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5273 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 - a. A Birth Through Five FCCPC renewal will be documented on CF-FSP Form 5270. Renewal applications may be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Birth Through Five FCCPC.
 - b. Individuals with a Birth Through Five FCCPC issued before December 31, 2003 may renew the credential by submitting a CF-FSP 5273 with the required documentation by December 31, 2008. A Birth Through Five FCCPC issued after December 31, 2003 will have a renewal date of five (5) years from the date of issuance.
 - c. An individual with an inactive Birth Through Five FCCPC may submit a renewal application for a period of up to three (3) years from the end of the Birth Through Five FCCPC active period. The application will be reviewed, and if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5273 is processed.
 - d. For purposes of participation in the Voluntary Pre-Kindergarten (VPK) Program, child care personnel must ensure an active credential by July 1, 2006.
 4. To maintain an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC), every five (5) years a candidate must renew their Florida Department of Education CCAC, ECPC by completing CF-FSP Form 5309, April 2006, Florida Department of Education Child Care Apprenticeship Certificate (CCAC) and Early Childhood Professional Certificate (ECPC) Renewal Application, which is incorporated by reference. To maintain an active Florida Department of Education School-Age Professional Certificate (SAPC), every five (5) years a candidate must renew their SAPC by completing CF-FSP Form 5308, April 2006, Florida Department of Education School-Age Professional Certificate (SAPC) Renewal Application, which is incorporated by reference. CF-FSP Forms 5308 and 5309 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 - a. A Florida Department of Education CCAC, ECPC or SAPC renewal will be documented on CF-FSP Form 5310, April 2006, Certificate for Florida Department of Education Child Care Apprenticeship Certificate (CCAC)/Early Childhood Professional Certificate (ECPC)/School-Age Professional Certificate (SAPC) Program Renewal, which is incorporated by reference. CF-FSP Forms 5308 and 5309, as applicable, may be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Florida Department of Education CCAC, ECPC or SAPC.

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15. 65C-22.003 Training. Staff Credentials - continued

- b. An individual with an inactive Florida Department of Education CCAC, ECPC or SAPC may submit a renewal application for a period of up to three (3) years from the end of the Florida Department of Education CCAC, ECPC or SAPC active period. CF-FSP Form 5308 or 5309, as applicable, will be reviewed and, if approved, a CF-FSP Form 5310 will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5308 or 5309 is processed.
5. To maintain an active School-Age FCCPC, every five (5) years a candidate must renew their School-Age FCCPC by completing CF-FSP Form 5307, April 2006, the School-Age Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5307 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
- a. A School-Age FCCPC renewal will be documented on CF-FSP Form 5270. Renewal applications may be submitted no earlier than one (1) year prior to the end of the active date of the School-Age FCCPC.
- b. An individual with an inactive School-Age FCCPC may submit a renewal application for a period of up to three (3) years from the end of the School-Age FCCPC active period. The application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5270 is processed.
6. A staff credential awarded for Employment History Recognition Exemption does not require renewal to remain active.
- (e) . . .

(8) Director Credential.

- (a) Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., every child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential or Advanced Director Credential must meet the requirements referenced in CF-FSP Form 5290, April 2006, Florida Child Care Director Credential Verification and Application, which is incorporated by reference. CF-FSP Form 5290 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare. All applications and documentation will be verified and the credential issued by the Department of Children and Family Services on CF-FSP Form 5252, April 2006, Florida Director Credential Certificate, incorporated by reference.
 1. An individual may not be the director of child care facilities that overlap in the hours of operation.
 2. Each child care facility must have a credentialed director that is on-site a majority of hours that the facility is in operation.
 3. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.
 4. . . .
 5. CF-FSP Form 5252 must be maintained at the facility for review by the licensing authority.
- (b) The following exceptions to the Director Credential apply:
 1. No change.
 2. Pursuant to Section 402.305(1)(c), F.S., a credentialed director may supervise multiple before-school and after-school sites as outlined in paragraph 65C-22.003(8)(c), F.A.C.
- (c) Director Credential Requirement for before-school and after-school sites.
 1. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:
 - a. Three (3) sites regardless of the number of children enrolled, or
 - b. More than three (3) sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before- and after-school program shall be calculated and viewed as separate programs.

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15. 65C-22.003 Training. Director Credential - continued

- c. In counties where the public school district has included four (4) year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts which serve four (4) year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in paragraphs 65C-22.003(7)(a), F.A.C., in order to accommodate the four (4) year-old children.
2. When a credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet the following requirements:
 - a. At least 21 years of age;
 - b. Have completed the approved 40 clock-hour Introductory Child Care Training approved by the Department of Children and Family Services; and
 - c. Have completed the Department of Children and Family Services' Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight (8) hours of in-service training in serving children with disabilities; or
 - d. Have completed the Department of Children and Family Services' School-Age Appropriate Practices specialized training course.
- (d) Director Credential Renewal.
 1. To maintain an active Director Credential at either level, candidates must meet the requirements referenced on CF-FSP Form 5306, April 2006, Florida Director Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5306 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 2. A Director Credential renewal, as documented on CF-FSP Form 5252, is active for five (5) years from the date of issuance. The completed renewal application, including all required documentation, must be submitted to the Department of Children and Family Services for review and issuance of a Director Credential Renewal Certificate no earlier than one (1) year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.
 3. If a renewal application is received after the end of the active period for the Director Credential, the Director Credential Renewal Application will be reviewed, and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed renewal application was processed.
- (e) Director Credential Training Providers.
 1. The Department of Children and Family Services is responsible for reviewing and approving "Overview of Child Care Management" courses, offered through vocational-technical schools, community colleges and universities, to determine if the requirements for the Director Credential coursework are met. Applications for new coursework will no longer be accepted by the department. A list of approved "Overview of Child Care Management" courses may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 2. All college level coursework pertaining to the following content areas will be accepted as approved coursework towards the Advanced Level Director Credential requirements:
 - a. Child Care and Education Organizational Leadership and Management.
 - b. Child Care and Education Financial and Legal Issues.
 - c. Child Care and Education Programming.
- (j) Before-school and after-school sites.

65C-22.004 Health Related Requirements.

16. Each child care facility must have at least one (1) staff member with current and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures. One (1) staff member satisfying these training requirements shall be present at all times that children are in the care of the facility, both on-site and on field trips.
17. Disposable non-porous gloves.

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65C-22.004 Health Related Requirements - continued

18. Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit, and the address of and directions to the facility, including major intersections and local landmarks, must be posted on or near all facility telephones and shall be used to protect the health, safety and well-being of any child in day care.
19. All accidents and incidents which occur at a facility or while a child is in the care of facility staff must be documented on the day they occur. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of facility staff and custodial parent or legal guardian and maintained for one (1) year.
20. After a fire or natural disaster, the operator must notify the licensing agency within 24 hours as to their status of operation in order for the licensing authority to ensure health standards are being met for continued operation.

65C-22.005 Food and Nutrition.

21. Food Preparation Area. All licensed child care facilities approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.
22. Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles, and sippy cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.
23. There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding.

65C-22.006 Record Keeping.

24. A copy of all background screening documents for the director and owner must be included in the License Board's official licensing file.
25. The child care facility is responsible for obtaining for each child in care a current, complete and properly executed Student Health Examination form DH 3040 (June 2002), which is incorporated herein by reference, from the parent or legal guardian or a signed statement by authorized professionals that indicates the results of the components of the Student Health Examination form are included in the health examination. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations.
26. The Student Health Examination or the signed statement is valid for two (2) years from the date the physical was performed. An up-to-date version must be on file for as long as the child is enrolled at the facility.
27. The child care facility, if responsible for obtaining for each child in care a current, complete and properly executed Florida Certification of Immunization form Part A-1, B, or C, DH 680 (July 2001), or the Religious Exemption from Immunization form. DH 681 (May 1999), which are incorporated herein by reference, from the custodial parent or legal guardian DH Form 680 and DH Form 681 may be obtained from the local county 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. Specific immunization requirements are included and detailed in the most current edition of the "Immunization Guidelines-Florida Schools, Child Care Facilities and Family Day Care Homes" as promulgated by the Florida Department of Health.

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65C-22.006 Record Keeping - continued

28. If the custodial parents or legal guardians fail to provide the documentation required in subparagraphs (a) or (c) above within 30 days of enrollment, the facility shall not allow the child to remain in the program.
29. If the custodial parents or legal guardians need assistance concerning these requirements, the facility shall refer them to the Department of Health or to the child's physician.
30. Medical records in this section are the property of the custodial parent or legal guardian and must be returned to them when the child withdraws from the facility. The medical records are transferable if the child attends another facility.
31. There shall be signed statements from the custodial parents or legal guardian that the child care facility has provided them with the following information:
32. An employment history check that includes the previous two (2) years. An employment history check conducted under this rule shall include the applicant's position description, confirmation of employment dates from previous job(s), and level of job performance.
33. Driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification, or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures must also be maintained in the driver's personnel file.

65C-22.007 Evening Child Care.

35. For centers which only provide evening child care, outdoor play space is not required. An open area within the existing indoor floor space designated for play that promotes the development of gross motor skills must be available.

Implementation Date: January 1, 2008 for all above increases.

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity.

Motion: A motion was made by Commissioner Morroni and seconded to approve changes from 65C-22.001 to 65C-22.007. Motion unanimously approved.

Recommendation #1 – Recommendation to increase minimum standard for General Qualifications in regulations governing children’s centers and specialized children’s centers for mildly-ill children

I. PERSONNEL (children’s centers)

A. General Qualifications. Personnel in children’s centers:

4. Shall not exercise any influence detrimental to the progress or development of children and at all times child care personnel must protect the health, safety, and mental development of children in care.

