

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS  
AND FAMILY DAY CARE HOMES  
Minutes for the Special Board Meeting for  
September 23, 2008

**APPROVED CORRECTED MINUTES**

The Special Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes was scheduled and properly noticed for Tuesday, September 23, 2008, at 4175 East Bay Drive, Suite 350, Clearwater, to begin at 1:30 p.m.

- Board Members Present: Lourdes Benedict, Chairman; Donna Huard; Barbra Mastrota; Judi Vitucci
- Board Members Absent: Commissioner Seel, Donna Rippley
- Ex Officio Member Present: Charles Minor
- Advisory Members Present: Sharon Carder, Sharon Carie, Ann Hofmeister, Terri Hajian
- Advisory Members Absent: Heidi Buck, Virginia Rowell, Anne Sullivan
- County Attorney Present: Christy Pemberton
- Staff Members Present: Linda Tamanini, Executive Director; Suzie Lewis, Supervisor Children's Centers; Dana Stajkowski, Recording Secretary; and other Health Department staff
- Call to order: The meeting was called to order at 1:35 p.m.

II. D. County Attorney: James Bennett, County Attorney, reported to the Board that he will recommend on October 7 to the Board of County Commissioners that consent be withdrawn for funding of the hearing master for the License Board and legal representation. Attorney Bennett assured the Board that this decision was not made lightly; however, due to the ethical situation Attorney Pemberton has been placed in that there is no other choice. The outside date of the termination will be 90 days from October 7, 2008.

In response to Board's questions, the following advice/suggestions were made:

- The License Board will need to procure private legal services, pro bono services may be an option
- County Attorney Bennett assured the Board that Christy will be available to help orient the new attorney
- That the Board is protected by sovereign immunity, that the new attorney will handle suits, appeals, etc. for the Board
- That the License Board does not carry officers and directors liability insurance. Attorney Bennett cautioned the Board that individuals may not be covered under liability insurance, and that in licensing scenarios it's the Board's decisions that are contested
- That there is not at this time a line item in the Budget for an attorney
- That Pervinder Birk will begin reviewing the budget to see if there is funding available for hiring the new attorney
- That senior judges received \$300 per case; that pro bono hearing officers are available for government boards; that there are 3-4 hearings a year

II. D. County Attorney: continued:

- That professional services may not need to be professionally bid; that there are several attorneys well versed in representing governmental bodies

Board Direction: Christy Pemberton and Linda Tamanini will make a list of attorney duties/responsibilities.

Board Direction: A reminder will be sent to JWB regarding representation from the JWB Board.

Committee Appointment: Chairman Benedict appointed Barbra Mastrotta, Judi Vitucci, and Sharon Carie to search for an attorney. Christy Pemberton will also attend the meeting. The Committee will meet when Chairman Benedict receives the list of duties and dollars available from the budget.

Motion: A motion was made by Barbra Mastrotta and seconded to approve the minutes from August 6, 2008. Motion unanimously approved.

II. A. 1.

Motion: A motion was made by Judi Vitucci and seconded to approve the following recommendation to increase minimum standard for Violation in regulations governing children's centers to be presented at a Public Hearing. Motion unanimously approved.

**IV. REPORTING CHILD ABUSE AND NEGLECT**

**C. Violation**

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

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve the following recommendation to increase minimum standard for Facility Records in regulations governing children's centers to be presented at a Public Hearing.

Discussion: In answer to an Advisory Board question, Ms. Tamanini responded that she is concerned about a 15 minute sign-in rule, that it's okay for children coming into the center in a group to sign them in using the same time, but that center staff will need to be careful to record separately children not arriving with the group but at the same time.

Barbra Mastrotta is concerned that so much attention to detail will detract from the attention to the child.

Vote: Motion unanimously approved.

**V. RECORDS**

**A. Facility Records**

**7. Daily Attendance Record/Center Closing Log**

- a. Daily attendance of children shall be taken and recorded by the children's center personnel, documenting the time when each child enters and departs the children's center or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the children's center or program. However, children's center personnel are responsible for ensuring that attendance records are complete and accurate. Staff is also responsible for recording when each child enters and/or departs a group and when the group moves from one indoor/outdoor area to another. Such records shall be maintained for a minimum of four (4) months. Attendance forms used for Voluntary PreKindergarten or School Readiness may be used if applicable.

