

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
Minutes for the Special Board Meeting and
Public Hearing
September 11, 2009

APPROVED 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 Friday, September 11, 2009, at 4175 East Bay Drive, Suite 350, Clearwater, to begin at 1:30 p.m.

Board Members Present: Lourdes Benedict, Chairman; Nancy Bostock; Barbra Mastrota; Elise Minkoff; Donna Rippley; Judi Vitucci, Secretary

Board Members Absent: Donna Huard

Ex Officio Member Present: Charles Minor

Advisory Members Present: Lynn Bittner, Terri Hajian, Susan Weber

Advisory Members Absent: Heidi Buck, Ann Hofmeister

Attorney Present: Colleen Flynn

Staff Members Present: Carla Recker, Executive Director; Kathy Krause, Supervisor Family Child Care Homes; Jorie Massarsky, Supervisor Children's Centers; Dana Stajkowski, Board Recorder, and other Health Department staff

Call to order: The meeting was called to order at 1:30 p.m.

Addition of New Item: IV. J. VPK Certification

Public Comment: Commissioner Bostock had questions regarding Public Comment – public comment on items not on the agenda, and public comment during final agency action of standards.

Staff Response: Section I. D. on the agenda, directs the public to "Comment to the Board on topics not listed on the agenda"; public comment on increasing standards is encouraged 1. at the meeting where the standards are first introduced, 2. at the Public Hearing, [and is taken in the period between the two that is at least 30 days and can be longer depending on when the Public Hearing is set].

Motion: A motion was made by Commissioner Bostock and seconded to approve the minutes from July 1, 2009. Motion unanimously approved.

Public Comment: Susan Weber, Training Coordinator, commented that providers have been requesting to present the Cribs and Rattles Training. Ms. Weber's concern is there is no plan in place to ensure the qualifications of the presenter or the integrity of the training.

- Staff Response: Kathy Krause will review the Cribs And Rattles requirement and present an answer to Board at the next meeting; Carla Recker suggested equivalent training be identified.
- Public Comment: Susan Weber commented that there is concern in the community about what's needed from the Health Department and from the License Board. Two concerns are: conflicting information about when a hair net is required and that children cannot set the table anymore.
- Staff Response: Staff is working on clarifying the issues.
- Elise Minkoff: Ms. Minkoff requested there be more specifics, wants to know how to get everyone on the same page including staff.
- Staff Response: Ms. Recker responded that staff continues to work one-on-one and in training classes with providers, that staff is working diligently to present the same information at every training, that sometimes those attending training hear what they want to hear, that we have requested that providers question us directly and not go through a third party, that sometimes the law isn't written with child care in mind.
- Gayle Guidash responded that Ms. Recker cannot be responsible for the whole Environmental Health Division; that Tallahassee wrote the law for institutional facilities; that the Health Department inspects those facilities because the people they serve are in a high risk group; that Tallahassee doesn't inspect child care; that the instructional aspect of teaching children is lost; that the Division will meet to come to an agreement about how to interpret the law using common sense and to then teach the providers about what the law means to them in the classroom.
- Board discussion: Donna Rippley recommended that there could be solid agreement on the key issues in the community and follow-through in writing on those clarifications; that our writing needs to be more simplistic.
- Lourdes Benedict recommended simplifying and collapsing policies if possible.
- Terri Hajian recommended re-introducing the compliance guide.
- II. Public Hearing: Anne Brooks, 2801 Dovewood Street, Clearwater, FL 33759
Questioned why we didn't use the DCF form. Ms. Brooks has a concern about CCL staff's need to know the relationship the child in the home has with the provider; asked if it violated the Privacy Act.
- Attorney Response: Asking the relationship of the child to the provider is not a violation of the Privacy Act, in Attorney Flynn's opinion.

Staff Response: Kathy Krause will look into removing the relationship question by decreasing the standard.

Chairman Action: Chairman Benedict closed the public hearing following the one and only public comment.

III. A. Ms. Recker reviewed the budget amendments for the Board.

Board Discussion: Board asked for clarification regarding Administrative costs.

Ms. Recker will send the clarification to the Board that she shared with Commissioner Bostock.

Elise Minkoff requested numbers regarding the fund balance and the policies and procedures regarding the use of the fund balance.

Ms. Recker responded that the fund balance pays for the accountant.