IV. PERSONNEL (mildly-ill centers)

A. General Qualifications

4. Shall not exercise any influence detrimental to the progress or development of children and at all times child care personnel must protect the health, safety, and mental development of children in care.

Finding of Necessity:

The proposed standard is necessary to fulfill the purpose of the Special Act by requiring center personnel to conduct themselves in a manner consistent with the purpose of the PCLB. The purpose of the legislation creating the PCLB states, “The purpose of this act is to protect the health, safety, and mental development of children cared for in children’s centers and family day care homes in Pinellas County as defined in section 2” (Definitions). However, this purpose is not a standard to which centers can be held accountable. It is impractical for every common sense requirement pertaining to the health, safety, and mental development of children to be specifically included in the Licensing Regulations.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(1) GENERAL QUALIFICATIONS

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morrone and seconded to approve the Finding of Necessity. Cecilia Burke opposed. Motion approved.

Motion: A motion was made by Commissioner Morrone and seconded to table the recommendation to increase minimum standard for General Qualifications in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #2 – Recommendation to increase minimum standard for Education Qualifications in regulations governing children’s centers and specialized children’s centers for mildly-ill children

I. PERSONNEL (children’s centers)

B. Education/Credentials

1. Education Qualifications

- 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.

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Recommendation #2 – continued

IV. PERSONNEL (children’s centers)

SA 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).

B. Education/Credentials

1. Education Qualifications (mildly-ill)

b. The staff member in charge (SMIC) of the staff and program of a specialized children’s center for mildly-ill children 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. In lieu of completion of six (6) semester hours of college credits in the eight content areas, a staff member in charge of a specialized children’s center for mildly-ill children may satisfactorily complete a CDA credential, or a Florida approved staff credential. This may be documented on a transcript, diploma, or certificate.

Finding of Necessity:

In August 2005, Board approved all day nursery and school age center workers must have a high school diploma or GED. Currently, the person in charge of these workers does not need a diploma or GED, because in Pinellas County a person can take non-degree seeking classes at St. Petersburg College and satisfy the 6 college credit requirements for a staff member in charge without having a high school diploma. This increase ensures that a high school diploma or GED is required for all child care staff including a staff member in charge.

This recommendation does not change staff’s current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(2) EDUCATION

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Education Qualifications in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #3 – Recommendation to increase minimum standard for Infant Center Training in regulations governing children’s centers

I. PERSONNEL (children’s centers)

C. Training Requirements

INF3. Infant Center Training

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.

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Recommendation #3 – continued

(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.

Finding of Necessity:

This clarifies that a person must actually attend infant training to meet requirements. The DCF training requirement does not require attendance, only passing of the competency exam which is based upon state standards, not the more restrictive PCLB standards. Titles of training courses have been included to reduce confusion concerning which courses are required.

This recommendation does not change staff’s current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(2) EDUCATION

Implementation Date: January 1, 2008

Motion: A motion was made by Angela Loring and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Infant Center Training in regulations governing children’s centers. Motion unanimously approved.

Recommendation #4 – Recommendation to increase minimum standard for General Supervision in regulations governing children’s centers

II. SUPERVISION (children’s centers)

A. General Supervisory Standards

INF5. Infants shall not be combined with children two (2) years of age or older except any child two (2) years of age or older may be allowed to be enrolled or remain in the infant group, when necessary for developmentally appropriate placement. Any child enrolled in the infant room cannot visit, be temporarily assigned to another group, or take part in activities with children other than those in the infant rooms.

Finding of Necessity:

This wording clarifies that a child two years of age or older may be placed in the infant room, not just for toilet training but when it is appropriate placement due to the developmental level of the child. It also clarifies that children placed in the infant room may not be mixed with other groups of children to visit or to gradually transition into an older age group. Infants are kept separate in order to reduce the spread of disease. In addition, children in an infant room are required to receive nurturing, individualized care in a developmentally safe environment that should not be disrupted.

This recommendation does not change staff’s current monitoring practice.

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Recommendation #4 – continued

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(3) NUMBER OF PERSONNEL AND SUPERVISION

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for General Supervision in regulations governing children’s centers. Motion unanimously approved.

Recommendation #5 – Recommendation to increase minimum standard for General Supervisory Standards in regulations governing children’s centers and specialized children’s centers for mildly-ill children

II. SUPERVISION (children’s centers)

A. General Supervisory Standards

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

III. SUPERVISION (mildly-ill)

A. General Supervisory Standards

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

Finding of Necessity:

Children’s centers that operate during evening/overnight hours may have less staff on the premises for child care staff to call on for assistance. Requiring an additional child care staff member to be on the premises to assist with child care responsibilities ensures that there is sufficient staff qualified and capable of helping children with their evening and bedtime routines which requires more individualized attention and inherently creates situations where additional child care staff is necessary to maintain supervision.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(3) NUMBER OF PERSONNEL AND SUPERVISION

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni to approve the recommendation to increase minimum standard for General Supervisory Standards in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

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Recommendation #6 – Recommendation to increase minimum standard for General Supervision in regulations governing children’s centers and specialized children’s centers for mildly-ill children

II. SUPERVISION (children’s centers)

A. General Supervisory Standards

- 12. During evening/overnight child care hours, child care staff must remain awake at all times.

III. SUPERVISION (mildly-ill regulations)

A. General Supervisory Standards

- 9. During evening/overnight child care hours, child care staff must remain awake at all times.

Finding of Necessity:

The proposed standard brings the regulation in compliance with state standards in regard to evening care. In addition, it recognizes that the supervision must be extended to overnight hours to protect children.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(3) NUMBER OF PERSONNEL AND SUPERVISION

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for General Supervision in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #7 – Recommendation to increase minimum standard for Facility Records in regulations governing children’s centers

V. RECORDS

A. Facility Records (children’s centers)

- 4. Enrollment information shall be kept current and on file, and include the following:
 - f. Name, address, and telephone number of dentist.
 - g. Days of the week in care.
 - h. Meals typically served while in care.

Finding of Necessity:

Additional information is contained on the state’s Child Care Application for Enrollment. PCLB must require an enrollment form that contains all the information required by the Department of Children and Family Services.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 7.(1) FACILITY RECORDS

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morrone and seconded to approve the recommendation to increase minimum standard for Facility Records in regulations governing children’s centers. Motion unanimously approved.

Recommendation #8 – Recommendation to increase minimum standard for Scheduled Activities in regulations governing children’s centers

V. RECORDS

A. Facility Records (children’s centers)

11. Other records

- b. **Scheduled Activities-** Each age group or class must have a written and followed plan of scheduled activities posted in a place accessible to the parents. The written plan must meet the needs of the children being served and include scheduled activities which:
 - (1) Promote emotional, social, intellectual, and physical growth. Developmentally appropriate physical activity that includes active gross motor play must be integrated into the daily schedule.
 - (2) . . .
 - (3) . . .
 - (4) Include accepted bedtime routines that are respectful of children’s individual needs and sleep schedules when operating during evening/overnight hours when children normally sleep. Activities include but are not limited to:
 - (a) Personal hygiene such as brushing teeth and washing face and hands, etc.
 - (b) Quiet, comforting transition activities such as bedtime stories, soothing music, etc.

Finding of Necessity:

Current research informs us that children’s health issues are of concern. Children are not getting enough physical activity to maintain healthy bodies including appropriate body weight. The physical fitness of children in children’s centers can be positively affected by appropriate gross motor activity.

Following regularly scheduled bedtime routines promotes good personal hygiene habits, restful sleep, and contributes to the child’s entire well being.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 7.
FACILITY RECORDS

Implementation Date: January 1, 2008

Motion: A motion was made by Angela Loring and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley to approve the recommendation to increase minimum standard for Scheduled Activities in regulations governing children’s centers. Motion unanimously approved.

Recommendation #9 – Recommendation to increase minimum standard for Emergency Evacuation Plan in regulations governing children’s centers and specialized children’s centers for mildly-ill children

V. RECORDS

A. Facility Records (children’s centers)

11. Other records

g. **Emergency Evacuation and Care Plan**

- (2) Each children’s center shall have a written 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 or evacuations mandated by government officials for public health or safety. The plan shall include arrangements for transportation, food and water supply, parent and children’s center staff communication, availability of children’s records, and supervision of children during evacuation and relocation.

Recommendation #9 – continued

V. RECORDS

C. Other Records (mildly-ill)

3. Emergency Evacuation and Care Plan

- (b) Each children's center shall have a written 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 or evacuations mandated by government officials for public health or safety. The plan shall include arrangements for transportation, food and water supply, parent and children's center staff communication, availability of children's records, and supervision of children during evacuation and relocation.

Finding of Necessity:

Nationwide, the need for advance emergency planning is recognized. Preplanning can facilitate good judgment. Calm and composed thinking is necessary in emergencies. In addition, prior planning provides an understanding between center staff and parents regarding the safeguards center staff are taking to keep their children safe while in care. Moreover, it is necessary for the PCLB to have a copy of each center's emergency plan so PCLB can assist local authorities in locating children.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 7.(1) FACILITY RECORDS

Implementation Date: For existing children's centers, submission is due with 2008 renewals. For new applicants submission is due with Plan of Operation beginning in 2008.

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Emergency Evacuation Plan in regulations governing children's centers and specialized children's centers for mildly-ill children. Motion unanimously approved.

Board directed staff to contact Sally Bishop with Pinellas County Emergency Management.