Implementation Date: May 1, 2009

II. A. 1.

Motion: A motion was made by Barbra Mastrota and seconded to approve the following recommendation to increase minimum standard for Application, Fees, License in regulations governing children's centers to be presented at a Public Hearing.

Discussion: In response to a question regarding a parent bringing a younger child with them, staff responded that if the parent is counted in the child adult ratio, the child is counted; if the parent is not counted in the child adult ratio, the child is not counted.

Vote: Motion unanimously approved.

**X. APPLICATION, FEES, LICENSE**

**H. Upon receipt of a license issued under Licensing Regulations X.C.D.E.F. the children's center shall display such license in a conspicuous place within the children's center.**

**3. The total number of children in care on site and while on field trips must never exceed the licensed capacity as reflected on the annual license.**

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve the following recommendation to increase minimum standard for Gold Seal Quality Care Program in regulations governing children's centers to be presented at a Public Hearing. The State administers this program. Motion unanimously approved.

The following section, "Gold Seal Quality Care Program" (65C-22.009 F.A.C.) is included for the provider's convenience. The License Board does not award Gold Seal accreditation. Contact the Department of Children and Family Services for further information.

**65C-22.009 *Gold Seal Quality Care Program***

**(1) Definitions**

(a) "Active" refers to the status of a Gold Seal Quality Care Accrediting Association that has met all of the criteria of a Gold Seal Quality Care Accrediting Association for accreditation.

(b) "Effective" refers to the beginning date of a Gold Seal Quality Care provider's designation certificate issued by the Child Care Program Office.

(c) "Expired" refers to the end date of a provider's Gold Seal Quality Care designation certificate issued by the Child Care Program Office.

(d) "Gold Seal Quality Care Accrediting Association" refers to an accrediting association that has applied for and been approved by the department as a Gold Seal Quality Care Accrediting Association.

(e) "Inactive" refers to the status of a Gold Seal Quality Care Accrediting Association in which all criteria for accreditation are no longer being successfully met.

(f) "Nationally Recognized" refers to an association whose accrediting body is recognized, accepted and present in at least five (5) states or which had been approved as a Gold Seal Quality Care Accrediting Association by the department prior to July 1, 2007.

**65C-22.009 Gold Seal Quality Care Program – continued:**

**(2) Provider Requirements**

**(a) Gold Seal Quality Care Provider Designation Certificate**

Pursuant to s. 402.281(1), F.S., a child care facility seeking to obtain a designation as a Gold Seal Quality Care provider shall provide the department with documentation of accreditation by an accrediting association that has been approved by the department. A list of approved accrediting associations may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

**(b) Gold Seal Quality Care Enforcement**

1. Gold Seal Quality Care providers must maintain national accreditation in order to retain their designation. A child care facility's Gold Seal designation will be terminated upon expiration of accreditation. In order to obtain and maintain Gold Seal Quality Care provider designation, a child care facility must meet the additional criteria outlined in s. 402.281(3), F.S.
2. If Gold Seal Quality Care designation is revoked by the Department, termination of the designation will be effective on the last day of the current period of licensure.
3. If the child care facility's accreditation is revoked by the accrediting agency, the child care facility's Gold Seal Quality Care designation will be terminated effective the date of revocation.

**(3) Accrediting Association Requirements**

(a) Accrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must complete and attest to the requirements referenced on CF-FSP Form 5315, August 2007, Gold Seal Quality Care Accrediting Application, which is incorporated by reference. CF-FSP Form 5315 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Applications are accepted during the months of January and July. Denial of an application requires a minimum of a six (6) month waiting period from the date of denial before re-submission during the next scheduled acceptance month.

(b) Active Gold Seal Quality Care Associations must re-apply every five (5) years by submitting CF-FSP Form 5315 that may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Re-applications must be received a minimum of six (6) months prior to end of the five (5) year period. Failure to submit CF-FSP Form 5315 every five (5) years or denial of the application will place the accrediting association in an inactive state, during which the association is not recognized as a Gold Seal Quality Care Accrediting Association. Child care arrangements receiving accreditation certificates from an inactive association shall not be recognized as a Gold Seal Quality Care Provider.