Both Elise Minkoff and Commissioner Bostock requested the following information:

- Where we are currently with the fund balance and what's projected for the future?
- What is the reserve requirement?
- What do we expect to be carried forward for the fund balance?

III. B. MOTION: A motion was made by Commissioner Bostock and seconded for Chairman Benedict and Attorney Flynn to sign the Second Amendment to the Interlocal Agreement. Unanimously approved.

C. Ms. Recker reviewed the 2009-2010 Budget including the possible reduction of attorney costs.

Board Discussion: Board asked questions regarding:

- Cost of the Laptops, purchase of warrantee
- Additional questions regarding reserves and fund balance, amount being set aside for reserves for expenses
- Accountant being paid out of the fund balance instead of having a line item for that expense
- Requested a meeting with the accountant earlier in the fiscal year
- Commissioner Bostock would not approve the budgeting for laptops if those dollars will not be spent on laptops

Staff Response: Gayle Guidash responded that the fund balance is the overage of what is projected; that the Health Department is required to have a reserve; that the accountant is being paid out of the fund balance because he was not an anticipated expenditure when the HD received the PCLB; that authority to spend dollars for computers over a certain amount requires special authority ahead of time from the legislature.

- III. C. Motion: A motion was made by Commissioner Bostock and seconded to approve the budget with the provision that staff follow-through with the requested information for the next Board meeting and a meeting be set with the accountant early in the next fiscal year. Unanimously approved.
- D. MOTION: A motion was made by Barbra Mastrota and seconded to approve Chairman Benedict signing the Cherry, Baekert & Holland letter of arrangement for next year's audit. Unanimously approved.
- IV. A. 1. MOTION: A motion was made by Commissioner Bostock and seconded to uphold the Intent to Deny Application for a License for Wendy Furse, Family Child Care Home Provider. Unanimously approved.
- A. 2. MOTION: A motion was made by Commissioner Bostock and seconded to uphold the Intent to Deny Application for a License for Gloria Marshall. Unanimously approved.
- B. MOTION: A motion was made by Judi Vitucci and seconded to take Final Agency Action and approve the following recommendations to increase regulations for children's centers, with one non-substantive change to III. Child Discipline E., family child care homes, and large family child care homes. Unanimously approved.

I. PERSONNEL (cc)

A. General qualifications. Personnel in children's centers:

- b. Background Screening Information
 - (2) **Attestation of Good Moral Character** - An Attestation of Good Moral Character must be completed on the hire date and annually during the month of August for all child care personnel and may be obtained from the License Board, or by going to the Department of Children and Family Services' website at: www.myflorida.com/childcare/training.

Implementation Date: October 1, 2009

Classification Summary: Level 2 Fine

II. SUPERVISION (cc)

A. General Supervisory Standards

- 9. A staff member qualified to be in charge shall be on premises at all times when children are present.
 - a. Any licensed children's center receiving a Class I fine will be required to have an employee with SMIC qualifications, not responsible for children during all hours of operation, for a time frame of six (6) months from the date the Class I fine is issued.
 - b. Any licensed children's center receiving a Probationary-Provisional license, will be required to have an employee with SMIC qualifications not responsible for children during the hours of operation for the time frame of the Probationary-Provisional license.

Implementation Date: October 1, 2009

Classification Summary: Level 2 Fine

III. CHILD DISCIPLINE (cc)

- E. A copy of the children's center current written disciplinary policy must be available to the License Board to review for compliance with Licensing Regulations III. A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed and be available for review.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

IV. REPORTING CHILD ABUSE AND NEGLECT (cc)

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

- 1. Any person who knows or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the Department of Children and Family Services in the manner prescribed in Licensing Regulations IV.B.2.3.

An open child abuse investigation involving the children's center shall be reported to the Child Care Licensing Program (CCLP) within 24 hours or the next business day upon initial knowledge of the investigation.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine (changed from Level I)

V. RECORDS (cc)

A. Facility Records

- 4. **Child's Enrollment Information.** Enrollment form provided by the Child Care Licensing Program ~~information~~ shall be kept current and on file, and include the following:

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

V. RECORDS (Children's Centers)

A. Facility Records

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

An accurate, legible daily attendance record shall be kept for each child in care.

- 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 verifying attendance accuracy when the group moves from one indoor/outdoor area to another. Such records shall be maintained for a minimum of one (1) year ~~four (4) months~~. Attendance forms used for Voluntary PreKindergarten or School Readiness may be used if applicable.