Recommendation #10 – Recommendation to increase minimum standard for Building in regulations governing children's centers and specialized children's centers for mildly-ill children

VI. PHYSICAL ENVIRONMENT (children's centers)

A. Building

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

VIII. PHYSICAL ENVIRONMENT (mildly-ill)

A. Building

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

Finding of Necessity:

During evening/overnight hours of care, there are fewer staff on the premises to monitor public access into the building. Locked doors increase security of children and staff by limiting access to authorized persons.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 8.(1) BUILDING

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Recommendation #10 – continued

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Building in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #11 – Recommendation to increase minimum standard for Fire Safety in regulations governing children’s centers and specialized children’s centers for mildly-ill children

VI. PHYSICAL ENVIRONMENT (children’s centers)

B. Fire Safety

2. There shall be at least one installed, operable, corded telephone readily accessible in the children’s center which is neither locked nor located at a pay station and is available to all staff during the hours of operation, even in the event of a power outage.

X. HEALTH AND SAFETY (mildly-ill)

B. Fire Safety

2. There shall be at least one installed, operable, corded telephone, readily accessible in the children’s center, which is neither locked nor located at a pay station and is available to all staff during the hours of operation, even in the event of a power outage.

Finding of Necessity:

A corded telephone does not require a power source to make outgoing or receive incoming calls. A corded telephone which is not installed poses a threat to the safety of the children in a children’s center in the case of an emergency caused by or accompanied by a power outage because (a) a telephone that was operable when stored away may no longer be operable when needed, (b) in case of a power outage, an uninstalled corded telephone may be difficult and/or dangerous for children’s center staff to locate, and (c) staff has cited noncompliance for emergency procedures when the telephone was not available for emergency calls from the children’s center.

This does not change staff’s current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 8.(1) Minimum standards for the physical plant housing children’s centers

Implementation Date: January 1, 2008

Motion: A motion was made by Lourdes Benedict and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Fire Safety in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #12 – Recommendation to increase minimum standard for Rooms Occupied by Children in regulations governing children’s centers and specialized children’s centers for mildly-ill children

VI. PHYSICAL ENVIRONMENT (children’s centers)

C. Indoor Play Space

10. Rooms occupied by children:

- a. All rooms must have and maintain lighting the equivalent of twenty (20) foot candles at three feet from the floor to allow for supervision and for safe methods of entering and exiting each room. In reading, painting, and other close work areas, lighting must be equivalent to fifty (50) foot candles on the work surface. At all times lighting must be sufficient enough to visually observe and supervise children, including during naptime and when children are sleeping.

VIII. PHYSICAL ENVIRONMENT (mildly-ill)

C. Rooms Occupied by Children

1. All rooms must have and maintain lighting the equivalent of twenty (20) foot candles at three feet from the floor to allow for supervision and for safe methods of entering and exiting each room. In reading, painting, and other close work areas, lighting must be equivalent to fifty (50) foot candles on the work surface. At all times lighting must be sufficient enough to visually observe and supervise children, including during naptime and when children are sleeping.

Finding of Necessity:

Whenever children are in care, lighting must be sufficient for staff to provide direct supervision. In areas or rooms where children are sleeping, lighting must be provided to observe all the children in order to assist them according to their individual needs.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 8.(1) Minimum standards for the physical plant housing children’s centers

Implementation Date: January 1, 2008

Motion: A motion was made by Commission Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morrone and seconded to approve the recommendation to increase minimum standard for Rooms Occupied by Children in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #13 – Recommendation to increase minimum standard for Napping Space in regulations governing children’s centers and specialized children’s centers for mildly-ill children

VI. PHYSICAL ENVIRONMENT (children’s centers)

E. Napping and Sleeping Space

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

1. Each children’s center must include a designated area where a child can sit quietly and lie down to rest or nap. Sleeping space is required during bedtime hours when children normally sleep. When not in use, napping space and usable indoor floor space may be used interchangeably.

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Recommendation #13 – continued

- 2. Bedding is not required for school age children, however, the children’s center shall provide an area as described above for those children choosing to rest. Sleeping space for cots is required for school age children during bedtime hours when school age children normally sleep.
- INF** 3. When napping/sleeping, young infants that are not capable of rolling over on their own should be positioned on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome (SIDS), unless an alternate position is authorized in writing by a physician. This documentation shall be maintained in the child’s record.
- 4. . . .
- 5. Cots and/or cribs shall be set up so that each child is no closer to another, during the nap period or when children are sleeping, than two-feet. Exit areas must remain clear in accordance with fire safety regulations.

VIII. PHYSICAL ENVIRONMENT (mildly-ill)

H. Napping and Sleeping Space

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

- 1. Each children’s center for mildly-ill children must include a designated area where a child can sit quietly and lie down to rest or nap. Sleeping space is required during bedtime hours when children normally sleep. When not in use, napping space and usable indoor floor space may be used interchangeably.

Finding of Necessity:

The amendment is being made to ensure children in care have appropriate sleeping space during evening/overnight hours.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 8.(4) NAPPING SPACE

Implementation Date: January 1, 2008

Motion: A motion was made by Angela Loring and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for Napping Space in regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

Recommendation #14 – Recommendation to increase minimum standard for Bathroom Facilities in regulations governing children’s centers

VI. PHYSICAL ENVIRONMENT (children’s centers)

F. Bathroom Facilities

- 8. At least one (1) portable or permanent bath facility shall be provided and be available for bathing children unless the program exclusively serves school age children and the school age center does not operate during evening/overnight hours of care requiring bedtime routines.

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Recommendation #14 – continued

Finding of Necessity:

A school age center operating during evening/overnight hours must be prepared to provide bedtime routines appropriate for each child. This may include the need for bathing.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 8.(5) BATHROOM FACILITIES

Implementation Date: January 1, 2008

Motion: A motion was made by Commission Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morrone and seconded to approve the recommendation to increase minimum standard for Bathroom Facilities in regulations governing children’s centers. Motion unanimously approved.

Recommendation #15 – Recommendation to increase minimum standard for Indoor Equipment in regulations governing children’s centers and specialized children’s centers for mildly-ill children

VI. PHYSICAL ENVIRONMENT (children’s centers)

H. Indoor Equipment

10. For children’s centers on an all day schedule or if authorized for overnight care as prescribed in the definition for “Overnight Care,” there shall be a separate bedding with a washable cover for each child. No double or multi-deck cribs, cots, or beds may be used.

- a. A cloth sheet which can be fastened to the cot is required as the “washable cover” for cots. Where beds or cribs are used, a well fitting, protected mattress must be covered by a well fitting, cloth sheet.
- b. Each child in care must be provided safe and sanitary bedding to be used when napping/sleeping. Bedding means a bed, cot, or crib. Bedding must be appropriate for the child’s size.
- c. Pillows and blankets must be available for children when sleeping except as set forth in subsection d. below.

INFd. When infants are napping or sleeping, pillows may not be used nor shall soft items such as blankets, towels, etc. be used under the infants.

- e. Linens and blankets must be laundered at least once each week and more if soiled or dirty. Linens, if used for more than one child, shall be laundered between usage.
- f. Linens, blankets and pillows must be stored in a sanitary manner.

11. . . .

12. . . .

SA 13. For school age centers on an all day schedule, a rest or a quiet period shall be required. If naptime is scheduled, a washable mat, towel, sheet, or blanket is required. Cots are not required. However, if a school age center is open during evening hours and/or overnight, cots, linens, blankets and pillows must be provided for sleeping.

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Recommendation #15 – continued

VIII. PHYSICAL ENVIRONMENT (mildly-ill)

E. Indoor Equipment

8. Each child in care must be provided safe and sanitary bedding to be used when napping/sleeping. Bedding means a bed, cot, or crib. Bedding must be appropriate for the child's size.

9. . . .

10. Linens and blankets must be sanitized daily, per DEFINITIONS and more often if soiled or dirty. Linens and blankets must be provided when children are napping/sleeping. Pillows must be available.

INF11. When infants are napping or sleeping, pillows may not be used nor shall soft items such as blankets, towels, etc. be used under the infants.

12. A cloth sheet, which can be fastened to the cot, is required as the "washable cover" for cots. Where beds or cribs are used, a well fitting, protected mattress must be covered by a well fitting, cloth sheet.

13. Linens, blankets and pillows must be stored in a sanitary manner.

Finding of necessity:

The amendments are being made to require appropriate linens and other bed clothes when children sleep in a children's center and to maintain sanitary conditions.

A 1998 study conducted by the *U.S. Consumer Product Safety Commission* to identify safety hazards in child care settings showed that yearly 900 infant deaths attributed to SIDS may have been caused by soft bedding such as quilts, comforters and pillows.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 8.(7) INDOOR EQUIPMENT

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Lourdes Benedict and seconded to approve the recommendation to increase minimum standard for Indoor Equipment in regulations governing children's centers and specialized children's centers for mildly-ill children. Motion unanimously approved.

Recommendation #16 – Recommendation to increase minimum standard for Application, Fees, License in regulations governing children centers, family day care homes, and large family child care homes

X. APPLICATION, FEES, LICENSE (children's centers)

B. Fees

2. In addition to the application fee, each children's center will be charged a license fee of \$50.00 plus \$1.00 per child based upon the licensed capacity of the children's center.

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Recommendation #16 – continued

Finding of Necessity:

The recent property tax reform cuts impact the ad valorem dollars collected by JWB to fund children’s services. PCLB has been notified of cuts to its budget for the 2007-08 funding year. The increased fees are required to help fund the decreases in JWB funding.