(c) Inactive Gold Seal Quality Care Accrediting Associations wishing to become active must be in compliance with all requirements outlined on CF-FSP Form 5315 as a new applicant before being reinstated as an active Gold Seal Quality Care Accrediting Association, pending the Department of Children and Family Services' approval.

Implementation Date: May 1, 2009

II. A. 2.

Motion: A motion was made by Barbra Mastrota and seconded to approve the following recommendation to increase minimum standard for Staff Training in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

I. PERSONNEL

B. Staff Training

1. 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:

Successfully complete the Department of Children and Family Services' 30 clock-hour Family Child Care Home Training, as evidenced by successful completion of a competency based examinations(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Family 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~~ Documentation of course completion may either be a single Family Child Care Home (30 Hr) certificate or certificates for the five (5) individual training courses which total 30 clock-hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening.

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:~~

1. ~~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~~

2. ~~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. Training completed successfully will be documented on the training transcript or on CF-FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference. CF-FSP Form 5267 may be obtained from the Department of Children and Families Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) by clicking on the training link.

4.5. 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' ~~3 clock-hour six (6) clock-hour Fundamentals of Family Child Care Home Rules and Regulations training, as evidenced by successful completion of a competency based examination offered by the Department of Children and Family Services or its designated training representative~~ prior to caring for children. ~~as Training completed successfully will be~~ documented on the Department of Children and Family Services' CF-FSP Form 5267 ~~and or~~ the Department of Children and Family Services' child care training transcript.

II. A. 2.

I. B. 4.5. continued:

Family day care substitutes who have successfully completed the **three (3) clock-hour Fundamentals of Child Care training or** 30-clock-hour Family Child Care Home training are not required to complete the ~~3-clock-hour Fundamentals of Child Care training.~~ **six (6) clock-hour Family Child Care Home Rules and Regulations course.**

Implementation Date: May 1, 2009

Motion: A motion was made by Barbra Mastrotta to modify the following recommendation to increase minimum standard for Facility Records in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing.

Public Comment: Sandra Harper, 3601 63<sup>rd</sup> Street North, St. Petersburg  
Regarding "stored separately" – why are medicines required to be in a separate box if they are already in a box with other items inaccessible to children.

Staff Response: Medicines can cross contaminate and some medicine containers look like containers for items that are not medicine.

Attorney Pemberton: Pointed out that if storing separately always applies, then another word may be necessary.

Public Comment: Anne Brooks, 2801 Dovewood Street, Clearwater, FL 33759  
Questioned whether or not adult and children's medicines can be stored in the same container and if there is a height restriction.

Response: The standard does not breakdown to whom the medicines belong, nor does it include a standard height.

Amended motion: Barbra Mastrotta amended her original motion which was seconded to include the word "also" in the segment "stored separately and also locked or inaccessible" and to delete at the end of the sentence "and shall be stored separately". Motion unanimously approved.

II. RECORDS

A. Facility Records

8. Medication.

d. All medicines shall be **stored separately and also locked or inaccessible and kept** out of the reach of children and must have child resistant caps ~~and shall be stored separately.~~

Implementation Date: May 1, 2009

Public Comment: Anne Brooks, 2801 Dovewood Street, Clearwater, FL 33759  
Regarding IV. C. Outdoor Play Area, Ms. Brooks is concerned about the word "exclusively" in the segment "exclusively used for the children". Suggested a period be placed at the end of property in the same line and adding the last sentence in 4.

Response: Ms. Tamanini responded that this section is not new and that staff has not monitored as if the play area would be used by only day care children.

II. A. 2.

Recommendation: Attorney Pemberton recommended the standard be approved as written, that the suggestion is a decrease and can be approved by action of the Board. This would give staff a chance to compare the words in the Chapter 61 with what's written in the law.

Public Comment: Sandra Harper, 3601 63<sup>rd</sup> Street North, St. Petersburg  
Agreed with Anne Brooks

Motion: A motion was made by Judi Vitucci and seconded to approve the following recommendation to increase minimum standard for Outdoor Play Area in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

**IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES**

**C. Outdoor Play Area Space**

~~1. All family day care homes' shall provide outdoor play equipment play activities shall be suitable to each child's age and development.~~

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

~~3.4. The outdoor play area space shall be fenced, maintain safe and adequate fencing or walls~~ 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.

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded and approved the following recommendation to increase minimum standard for Equipment Maintenance in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved. Motion unanimously approved.

**IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES**

**D. Equipment Maintenance**

3. Permanent or stationary playground equipment must have ground cover or other protective surface under the equipment, which provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls.

Implementation Date: May 1, 2009

Public Comment: Sandra Harper, 3601 63<sup>rd</sup> Street North, St. Petersburg  
Regarding IV. F. Sleeping and Napping Space, Ms. Harper commented that double is also a size of bed and asked if providers could use the lower portion of a double bed:

Response: Children cannot use the lower portion of a double bed.

II. A. 2.

Motion: A motion was made by Judi Vitucci and seconded to modify the recommendation to increase minimum standard for Sleeping and Napping Space in regulations governing family day care homes and large family child care homes by deleting "Children in care shall not sleep or nap on the top level of a bunk bed" and to add the word "stacked" in "No double stacked or . . ." to be presented at a Public Hearing. Motion unanimously approved.

**IV. PHYSICAL PLANT HOUSING 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 and bar spacings may not exceed two and three-eighths inches. Cribs and playpens must meet the construction regulations as outlined in Title 16, Parts 1508.7 and 1509.8, Code of Federal Regulations, January 1, 2004.
7. ~~Children in care shall not sleep or nap on the top level of a bunk bed.~~ No double stacked or multi-deck cribs, cots, or beds may be used.

Implementation Date: May 1, 2009

Motion: A motion was made by Barbra Mastrota and seconded to modify the recommendation to increase minimum standard for TRANSPORTATION in regulations governing family day care homes to be presented at a Public Hearing. Motion unanimously approved.

**V. TRANSPORTATION**

- C. Each child, when transported, must be in an individual factory installed seat belt or federally approved properly installed child safety restraint, unless the vehicle is excluded from this requirement by Florida Statute.
- G. The maximum number of individuals transported in a vehicle shall not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.
- H. An adult must remain within sight and hearing of children being transported in a vehicle so as to respond to the needs of the children at all times.
- I. Prior to transporting children and upon the vehicle(s) arrival at its destination, the following shall be conducted by the driver(s) of the vehicle(s) used to transport the children:
  1. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of six (6) months. The log shall include each child's name, date, time of departure and time of arrival, and signature of the driver to verify the fact that all children have left the vehicle.
  2. Upon arrival at the destination, the driver of the vehicle shall:
    - a. Mark each child off the log as the child departs the vehicle.
    - b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and
    - c. Sign, date, and record the driver's log immediately, verifying that all children were all accounted for and that the visual sweep was conducted.
- J. Smoking is prohibited in all vehicles while being used to transport children.
- K. Emergency medical forms signed by the custodial parent or legal guardian and emergency contact numbers must accompany the children on all field trips.

Implementation Date: May 1, 2009

II. A. 2.

Motion: A motion was made by Judi Vitucci and seconded to approve the recommendation to increase minimum standard for CHILD DISCIPLINE in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

**VII. CHILD DISCIPLINE**

- E. All family day care home operators, including sSubstitutes, of a family day care home shall comply with the home's written disciplinary policy.
- F. A copy of the discipline policy must be available for review by parents or legal guardian and the licensing specialist.

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve the recommendation to increase minimum standard for Violation in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

**VIII. REPORTING CHILD ABUSE AND NEGLECT**

**C. Violation**

- 2. Failure to perform the duties of a mandatory reporter pursuant to s. 39.201 F.S. constitutes a violation of the standards in Licensing Regulations.

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve the recommendation to increase minimum standard for Gold Seal Quality Care Program in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

The following section, "Gold Seal Quality Care Program" (65C-20.014 F.A.C.) is included for the provider's convenience. The License Board does not award Gold Seal accreditation. Contact the Department of Children and Family Services for further information.