The License Board may assess a License fee as provided for in Chapter 402.315. Children’s centers have been assessed a license fee at the same rate since 1996. Family day care homes and large family child care homes have never before been assessed a license fee.

Fees in other local licensing counties range from \$25 - \$50 for homes and the following for centers:

COUNTY	LICENSE FEES FOR CENTERS WITH A CAPACITY OF 100 CHILDREN
Hillsborough	\$162.50
Broward	\$115.00
Palm Beach	\$450.00
Proposed Pinellas	\$150.00

Reference:

- Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 10. Application for license; fee
- 402.315(4) F.S. (license fees), 402.3025 (3) F.S. (nonpublic school inspection fee)
- Board Policy - Training Fees (10/3/1990, revised 3/1/2005)

Implementation Date: January 1, 2008

Motion: A motion was made by Angela Loring and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Lourdes Benedict and seconded to approve the recommendation to increase minimum standard for Application, Fees, License in regulations governing children centers, family day care homes, and large family child care homes. Motion unanimously approved.

Recommendation #17 – Recommendation to increase minimum standard for Fees in regulations governing children’s centers and specialized children’s centers for mildly-ill children

X. APPLICATION, FEES, LICENSE (children’s centers)

B. Fees

4. Prior to issuance of a temporary permit or license, the applicant or owner of a children’s center must pay all unpaid fees and/or fines owed the License Board including but not limited to application and license fees, training and training materials fees, and copying fees.

II. GENERAL INFORMATION (mildly-ill)

B. Fees

3. Prior to issuance of a temporary permit or license, the applicant or owner of a children’s center must pay all unpaid fees and/or fines owed the License Board including but not limited to application and license fees, training and training materials fees, and copying fees.

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Recommendation #17 – continued

Finding of Necessity:

The collection of fees is authorized to partially offset the costs of the License Board including supplies, equipment, rent, and personnel. The collection of unpaid fees from current or previous owners of children's centers, prior to reapplying for temporary permit or license is a reasonable requirement and satisfies their outstanding financial obligations to the PCLB.

Reference:

- Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 10. Application for license; fee
- 402.315(4) F.S. (license fees), 402.3025 (3) F.S. (nonpublic school inspection fee)
- Board Policy - Training Fees (10/3/1990, revised 3/1/2005)

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Lourdes Benedict and seconded to approve the recommendation to increase minimum standard for Fees in regulations governing children's centers and specialized children's centers for mildly-ill children. Motion unanimously approved.

Recommendation #18 – Recommendation to increase minimum standard for Enforcement in regulations governing children centers and specialized children's centers for mildly-ill children XV.ENFORCEMENT (children's centers)

C. Administrative Fines

2. A violation is noncompliance with any provision of Licensing Regulations. The License Board may levy a fine in addition to or in lieu of any other disciplinary action. The License Board will use the following classifications as a guideline for determining the severity of the violation and the amount of the fine:

XVI.ENFORCEMENT (mildly-ill)

J. Enforcement Actions

7. A violation is noncompliance with any provision of Licensing Regulations. The License Board may levy a fine in addition to or in lieu of any other disciplinary action. The License Board will use the following classifications as a guideline for determining the severity of the violation and the amount of the fine:

Finding of Necessity:

The added statement clarifies enforcement actions that the Board can take. The state will be adding a similar sentence for the same purpose. Upon an initial complaint investigation, a violation may be abundantly apparent and appropriate sanctions issued, but through subsequent investigation either by the PCLB or by Child Protection Investigation, additional information and additional violations are brought to light.

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Recommendation #18 – continued

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 15. Refusal of license; revocation; notice, hearing.

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Lourdes Benedict to approve the recommendation to increase minimum standard for Enforcement in regulations governing children centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

**Recommendation #19 – Recommendation to increase minimum standard for Enforcement in regulations governing children centers and specialized children’s centers for mildly-ill children
XV.ENFORCEMENT (children’s centers)**

D. Provisional License

5. The provisional license issued either by the Board or staff as a result of an action of the Enforcement Plan will be called a probationary-provisional license. All requirements of Licensing Regulations XV.D. Provisional License will remain the same. No application for change shall be accepted during the probationary-provisional license period.

XVI. ENFORCEMENT (mildly-ill)

F. Provisional License

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 XVI.F. Provisional License will remain the same. No application for change shall be accepted during the probationary-provisional license period.

Finding of Necessity:

Licenses on a probationary-provisional license have demonstrated their inability to maintain compliance with licensing standards. Requests for license increases should not be accepted; making such changes, potentially could put children at risk.

This does not change staff’s current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 15. Refusal of license; revocation; notice, hearing

Implementation Date: January 1, 2008

Motion: A motion was made by Lourdes Benedict and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Lourdes Benedict and seconded to approve the recommendation to increase minimum standard for Enforcement in regulations governing children centers and specialized children’s centers for mildly-ill children. Motion unanimously approved.

E. 2. The following are increases to *Licensing Regulations Governing Pinellas County Family Day Care Homes and Large Family Child Care Homes*:

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65C-20.008 Application.

1. An employment history check is required as part of background screening, must include the previous two (2) years and must be maintained in the License Board file.

An employment history check conducted under this rule shall include the applicant's position description, confirmation of employment dates from previous job(s), and level of job performance.

2. The five (5) year rescreening is required for the operator/applicant and all other household members, including juveniles and substitutes, and must be maintained in the License Board file.

65C-20.009 Definitions.

3. "Active" refers to the status of a candidate's awarded credential or certification in which requirements have been successfully met.
4. "Early Childhood Education" refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).
5. "Florida Child Care Professional Credential (FCCPC)," pursuant to Section 402.305(3)(b), F.S., is 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 (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification; "Birth Through Five (formerly the department approved CDA Equivalency training programs)" and "School-Age (formerly the Florida School-Age Certification)." A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
6. "National Early Childhood Credential (NECC)" pursuant to Section 402.305(3)(c), F.S., is an early childhood credential recognized by licensing authorities in at least five (5) states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at least two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare by clicking on the training link.
7. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training transcripts may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
8. "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.

9. 65C-20.009 Staff Training

- (a) Prior to licensure and prior to caring for children, all family day care home operators and substitutes who work 40 hours or more per month on average during a 12 month period must:
 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 examination(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Family day 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. Beginning July 1, 2006, the 30 clock-hour Family Child Care Home training will be replaced by 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.

MINUTES – November 7, 2007

9. 65C-20.009 Staff Training - continued
 - a. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better.
 - b. Beginning July 1, 2006 the Department of Children and Family Services or its designated representative shall exempt individuals from the Health, Safety, and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:
 - (I) Associate's degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade; or
 - (II) An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).
 - c. The Family Child Care Home training completed successfully after July 1, 2004 will be documented on the child care training transcript only. Training completed successfully prior to July 1, 2004 will be documented either on CF-FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference, or on the Department of Children and Family Services' child care training transcript.
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. In order to meet this requirement, individuals must complete one (1) of the following:
 - a. One (1) of the department's online literacy courses available on the Department of Children and Family Services' website at www.myflorida.com/childcare; or
 - b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority or on the Department of Children and Family Services' website at www.myflorida.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.
3. Certificate(s) of course completion for infant and child cardiopulmonary resuscitation (CPR) procedures and first aid training, which must be current and valid at all times. Certificates of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three (3) years. Online CPR courses are not acceptable to meet this standard. CPR training must be completed by classroom instruction.
 - (b) Family day care home substitutes who work less than 40 hours a month on average during a 12 month period shall complete the Department of Children and Family Services' three (3)-clock-hour Fundamentals of Child Care training prior to caring for children, as documented on the Department of Children and Family Services' CF-FSP Form 5267, and the Department of Children and Family Services' child care training transcript.
 1. The operator of the family day care home 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.
 2. Family day care substitutes who have successfully completed the 30 clock-hour Family Child Care Home training are not required to complete the three (3) clock-hour Fundamentals of Child Care training.

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10. Annual In-Service Training.

All family day care home operators must complete a minimum of 10 clock-hours or (1) CEU of in-service training annually during the operator's 12 month licensing period.

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

65C-20.009 Supervision.

11. At all times, which includes when the children are napping or sleeping, 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. While children are napping or sleeping in bedrooms, the bedroom doors must remain open. During the daytime hours of operation, children shall have adult supervision, which means watching and directing children's activities, both indoors and outdoors, and responding to each child's needs.

65C-20.010 Health Related Requirements

12. All in-ground swimming pools and above-ground swimming pools more than one (1) foot deep shall have either a fence or barrier on all four (4) sides, at a minimum of four (4) feet in height, separating the home from the swimming pool; or a pool alarm that is operable at all times when children are in care. The fence or barrier shall not have any gaps or openings that would allow a young child to crawl under, squeeze through, or climb over the barrier. All spas and hot tubs must meet the same barrier requirements for in-ground and above-ground swimming pools, or spas and hot tubs may be covered with a safety cover, as defined in Section 515.25(1), F.S., that complies with ASTM F1346-91 (2003), Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Hot Tubs, and Spas at all times when children are in care. A copy of ASTM F1346-91 (2003), Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Hot Tubs, and Spas, may be obtained from the licensing authority or on the Department of Children and Family Services' website at www.myflorida.com/childcare by clicking on the forms link. The exterior wall of the home with an ingress and egress does not constitute a fence or barrier. All doors or gates in the fence or barrier shall be locked at all times when children are in care. In addition to the fence, barrier or pool alarm, the family day care home operator shall ensure that all exterior doors leading to the pool, spa, or hot tub area remain locked at all times while children are in care. 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. 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.
13. Children one (1) 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, mattress, except that two (2) sibling preschool children may share a double bed. Sleeping refers to the normal night time sleep cycle and playpens, air mattresses, and foam mattresses may not be used for care when children are sleeping. The operator must prepare a written plan outlining the sleeping arrangements of the children in care to be provided to the licensing counselor upon request. If the children are sleeping overnight, the operator must ensure accepted bedtime routines, such as brushing teeth and face and hand washing. Toothbrushes, towels and wash cloths may not be shared.