65C-20.014 Gold Seal Quality Care Program

**(1) Definitions.**

- (a) "Active" refers to the status of a Gold Seal Quality Care Accrediting Association that has met all of the criteria of a Gold Seal Quality Care Accrediting Association for accreditation.
- (b) "Effective" refers to the beginning date of a Gold Seal Quality Care provider's designation certificate issued by the Child Care Program Office.
- (c) "Expired" refers to the end date of a provider's Gold Seal Quality Care provider's designation certificate issued by the Child Care Program Office.
- (d) "Gold Seal Quality Care Accrediting Association" refers to an accrediting association that has applied for and been approved by the department as a Gold Seal Quality Care Accrediting Association.
- (e) "Inactive" refers to the status of a Gold Seal Quality Care Accrediting Association where in which all criteria for accreditation are no longer being successfully met.
- (f) "Nationally Recognized" refers to an association whose accrediting body is recognized, accepted and present in at least five (5) states or which had been approved as a Gold Seal Quality Care Accrediting Association by the department prior to July 1, 2007.

**(2) Provider Requirements.**

**(a) Gold Seal Quality Care Provider Designation Certificate**

Pursuant to s. 402.281(1), F.S., family day care homes and large family child care homes seeking to obtain designation as a Gold Seal Quality Care provider shall provide the department with documentation of accreditation by an accrediting association that has been approved by the department. A list of approved accrediting associations may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

**(b) Gold Seal Quality Care Enforcement**

1. Gold Seal Quality Care providers must maintain national accreditation in order to retain their designation. A family day care home's Gold Seal designation will be terminated upon expiration of accreditation. In order to obtain and maintain Gold Seal Quality Care provider designation, a family day care home must meet the additional criteria outlined in s. 402.281(3), F.S.
2. If Gold Seal Quality Care designation is revoked by the Department, termination of the designation will be effective on the last day of the current period of licensure.
3. If the family day care home's accreditation is revoked by the accrediting agency, the family day care home's Gold Seal Quality Care designation will be terminated effective the date of revocation.

**(3) Accrediting Association Requirements.**

(a) Accrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must complete and attest to the requirements referenced on CF-FSP Form 5315, August 2007, Gold Seal Quality Care Accrediting Application, which is incorporated by reference. CF-FSP Form 5315 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Applications are accepted during the months of January and July. Denial of an application requires a minimum of a six (6) month waiting period from the date of denial before re-submission during the next scheduled acceptance month.

(b) Active Gold Seal Quality Care Associations must re-apply every five (5) years by submitting ~~form~~ CF-FSP Form 5315 that may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Re-applications must be received a minimum of six (6) months prior to end of the five (5) year period. Failure to submit ~~form~~ CF-FSP Form 5315 every five (5) years or denial of the application will place the accrediting association in an inactive state, during which the association is not recognized as a Gold Seal Quality Care Accrediting Association. Child care settings arrangements receiving accreditation certificates from an inactive association shall not be recognized as a Gold Seal Quality Care Provider.

(c) Inactive Gold Seal Quality Care Accrediting Associations wishing to become active must be in compliance with all requirements outlined on CF-FSP Form 5315 as a new applicant before being reinstated as an active Gold Seal Quality Care Accrediting Association, pending the Department of Children and Family Services' approval.

Implementation Date: May 1, 2009

II. A. 2.

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation to increase minimum standard for General Qualifications in regulations governing large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

I. PERSONNEL

A. General Qualifications

1. . . .

For the employee **and the substitute for the employee**, the operator/applicant must within five (5) days of employment at the family day care home or large family child care home submit to the License Board office background screening information.

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation to increase minimum standard for Training in regulations governing large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

I. PERSONNEL

B. Training

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

Possess **a CF-FSP Form 5206, April 2005, Staff Credential Verification Confirmation or** one (1) of the following credentials for a minimum of one (1) year **prior to Large Family Child Care Home licensure.**

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 January 2008**, 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.

**a. A candidate must complete CF-FSP Form 5211, January 2008, Staff Credential Application.**

4. **Large Family Child Care Home** 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:

**a. S** 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.**

II. A. 2.

I. B. Training

4. 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 or an active Birth Through Five Florida Child Care Professional Credential.~~

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

(1) 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 home.

(2) A copy of the CF-FSP Form 5267 or training transcript for the operator of a child care home must be included in the License Board's file.

5. Large Family Child Care Home 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:

a. ~~W~~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.~~

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

(1) 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 home.

(2) A copy of the CF-FSP Form 5267 or training transcript for the operator of a child care home must be included in the License Board's file.

II. A. 2.

I. B. Training 5. 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. 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~~

b. (2.) b. (II) ~~An active National Early Childhood Credential or an active Birth Five Florida Child Care Professional Credential.~~

7. 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 ~~completed the three (3) clock-hour Fundamentals of Child Care Training~~ six (6) clock-hour Family Child Care Home Rules and Regulations training, as evidenced by successful completion of a competency based examination offered by the Department of Children and Family Services or its designated training representative prior to caring for children as documented on the Department of Children and Family Services' CF-FSP Form 5267 and the Department of Children and Family Services' training transcript. Large family child care substitutes who have successfully completed the three (3) clock-hour Fundamentals of Child Care or the 30 clock-hour Family Child Care Home training are not required to complete the six (6) clock-hour Family Child Care Home Rules and Regulations course.

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation to increase minimum standard for Supervision in regulations governing large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

I. PERSONNEL

C. Supervision

4. An adult must remain within sight and ~~hearing sound~~ of children being transported in a vehicle so as to be able to respond to the needs of the children at all times.

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation to increase minimum standard for TRANSPORTATION in regulations governing large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

V. TRANSPORTATION

A. When any vehicle is used by a large family child care home to provide transportation, the driver shall have a ~~current valid~~ Florida driver's license in accordance with sections 322.03(1) ~~02-70~~, F.S.

II. A. 2.

**V. TRANSPORTATION** – continued:

- E. An adult must remain within sight and **hearing sound** of children being transported in a vehicle so as to be able to respond to the needs of the children at all times.
  - a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle.
  - b. Sign, date and record the driver's log immediately verifying that all children were accounted for and driver's log is complete.

- F. 3. Upon arrival at the destination a second **adult staff member** shall:

**H. When one (1) staff takes some children on a field trip and one (1) staff remains on the premises with the remainder of the children in care, the operator or employee transporting children is totally responsible for the care and supervision of those children and shall follow the transportation guidelines for a family day care home as defined in V. TRANSPORTATION**

Implementation Date: May 1, 2009

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation to increase minimum standard for CHILD DISCIPLINE in regulations governing large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

**VI. CHILD DISCIPLINE**

- C. All **large family** child care **home operators and** personnel **including substitutes** of a large family child care home **must shall** comply with the home's written disciplinary policy.
- D. A copy of the **written** discipline policy must be available for review by **parents or legal guardian and** the licensing specialist.

Implementation Date: May 1, 2009

**II. A. 3**

Public Comment: Anne Brooks, 2801 Dovewood Street, Clearwater, FL 33759  
Ms. Brooks commented that it will be difficult but must be done. Further, Ms. Brooks suggested that in paragraph 2 on the second line that ". . .children of any age. . ." should be stricken reasoning that the state already designates age 13.

Response: Ms. Tamanini reported that ". . . children of any age. . ." was added to include those children who are developmentally delayed, not a teen parent waiting for a bus.

Public Comment: Sandra Harper, 3601 63<sup>rd</sup> Street North, St. Petersburg  
Sandra Harper distributed the Florida Child-to-Adult Ratios for Child Care. Ms. Harper suggested mentally delayed children could be given an age equal to their mental abilities.

Attorney Recommendation: Ms. Pemberton suggested the Board approve the standard as is and review public comment as a separate issue as it would be a decrease.

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation to increase minimum standard for Supervision and selecting "children are present" in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

I. PERSONNEL

C. Supervision

1. The number of children in a family day care home at any given time is limited to a maximum of five (5) children. This includes preschool household members, whether present or not, and children of any age who are in the operator's care and do not reside in the family day care home. No more than three (3) of the five (5) children may be under two (2) years of age or no more than three (3) of the five (5) children may be under 18 months of age if the provider has proof of completion of the training course "Beyond Cribs and Rattles" or a current equivalent as determined by the License Board.

The number of children in a family day care home at any given time is limited to the maximums set forth herein. Preschool household members, whether present or not, and children of any age who are in the operator's care and do not reside in the family day care home, are counted in the license capacity.

The license capacity of a family day care home is limited to five (5) children in care. No more than three (3) of the five (5) children may be under the age of 2, or with approved training, no more than three (3) of the five (5) children may be under 18 months of age.