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65C-20.010 Health Related Requirements – continued

14. Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles and sippy cups provided by the family day care home that are not disposable shall be washed, rinsed and sanitized between uses. All bottles and sippy cups brought from home shall be individually labeled with the child's first and last name and returned to the custodial parent or legal guardian daily.
15. 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. The USDA My Pyramid, April 2005, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two (2) and older. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA My Pyramid may be obtained from the licensing authority, the local county health department or from the USDA website at www.mypyramid.gov. Using the USDA My Pyramid, breakfast shall consist of at least three (3) different food groups; lunch and dinner shall consist of at least four (4) different food groups and snacks shall consist of at least two (2) different food groups. 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.
16. (Moved to II. Action Items E.3. Staff Recommendations in Response to Public Hearing.)
17. Emergency Procedures and Notification.
Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit; and the address of and 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. To meet the immediate needs of the child, family day care home operators shall call 911 or other emergency numbers in the event of an emergency.
18. Custodial parents or legal guardian shall be notified immediately in the event of any serious illness, accident, injury or emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, the family day care home operator will 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.
19. After a fire or natural disaster, the operator must notify the licensing agency within 24 hours as to their status of operation in order for the department or local licensing agency to ensure health standards are met for continued operation as a family day care home.

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65C-20.010 Health Related Requirements – continued

20. Communicable Disease Control.

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;
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.

21. Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, and posted with stored medication.
22. 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 day care home.

65C-20.011 Health Records.

23. If the custodial parents or legal guardians need assistance concerning these requirements, the family day care home shall refer them to the Department of Health or to the child's physician.
24. 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 day care home.
25. Enrollment and Medical Authorization.
There shall be a signed statement from the custodial parents or legal guardian that the family day care home has provided them with the following information:
The Department of Children and Family Services family day care home brochure, CF/PI 175-28, July 2005, Selecting A Family Day Care Home Provider, which is incorporated by reference. This brochure may be obtained from the licensing authority or on the Department of Children and Family Services' website at www.myflorida.com/childcare.

65C-20.012 Enforcement.

26. 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.

65C-20.013 Large Family Child Care Homes (LFCCH).

Definitions.

1. "Active" refers to the status of a candidate's awarded credential or certification in which requirements have been successfully met.

65C-20.013 Large Family Child Care Homes (LFCCH) - continued

2. “Begin training for child care personnel” refers to a candidate’s commencement of at least one (1) of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance, acquiring an educational exemption from training, beginning a department approved online child care training course, or by completion of a department approved competency examination within the first 90 days of employment in the child care industry. The large family child care home is responsible for obtaining documentation from child care personnel.
3. “Early Childhood Education” refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).
4. “Expired” refers to the status of a candidate’s awarded credential or certification that is not eligible for renewal.
5. “Florida Child Care Professional Credential (FCCPC),” pursuant to Section 402.305(3)(b), F.S., is 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 (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification; “Birth Through Five (formerly the department approved CDA Equivalency training programs)” and “School-Age (formerly the Florida School-Age Certification).” A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
6. “Florida Department of Education Child Care Apprenticeship Certificate (CCAC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
7. “Florida Department of Education Early Childhood Professional Certificate (ECPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
8. “Florida Department of Education School-Age Professional Certificate (SAPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with school-age children and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
9. “Inactive” refers to the status of a candidate’s awarded credential or certification that remains eligible for renewal.
10. “National Early Childhood Credential (NECC)” pursuant to Section 402.305(3)(c), F.S., is an early childhood credential approved by the department and recognized by licensing authorities in at least five (5) states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at least two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.

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65C-20.013 Large Family Child Care Homes (LFCCH). – Definitions - continued

11. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training transcripts may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
12. "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.

13. LFCCH Staff Training

Large Family Child Care Home Operators. In addition to the training requirements identified in paragraph 65C-20.009(3)(a), F.A.C., large family child care home operators must:

1. Possess one (1) of the following credentials for a minimum of one (1) year:
 - a. An active National Early Childhood Credential (NECC); an active Birth Through Five or School-Age Florida Child Care Professional Credential (FCCPC) (formerly known as the Child Development Associate Equivalency); an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC) or School-Age Professional Certificate (SAPC); or meet the formal educational qualification requirement outlined on CF-FSP Form 5211, April 2006, Staff Credential Application, which is incorporated by reference. An Employment History Recognition Exemption will not be accepted to meet the minimum staff credential requirements for Large Family Child Care Homes.
 - b. 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).
 - c. Credential Renewal Requirements.
 - (I) A National Early Childhood Credential must be renewed through the agency that awarded the credential. Prior to December 31, 2008, a National Early Childhood Credential may comply with the Birth Through Five Florida Child Care Professional Credential renewal process referenced in subparagraph 65C-20.013(5)(b)1.b.2., F.A.C., if the credential was issued prior to December 31, 2003.
 - (II) To maintain an active Birth Through Five FCCPC, every five (5) years a candidate must renew their Birth Through Five FCCPC by completing CF-FSP Form 5273, April 2006, Birth Through Five Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5273 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 - (A) A Birth Through Five FCCPC Renewal will be documented on CF-FSP Form 5270. Renewal applications will be submitted by the candidate no earlier than one (1) year prior to the end of the active date of the Birth Through Five FCCPC.
 - (B) Individuals with a Birth Through Five FCCPC issued before December 31, 2003 will renew the credential by submitting a completed CF-FSP 5273 with the required documentation by December 31, 2008. A Birth Through Five FCCPC issued after December 31, 2003 will have a renewal date of five (5) years from the date of issuance.
 - (C) An individual with an inactive Birth Through Five FCCPC will submit a renewal application for a period of up to three (3) years after the end of the Birth Through Five FCCPC active period. The application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5273 is processed.
 - (D) For purposes of participation in the Voluntary Pre-Kindergarten (VPK) Program, an individual must ensure an active credential by July 1, 2006.
 - (III) To maintain an active School-Age FCCPC, every five (5) years a candidate must renew their School-Age FCCPC by completing CF-FSP Form 5307, April 2006, the School-Age Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5307 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare. A School-Age FCCPC will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK).

MINUTES – November 7, 2007

13. LFCCH Staff Training - continued

- (A) A School-Age FCCPC renewal will be documented on CF-FSP Form 5270. Renewal applications shall be submitted no earlier than one (1) year prior to the end of the active date of the School-Age FCCPC.
 - (B) An individual with an inactive School-Age FCCPC shall submit a renewal application for the period of up to three (3) years from the end of the School-Age FCCPC active period. The application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5270 is processed.
 - (IV) To maintain an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC) or Early Childhood Professional Certificate (ECPC), every five (5) years a candidate must renew their CCAC or ECPC by completing CF-FSP Form 5309, April 2006, Florida Department of Education Child Care Apprenticeship Certificate (CCAC) and Early Childhood Professional Certificate (ECPC) Renewal Application, which is incorporated by reference. To maintain an active Florida Department of Education School-Age Professional Certificate (SAPC), every five (5) years a candidate must renew their SAPC by completing CF-FSP Form 5308, April 2006, Florida Department of Education School-Age Professional Certificate (SAPC) Renewal Application, which is incorporated by reference. CF-FSP Forms 5308 and 5309 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.
 - (A) A Florida Department of Education CCAC, ECPC or SAPC renewal will be documented on CF-FSP Form 5310, April 2006, Certificate for Florida Department of Education Child Care Apprenticeship Certificate (CCAC)/Early Childhood Professional Certificate (ECPC)/School-Age Professional Certificate (SAPC) Program Renewal, which is incorporated by reference. CF-FSP Forms 5308 and 5309, as applicable, for renewal will be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Florida Department of Education CCAC, ECPC, or SAPC.
 - (B) An individual with an inactive Florida Department of Education CCAC, ECPC, or SAPC may submit CF-FSP Form 5308 or 5309 for a period of up to three (3) years from the end of the Florida Department of Education CCAC, ECPC, or SAPC active period. CF-FSP Form 5308 or 5309, as applicable, will be reviewed and, if approved, a CF-FSP Form 5310 will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5308 or 5309 is processed.
 - (V) A staff credential awarded for formal educational qualifications does not need to be renewed to remain active.
2. Within six (6) months of licensure, successfully complete 10 clock-hours of specialized training from the Department of Children and Family Services' Part II specialized training courses as evidenced by successful completion of a competency examination with a weighted score of 70 or better. These courses include:
- a. Infant and Toddler Appropriate Practices (10 hours),
 - b. Preschool Appropriate Practices (10 hours),
 - c. School-Age Appropriate Practices (10 hours),
 - d. Special Needs Appropriate Practices (10 hours),
 - e. Basic Guidance and Discipline (5 hours online),
 - f. Computer Technology for Child Care Professionals (5 hours online),
 - g. Early Literacy for Children Ages Birth Through Three (5 hours online),
 - h. Early Childhood Computer Learning Centers (5 hours online), or
 - i. Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online).
 - j. Child care operators have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. Exemption examinations are not available for the department's online Part II specialized training courses.

MINUTES – November 7, 2007

13. LFCCH Staff Training - continued

- k. The Department of Children and Family Services or its designated representative shall exempt individuals with a:
 - (I) B.A., B.S., or advanced degree in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.
 - (II) B.A., B.S., or advanced degree in Elementary Education from the School-Age Appropriate Practices course.
 - (III) B.A., B.S., or advanced degree in Exceptional Student Education from the Special Needs Appropriate Practices course.
- (c) Substitutes. Prior to taking care of children, substitutes for the operator of large family child care homes and substitutes for the large family child care home employee who work 40 hours or more per month on average during a 12 month period must:
 - 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 examination(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Individuals who have 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. Beginning July 1, 2006, the 30 clock-hour Family Child Care Home training will be replaced by 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. Completion of the 30 clock-hour Family Child Care Home training shall be documented on the Department of Children and Family Services' CF-FSP Form 5267 or the Department of Children and Family Services' child care training transcript.
 - a. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better.
 - b. Beginning July 1, 2006 the Department of Children and Family Services or its designated representative shall exempt individuals from the Health, Safety, and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:
 - (I) Associate's degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade; or
 - (II) An active National Early Childhood or an active Birth Through Five Florida Child Care Professional Credential.
 - 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. In order to meet this requirement, substitutes for the operator of a large family child care home and substitutes for the large family child care home employee who work 40 hours or more per month on average during a 12 month period must complete one (1) of the following:
 - a. One (1) of the department's online literacy courses available on the Department of Children and Family Services' website at www.myflorida.com/childcare; or
 - b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority or the Department of Children and Family Services' website at www.myflorida.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.

MINUTES – November 7, 2007

13. LFCCH Staff Training - continued

- (d) Employees in a large family child care home. Employees in a large family child care home shall be at least 18 years of age and must:
1. Within 90 days of employment in the child care industry, begin the Department of Children and Family Services' 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 the Department of Children and Family Services or its designated representative with a weighted score of 70 or better, and may not exceed 15 months from the date of employment in the child care industry. All individuals who have 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. Beginning July 1, 2006, the 30 clock-hour Family Child Care Home training will be replaced by 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.
 - a. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. The Family Child Care Home training must be documented on the Department of Children and Family Services' CF-FSP Form 5267 or the Department of Children and Family Services' child care training transcript.
 - b. Beginning July 1, 2006 the Department of Children and Family Services or its designated representative shall exempt individuals from the Health, Safety, and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:
 - (I) Associate's degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade; or
 - (II) An active National Early Childhood Credential or an active Birth Through Five Florida Child Care Professional Credential.
 2. Within 12 months of date of employment in the child care industry, 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. In order to meet this requirement, employees must complete one (1) of the following:
 - a. One (1) of the department's online literacy courses available on the Department of Children and Family Services' website at www.myflorida.com/childcare; or
 - b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority or the Department of Children and Family Services' website at www.myflorida.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.
- (e) Substitutes for an employee at a large family child care home. Prior to caring for children, substitutes for an employee at a large family child care home who work less than 40 hours a month on average during a 12 month period shall complete the department's three (3) clock-hour Fundamentals of Child Care Training. Large family child care substitutes who have successfully completed the 30 clock-hour Family Child Care Home training are not required to complete the three (3) clock-hour Fundamentals of Child Care training.
- (f) Documentation of Training. Training completed successfully will be documented on the training transcript or on CF-FSP Form 5267.

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Transportation

14. A telephone or other means of instant communication shall be available to the operator, employee or other adult responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

LFCCH General Requirements.

15. 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-movable 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.

16. Large family child care homes 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.

17. The large family child care home shall maintain and retain a written record of monthly fire drills as specified in subparagraph 65C-20.010(3)(b)4., F.A.C.

Finding of Necessity:

The PCLB is contractually bound to meet or exceed the state standards. These amendments bring the PCLB regulations in compliance with the most recently promulgated state rules.

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve changes from 65C-20.008 to 65C-20.013. Motion unanimously approved.

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Recommendation # 1 – (Moved to II. Action Items E.3. Staff Recommendations in Response to Public Hearing.)

Recommendation #2 – Recommendation to increase definition for Substitute for family day care homes and large family child care homes and add a new definition for large family child care homes

DEFINITIONS (family day care homes and large family child care homes)

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 must meet screening and training requirements as set forth in these regulations.

DEFINITIONS (large family child care homes)

Substitutes for the Employee - Substitute for the employee means a competent adult, at least 18 years of age, who is available to take the place of the employee on a temporary or emergency basis. The substitute must meet screening and training requirements as set forth in these regulations.

Finding of Necessity:

These proposed definitions provide clarification as providers have interpreted “employee” to mean the requirements apply only to paid employees. The changes correspond with the requirements for substitutes contained in other sections of Licensing Regulations. A family child care provider recommended this change. This does not change staff’s current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(3)(d) Number of Personnel and Supervision

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase definition for Substitute for family day care homes and large family child care homes and add a new definition for large family child care homes. Motion unanimously approved.

Recommendation #3 – Recommendation to increase minimum standard for General Qualifications in regulations governing family day care homes

I. PERSONNEL (family day care homes)

A. General Qualifications. ~~Personnel in Family Day Care Homes~~

10. At all times the operator or the operator’s substitute must protect the health, safety, and mental development of the children in care.

Finding of Necessity:

The proposed standard is necessary to fulfill the purpose of the Special Act by requiring providers conduct themselves in a manner consistent with the purpose of the PCLB. The purpose of the legislation creating the PCLB states, “The purpose of this act is to protect the health, safety, and mental development of children cared for in children’s centers and family day care homes in Pinellas County as defined in Section 2” (Definitions). However, this purpose is not a standard to which providers can be held accountable. It is impractical for every common sense requirement pertaining to the health, safety, and mental development of children to be specifically included in the Licensing Regulations.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6.(1) GENERAL QUALIFICATIONS

MINUTES – November 7, 2007

Recommendation #3 – continued

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approved the Finding of Necessity. Cecilia Burke opposed. Motion approved.

Motion: A motion was made by Lourdes Benedict to table the recommendation to increase minimum standard for General Qualifications in regulations governing family day care homes. Motion unanimously approved.

Recommendation #4- Recommendation to increase minimum standard for Staff Training in regulations governing family day care homes

I. PERSONNEL (family day care homes)

B. Staff Training

7. 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.

Finding of Necessity:

Statistics show that, most often, drowning of young children occurs in home swimming pools. Therefore, it is reasonable to expect substitutes to be trained to administer the same preventive and rescue techniques as providers.

Impact:

Currently All Children's Hospital education department provides the Child Care Water Safety Course (developed for PCLB providers) on an as needed basis. The fee is \$15.00 per person. As of May 23, 2007, 109 providers have swimming pools. The water safety instructor has advised that All Children's Hospital will continue to accommodate providers on an ongoing basis.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 6. Minimum standards for children's centers and family day care homes

Implementation date: July 1, 2008

Motion: A motion was made by Commissioner Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morrone and seconded to approve the recommendation to increase minimum standard for Staff Training in regulations governing family day care homes. Motion unanimously approved.

Recommendation # 5 – Recommendation to increase minimum standard for Personnel in large family child care homes

I. PERSONNEL (large family child care homes)

C. Supervision

3. In addition to the number of staff required to meet staff to child ratios, if there are more than five (5) preschoolers children participating on a field trip away from the large family child care home, there must be one (1) additional adult present on the field trip per each five (5) preschoolers children, or any fraction thereof, to provide direct supervision to the children. Where some children remain in the home, the adult supervision shall be maintained and if more than 5 children are being cared for in total, both on the field trip and in the large family child care home, two child care personnel must be on the premises of the large family child care home. At no time shall the total number of children in attendance at any given time exceed the licensed capacity.

Finding of Necessity:

In the Definition and the Supervision standard for large family child care homes, children under 13 years of age count in capacity. This recommended change corresponds with the family day care home capacity as all children in care must have adequate supervision during field trips. This proposed change also clarifies that the total number of children in care, whether on a field trip or in the home, determines whether a provider is operating as a large family child care home.

Reference: 65C-20.013 (7)(b)1

Implementation date: January 1, 2008

- Motion: A motion was made for approval, withdrawn, and changed by Lourdes Benedict to table the Finding of Necessity for further discussion. Motion unanimously approved.
- Motion: A motion was made by Commissioner Morroni to table the recommendation to increase minimum standard for Personnel in large family child care homes. Motion unanimously approved.

There was a 10 minute break at this point in the meeting. The Chairman reconvened the meeting.

Recommendation #6 – Recommendation to increase minimum standard for Facility Records in regulations governing family day care homes

II. RECORDS (family day care homes)

A. Facility Records

1. The operator shall obtain enrollment information from the child's custodial parent or legal guardian, prior to accepting the child in care. Enrollment information shall be kept current and on file for each child in care. The following information is required:
 - 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.

Finding of Necessity:

Information gained from f., h., j., k. and l. is required by the state to be on an enrollment form. The requirement for a signature in g. is self-explanatory. Information required in i. will assist in identifying children related to the operator.

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Recommendation #6 – continued

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 7.(1) FACILITY RECORDS

Implementation Date: January 1, 2008

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley and seconded to approve the recommendation to increase minimum standard for Facility Records in regulations governing family day care homes. Motion unanimously approved.

Recommendation #7 – Recommendation to increase minimum standard for Emergency Procedures and Notification in regulations governing family day care homes

III. SAFETY, HEALTH AND SANITATION (family day care homes)

A. First Aid Treatment and Emergency Procedures

2. Emergency Procedures and Notification

- b. Each provider shall have a written 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 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.