In order to comply with F.S. 402.302(7) all household members under 13 years old must be included in the total number of children as follows:

- a. When no more than two (2) of the five (5) children in care are under one (1) year of age, then the total of children in care and those household members under 13 years of age who are present may not exceed ten (10) children.
- b. When three (3) of the five (5) children in care are under one (1) year of age, then the total of children in care and those household members under 13 years of age who are present may not exceed six (6) children.
- c. When household school age children under 13 years of age are present, the supervision of these children must comply with section I.C.6. of Licensing Regulations.

Motion:

A motion was made by Judi Vitucci and seconded to approve recommendation to increase Definition and selecting "when children are present" in regulations governing family day care homes and large family child care homes to be presented at a Public Hearing. Motion unanimously approved.

**The Definition of a family day care home will be modified to agree with the standard for Supervision.**

A family day care home means an occupied place of residence of a family, person, or persons who regularly provide child care and training for children from at least two (2) unrelated households, with or without compensation, for no more than five (5) children at any given time under thirteen (13) years of age who are not related to such person or persons by blood, marriage, or adoption. This includes preschool household members whether present or not and children of any age who are in the operator's care and do not reside in the family day care home. Of those five (5) children, no more than three (3) of the five (5) children may be under two (2) years of age, or no more than three (3) of the five (5) children may be under 18 months of age if the provider has proof of completion of an approved training course. A family day care home shall provide child care for a period less than 24 hours per day per child.

When 3 children in care are under one year old, the provider may have no more than 6 children total including household children under 13 years old who are present.

When 2 children in care are under one year old, the provider may have no more than 10 children total including household children under 13 years old who are present.

II. A. 4.

Motion: A motion was made by Barbra Mastrotta and seconded to select December 3, 2008 at 6:30 p.m. for a Public Hearing and cancel the Special Board meeting for December 17, 2008. Motion unanimously approved.

B. First Amendment to Interlocal Agreement

Motion: A motion was made by Judi Vitucci and seconded to approve the amended Interlocal Agreement. Motion was unanimously approved.

C. 2008-09 Budget and Resolution

Presentation: Pervinder Birk stated the budget for next year was based on actual expenditures in 2007-08 and on increases/decreases in expenditures, funding, fees, etc.

Board Direction: Judi Vitucci recommended the Board be more involved in the budget oversight. The Board requested that Pervinder Birk give the Board a budget training/workshop at a future regular meeting.

Staff Question: Ms. Tamanini stated that Ms. Judd had said there would be a substantial reduction in rent because the county would be getting involved, but that she didn't see a reduction in the budget. She further stated that the License Board fund balance has been substantially reduced.

Motion: A motion was made by Judi Vitucci and seconded by Barbra Mastrotta to approve the 2008-09 Budget Resolution. Motion unanimously approved. Ayes 4, Nays 0, Absent and Not Voting 3.

D. Sunshine Law

Attorney Pemberton gave a brief Sunshine Law training for the benefit of new and current Board and Advisory Committee members, stressing that as members of a governmental entity that members are sovereignly immune to tort actions unless committed intentionally. Attorney Pemberton will send a training link to the secretary who will forward the link to Board and Advisory Committee members. Flgov.com/og\_training contains training on public records and the Sunshine Law.

Attorney Pemberton recommended that staff not be on a committee because of the Sunshine restrictions for discussing committee business. Further that if members will not be at the next meeting, to send the information to the recording secretary who can then forward to the Board or copy and distribute at the next Board meeting. Attorney cautioned members to never "reply all" when receiving such information via email. Most Sunshine Law violations can be remedied by reporting the violation at the next Board meeting.

E. Emergency Regulations

Motion: A motion was made by Judi Vitucci and seconded to approve recommendation for Emergency Regulations for children's centers, family day care homes, and large family child care homes. Motion unanimously approved.

2. After a fire or natural disaster, the children's center/family day care home or large family day care home provider must notify the Child Care Licensing Program within 24 hours as to their status of operation in order for the Child Care Licensing Program to ensure health standards are met for continued operation as a children's center/family day care home or large family child care home. Damage to the building or property/home may require approval from the Child Care Licensing Program and in addition may require the Health Department and/or other agencies to inspect and approve the premises.

Minutes 9/23/08

Presentation: Lourdes Benedict presented Linda Tamanini with a Certificate of Appreciation from the Board for Ms. Tamanini's 24 years with the License Board and invited those present to stay for the reception.

Adjournment: The Board adjourned at 3:30 p.m.

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Judi Vitucci, Secretary