Finding of Necessity:

Nationwide, the need for advance emergency planning is recognized. Preplanning can facilitate good judgment. Calm and composed thinking is necessary in emergencies. In addition, prior planning provides an understanding between providers and parents regarding the safeguards providers are taking to keep their children safe while in care. Moreover, it is necessary for the PCLB to have a copy of each provider's emergency plan so PCLB can assist local authorities in locating children.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 7. (1) FACILITY RECORDS

Implementation Date: For existing providers, submission is due with 2008 renewals. For new applicants submission is due with Plan of Operation beginning in 2008.

Motion: A motion was made by Commissioner Morroni and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for Emergency Procedures and Notification in regulations governing family day care homes. Motion unanimously approved.

Recommendation #8 – Recommendation to increase minimum standard for Building in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

A. Building

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

MINUTES – November 7, 2007

Recommendation #8 – continued

Finding of Necessity:

A corded telephone does not require a power source to make outgoing or receive incoming calls. A corded telephone which is not installed poses a threat to the safety of the children within the family day care home in the case of an emergency caused by or accompanied by a power outage because (a) a telephone that was operable when stored may no longer be operable when needed; (b) in case of a power outage, an uninstalled corded telephone may be difficult and/or dangerous for the provider, substitute, or child to locate; (c) staff has recently learned that some providers are storing corded telephones in garages and/or off-limit rooms where retrieval of the telephone would result in a violation of the licensing standards.

This does not change staff's current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9. Minimum standards for safety, health and sanitation

Implementation date: January 1, 2008

- Motion: A motion was made by Commissioner Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.
- Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for Building in regulations governing family day care homes. Motion unanimously approved.

Recommendation #9 – (Moved to II. Action Items E.3. Staff Recommendations in Response to Public Hearing.)

Recommendation #10 – Recommendation to increase minimum standard for Outdoor Play Space in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

C. Outdoor Play Space

3. The outdoor space shall be fenced, a minimum of four (4) feet in height. Gates on the fence must be locked while children in care are in the outdoor play space. Outdoor activities conducted at the family day care home shall be conducted in the designated outdoor space.

Finding of Necessity:

The outdoor play space is inspected and must meet minimum guidelines for the safety and security of the children. License Board staff has witnessed children playing outside family day care homes in areas which are not inspected and do not meet minimum guidelines for safety and security of children.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9.(3)(c) Outdoor play space

Implementation Date: January 1, 2008

- Motion: A motion was made by Commissioner Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.
- Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for Outdoor Play Space in regulations governing family day care homes. Motion unanimously approved.

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Recommendation #11 – Recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

F. Sleeping and Napping Space

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.

Finding of Necessity:

Licensing Regulations are very specific in this area and do not include couches in the definition of bedding. This proposed addition represents no change to staff's current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9.(3)(d) Sleep and napping space.

Implementation Date: January 1, 2008

Motion: A motion was made by Angela Loring and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes. Motion unanimously approved.

Recommendation #12 – Recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

F. Sleeping and Napping Space

3. Cribs, bassinets, or playpens with bases raised above the floor shall be provided for infants. Crib sides must be raised and secured while an infant is in the crib. Cribs and playpens must meet the construction regulations as outlined in Title 16, Parts 1508 and 1509, Code of Federal Regulations.

Finding of Necessity:

Increasing this standard will assist providers in preventing accidental injury or death of infants in care from falls or from becoming trapped between the slats of cribs or playpens. This recommended increase parallels the requirement for children's centers.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9.(3)(f) EQUIPMENT

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes. Motion unanimously approved.

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Recommendation #13 – Recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

F. Sleeping and Napping Space

4. 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.

Finding of Necessity:

A 1998 study conducted by the *U.S. Consumer Product Safety Commission* to identify safety hazards in child care settings showed that yearly 900 infant deaths attributed to SIDS may have been caused by soft bedding such as quilts, comforters and pillows.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9.(3)(d) Sleep and napping space

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Angela Loring and seconded to approve the recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes. Motion unanimously approved.

Recommendation #14 – Recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

F. Sleeping and Napping Space

7. Children in care shall not sleep or nap on the top level of a bunk bed.

Finding of Necessity:

This increase will assist providers in preventing accidental injury to children. Information from the United States Consumer Product Safety Commission shows that thousands of children are treated yearly in hospital emergency rooms for injuries resulting from entrapments and falls from bunk beds. This recommendation does not change staff's current monitoring practice.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9.(3)(d) Sleep and napping space

Implementation Date: January 1, 2008

Motion: A motion was made by Lourdes Benedict and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni and seconded to approve the recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes. Motion unanimously approved.

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Recommendation # 15 – Recommendation to increase minimum standard for Transportation in regulations governing family day care homes

V. TRANSPORTATION (family day care homes)

- A. When any vehicle is used by a family day care home to provide transportation, the driver shall have a current Florida driver's license in accordance with ss.322.01-322.70, F.S.

- B. All family day care providers must maintain current insurance on all vehicles used to transport children in care and documentation thereof.

Finding of Necessity:

Statistics from the *National SAFE KIDS Campaign* show that: "Motor Vehicle crashes are the leading cause of unintentional injury-related death among children ages 14 and under. Children ages 4 and under account for 34 percent of motor vehicle-related deaths among children." Therefore, it is reasonable to expect providers meet basic state licensure and registration requirements when transporting children in care. These regulations parallel components of the transportation requirement for large family child care homes.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 9.(2) Transportation

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commission Morroni and seconded to approve the recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes. Motion unanimously approved.

Recommendation # 16 – Recommendation to increase minimum standard for Transportation in regulations governing large family child care homes

V. TRANSPORTATION (large family child care homes)

- A. When any vehicle is used by a large family child care home to provide transportation, the driver shall have a current Florida driver's license in accordance with ss. 322.01-322.70, F.S.

Finding of Necessity:

This deletion clarifies that a licensed driver is required for each trip.

Reference: Chapter 65C-20.013(8)(a)

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commission Morroni and seconded to approve the recommendation to increase minimum standard for Transportation in regulations governing large family child care homes. Motion unanimously approved.

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Recommendation # 17 – Recommendation to increase minimum standard for Reporting Child Abuse and Neglect in regulations governing family day care homes

VIII. CHILD ABUSE AND NEGLECT (family day care homes)

C. Violation

Acts or omissions of child care personnel that meet the definition of child abuse or neglect provided for herein constitute a violation of the Licensing Regulations.

Finding of Necessity:

This parallels the new rule for children's centers. It clearly establishes acts/omissions of child care personnel as violations. The state is proposing this increase for family day care homes in an upcoming rule increase.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 20. Violations

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commission Morrone and seconded to approve the recommendation to increase minimum standard for Reporting Child Abuse and Neglect in regulations governing family day care homes. Motion unanimously approved.

Recommendation # 18 – Recommendation to increase minimum standard for APPLICATION, FEES, LICENSE in regulations governing family day care homes

IX. APPLICATION, FEES, LICENSE (family day care homes)

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 day care home for which a license is sought. All family day care home application fees are set at \$25.00.
3. In addition to the application fee, each family day care home will be charged a license fee of \$25.00.

VII. APPLICATION, LICENSE, FEES (large family child care home)

A. Application

Application for a license or for renewal of a license to operate a large family child care home shall be made on forms provided by the Pinellas County License Board. 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.

B. Fees

1. The License Board is authorized to charge an application fee not in excess of twenty-five dollars (\$25.00) for each large family child care home for which a license is sought. All large family child care home application fees are set at \$25.00.
3. In addition to the application fee, each large family child care home will be charged a license fee of \$50.00.

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Recommendation # 18 – continued

Finding of Necessity:

The recent property tax reform cuts impact the ad valorem dollars collected by JWB to fund children’s services. PCLB has been notified of cuts to its budget for the 2007-08 funding year. The increased fees are required to help fund the decreases in JWB funding.

The License Board may assess a License fee as provided for in Chapter 402.315. Children’s centers have been assessed a license fee at the same rate since 1996. Family day care homes and large family child care homes have never before been assessed a license fee.

Fees in other local licensing counties range from \$25 - \$50 for homes and the following for centers:

COUNTY	LICENSE FEES FOR CENTERS WITH A CAPACITY OF 100 CHILDREN
Hillsborough	\$162.50
Broward	\$115.00
Palm Beach	\$450.00
Proposed Pinellas	\$150.00

Reference:

- Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 10. Application for license; fee
- Board Policy – Training Fees (10/3/1990, revised 3/1/2005)

Implementation Date: January 1, 2008

Motion: A motion was made by Commission Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley and seconded to approve the recommendation to increase minimum standard for APPLICATION, FEES, LICENSE in regulations governing family day care homes. Motion unanimously approved.

Recommendation # 19 – Recommendation to increase minimum standard for Fee in regulations governing family day care homes

IX. APPLICATION, FEES, LICENSE (family day care homes)

B. Fees

2. 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.

Finding of Necessity:

The collection of fees is authorized to partially offset the costs of the License Board including supplies, equipment, rent, and personnel. The collection of unpaid fees from applicants or providers prior to reapplying for a temporary permit or license is a reasonable requirement and satisfies their outstanding financial obligation to the PCLB.

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Recommendation # 19 – continued

Reference:

- Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 10. Application for license; fee
- Board Policy – Training Fees (10/3/1990, revised 3/1/2005)

Implementation Date: January 1, 2008

Motion: A motion was made by Angela Loring and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley and seconded to approve the recommendation to increase minimum standard for Fee in regulations governing family day care homes. Motion unanimously approved.

Recommendation #20 – Recommendation to increase minimum standard for Advertising in regulations governing family day care homes

X. ADVERTISING (family day care homes)

- E. No person shall advertise a family day care home or large family child care home, as defined by the licensing regulations, without including within such advertisement the License Board license number of such family day care home or large family child care home.

Finding of Necessity:

This addition will assure the public that the family day care home or large family child care home has met requirements to hold a valid temporary permit or license. This proposed increase parallels the requirement for children’s centers. This was requested by providers.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 18. Advertising.

Implementation Date: ~~January 1, 2008~~ The implementation date for license numbers has been delayed until the Health Department computer software billing system can assign numbers.

Motion: A motion was made by Commissioner Morroni to table the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commissioner Morroni to table the recommendation to increase minimum standard for Advertising in regulations governing family day care homes. Motion unanimously approved.

Recommendation #21 – Recommendation to increase minimum standard for Enforcement in regulations governing family day care homes

XIII. ENFORCEMENT (family day care homes)

C. Administrative Fines

2. A violation is noncompliance with any provision of Licensing Regulations. The License Board may levy a fine in addition to or in lieu of any other disciplinary action. The License Board will use the following classifications as a guideline for determining the severity of the violation and the amount of the fine: . . .

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Recommendation # 21 – continued

Finding of Necessity:

The added statement clarifies enforcement actions that the Board can take. The state will be adding a similar sentence for the same purpose. Upon an initial complaint investigation, a violation may be abundantly apparent and appropriate sanctions issued, but through subsequent investigation either by the PCLB or by Child Protection Investigation, additional information and additional violations are brought to light.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 15. Refusal of license; revocation; notice, hearing.

Implementation Date: January 1, 2008

Motion: A motion was made by Lourdes Benedict and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Commission Morrone and seconded to approve the recommendation to increase minimum standard for Enforcement in regulations governing family day care homes. Motion unanimously approved.

Recommendation #22 – Recommendation to increase minimum standard for Administrative Fines in regulations governing family day care homes

XIII. ENFORCEMENT (family day care homes)

D. Provisional License

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.

Finding of Necessity:

Licensees on a probationary-provisional license have demonstrated their inability to maintain compliance with licensing standards. Requests for license increases will not be accepted. Making such changes, potentially could put additional children at risk.

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 15. Refusal of license; revocation; notice, hearing

Implementation Date: January 1, 2008

Motion: A motion was made by Commission Morrone and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley and seconded to approve the recommendation to increase minimum standard for Administrative Fines in regulations governing family day care homes. Motion unanimously approved.

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E.3. The following are increases to *Licensing Regulations Governing Pinellas County Children’s Centers and Specialized Children’s Centers for Mildly-III Children* and to *Licensing Regulations Governing Pinellas County Family Day Care Homes and Large Family Child Care Homes*:

Staff Recommendations in Response to Public Input at the June 19, 2007, Public Hearing:

65C-22.002 Physical Environment.

11. The designated diaper changing area shall be located separate from the food preparation, service and feeding area. In addition, 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.

65C-20.010 Health Related Requirements

16. When children in diapers are in care, there shall be a designated diaper changing area with an impermeable surface that is cleaned with a sanitizing solution after each use. The diaper changing area shall be located separate from the food preparation, service and feeding area. In addition, 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.

Finding of Necessity:

The PCLB is contractually bound to meet or exceed the state standards. These amendments bring the PCLB regulations in compliance with the most recently promulgated state rules. The term *designated* was added for clarity.

Implementation Date: January 1, 2008

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley and seconded to approve recommendation to increase Chapters 65C-22 and 65C-20.010. Motion unanimously approved.

Recommendation #1 – Recommendation for a new definition for Premises for family day care homes and large family child care homes

DEFINITIONS (Family day care homes and large family child care homes)

~~**Premises**—Premises means both inside the family day care home or large family child care home and the provider’s yard.~~

Finding of Necessity:

The term “Premises” is contained in the regulations but has not previously been defined. The proposed definition eliminates confusion over what constitutes the premises of a family day care home or large family child care home.

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Recommendation #1 – continued

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida, Section 2. Definitions

Implementation Date: January 1, 2008

Staff Recommendation in Response to Public Input at the June 19, 2007, Public Hearing

Staff recommends that the proposed definition of premises be deleted due to input from providers and the impossibility of applying one definition to the over 15 regulations containing the word “premises”. Licensing regulations already contain a requirement for Supervision and Building (safe and good repair).

Motion: A motion was made by Commissioner Morroni to approve staff’s recommendation to delete definition for Premises. Motion unanimously approved.

Recommendation #9 – Recommendation to increase minimum standard for Building in regulations governing family day care homes

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES (family day care homes)

Staff Recommendation in Response to Public Input at the June 19, 2007, Public Hearing

15. If a family day care home or a large family child care 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.

Motion: A motion was made by Donna Rippley and seconded to approve the Finding of Necessity. Motion unanimously approved.

Motion: A motion was made by Donna Rippley and seconded to approve the recommendation to increase minimum standard for Building in regulations governing family day care homes. Motion unanimously approved.

F.

Board Request: Commission Morroni requested the Bylaws refer to both genders – he/she.

Public Comment: Lynn Gibson, 8697 78th Avenue North, Largo
Commented that family day care providers are wanting a vote on the Board similar to the vote children’s center representatives have; that it costs \$175 to join the professional association PECA; suggested a firefighter be on the Board; that the association selects representatives that serve on the Board; suggested that the center directors should abstain from voting on centers

Board Chairman: Suggested a Bylaws committee be established at the December meeting and requested Board and Advisory Committee members let her know if they would like to be on the committee.

Suggested staff look into distributing checklists to providers for fire safety; that staff look into a recommendation regarding fire safety for family day care homes.

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F.

**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)

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.
- (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 a teacher in elementary preschool education delegated by him.
- (5) The county health officer or a person delegated by him.

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 the preschool association, Pinellas Early Childhood Association, selected by majority vote of the elected officers of said association.

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.

F.

Advisory Committee:

2

The license board shall appoint a committee to serve in a non-voting advisory capacity. 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. These operators will be appointed for a three-year term.
- (2) Two (2) other persons qualified by education and experience in the field of early childhood education.
- (3) One (1) representative of a family day care home. This representative will be appointed for a three-year term.
- (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 shall 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.

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F.

Board Member’s Duties:

3

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.

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.

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F.

Article VI - Meetings

4

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.

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

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

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.

F.

Article XI - Conflict of Interest

5

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.

Motion: A motion was made by Commissioner Morrone and seconded to approve the recommended changes in Bylaws and to include language for both genders. Motion unanimously approved.

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G.

Public Comment: Anne Brooks, 2801 Dovewood Street, Clearwater

As an equivalency for Beyond Cribs and Rattles, Ms. Books requested specific A.S. Degrees and higher, CDAs; that Beyond Cribs and Rattles is a broad based curriculum and a provider without developmentally appropriate practices knowledge might not be able to convert the training to family day care homes.

Lynn Gibson, 8697 78th Avenue North, Largo

Did not want Cribs and Rattles to be the only equivalent because for her, as a seasoned caregiver, it was a refresher course; that she has a CDA.

Board Comment: Anne Hofmeister distributed copies of Starting Smart – How Early Experiences Affect Brain Development.

Motion: A motion was made by Commissioner Morroni to approve Infant and Toddler Appropriate Practices as an equivalent to Beyond Cribs and Rattles, the supplemental training to decrease FDCH capacity to 5 children, no more than 3 under 18 months. There was no second.

Motion: A motion was made by Donna Rippley and seconded to table until the February meeting the approval of Infant and Toddler Appropriate Practices as an equivalent to Beyond Cribs and Rattles, to establish an ad hoc committee to put together a menu of options including training, course work and other experiences, and request Susan Webber to be present. Motion unanimously adopted.

Chairman Burke will appoint the committee members.

H. Recommendation #1 – Proposed increase in General Qualification for family day care homes

I. PERSONNEL

A. General Qualifications. Personnel in ~~Family Day Care Homes~~

5. Rescreening of Child Care Personnel

Pinellas County License Board shall conduct ~~an annual screenings~~ for abuse and neglect ~~for family day care home and large family child care home providers.~~ pursuant to the Department of Children and Family Services policy for conducting Central Abuse Hotline Records Searches.

Finding of Necessity:

The Department of Children and Family Services rescinded its policy for restricting Central Abuse Hotline Searches to only providers. Instead, the state conducts searches on applicants, providers, household members, substitutes and employees. The proposed increase will eliminate the need to bring the frequent changes associated with the policy back and forth to the Board. Staff's current monitoring practice corresponds with the Department of Children and Family Services' existing policy.

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H. Recommendation #1 – continued

Reference: Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Section 6. (1) GENERAL QUALIFICATIONS and Board Policy 12/4/02

Implementation Date: May 2008

Motion: A motion was made by Commissioner Morrone and seconded to move to a Public Hearing staff's recommendation to increase minimum standard for Personnel in regulations governing family day care homes. Motion unanimously approve.

Motion: A motion was made by Commissioner Morrone to direct staff to find another date for the Special Board Meeting and Public Hearing and contact Board. Motion adopted.

I. Chairman Burke appointed the following Committee members to review an evaluation tool for the Executive Director: Ann Hofmeister, Donna Rippley, Terri Hajian, Cecilia Burke.

Respectfully Submitted by

Donna Rippley, Secretary