V. RECORDS (Children's Centers) - continued

A. Facility Records

8. Medication.

- d. The children's center must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was dispensed, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of one (1) year ~~four (4) months~~ after the last day the child received the dosage.

11. Other Records

- e. **Field Trips.** Parents must be advised in advance of each field trip activity. The date, time and location of the field trip must be posted in a conspicuous location at least two (2) working days prior to each field trip. Written parental permission must be obtained, in the form of a general permission slip. If special circumstances arise where notification of an event cannot be posted for two (2) working days then individual permission slips must be obtained from the custodial parent or legal guardian. Documentation of parental permission for field trips shall be maintained for a minimum of one (1) year ~~four (4) months~~ from the date of each field trip.

VI. PHYSICAL ENVIRONMENT (cc)

B. Fire Safety

- 4. The operator shall maintain a written record of monthly fire drills showing the date, number of children in attendance, and time taken to evacuate the premises. Each monthly record shall be maintained for a minimum of one (1) year ~~four (4) months~~ from the date of the fire drill.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

VII. SAFETY, HEALTH AND SANITATION (cc)

A. General Requirements

All center personnel shall have access to a printed copy of Licensing Regulations Governing Pinellas County Children's Centers and a copy of Chapter 64E-11 Food Hygiene.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

VII. SAFETY, HEALTH AND SANITATION (cc)

A. General Requirements

- 1. **a.** Children shall be released from a licensed children's center at the direction of Child Care Licensing Program staff due to a significant violation(s) that may directly effect pose an immediate threat to the health and safety of children. The children shall not return to the licensed program until an inspection by the Child Care Licensing Program staff determines the violation(s) no longer exists. This action does not take the place of nor is in lieu of action against the license such as enforcement, revocation, suspension, or an injunction.

Implementation Date: October 1, 2009

Classification Summary: Level 1 Fine

VII. SAFETY, HEALTH AND SANITATION (cc)

A. General Requirements

7. All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled. These items, as well as knives and sharp tools, and other potentially dangerous hazards shall be stored in a locked container or a locked area that is inaccessible to children.

a. The Material Safety Data Sheet (MSDS) for cleaning supplies shall be maintained and accessible to staff.

b. An original label or a complete photocopy of an original label or MSDS shall be affixed to all containers of cleaning solution.

- SA 8.** All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled. These items, as well as knives and sharp tools and other potentially dangerous hazards, shall be stored separately and locked or out of a child's reach.

a. The Material Safety Data Sheet (MSDS) for cleaning supplies shall be maintained and accessible to staff.

b. An original label or a complete photocopy of an original label or MSDS shall be affixed to all containers of cleaning solution.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

VIII. TRANSPORTATION (cc)

G. Driver's Log.

1. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of one (1) year ~~four months~~. The log shall include each child's name, date, time of departure and time of arrival, signature of driver and signature of second staff member to verify driver's log and the fact that all children have left the vehicle.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

X. APPLICATION, FEES, LICENSE (cc)

B. Fees

5. Pursuant to Florida law, restitution for dishonored checks shall be made within 7 days of receiving notice from the Pinellas County Health Department. Restitution for the dishonored check and any fees shall be made by money order, cashiers check or cash. Unless paid in full within the time specified, the license shall be deemed null and void and returned to the Child Care Licensing Program office.

The holder of such check may turn over the dishonored check and all other available information relating to the license to the States Attorney for criminal prosecution. Additionally, there may be criminal action for triple the amount of the check, but in no case less than \$50, together with the amount of the check, a service charge, court costs, reasonable attorney fees, and incurred bank fees, as provided in F.S. 68.065.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

VII. CHILD DISCIPLINE (fdch)

- F. A copy of the discipline policy must be available for review by the licensing specialist. A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed and be available for review.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

VIII. REPORTING CHILD ABUSE AND NEGLECT (fdch)

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

- b. Social worker, child care center worker, or other professional child care, foster care, residential, or institutional worker, . . .who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the Department of Children and Family Services in the manner prescribed in subsection 2.

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

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine (Changed from Level 1)

IX. APPLICATION, FEES, LICENSE – Family Child Care Home

VII. APPLICATION, FEES, LICENSE – Large Family Child Care Home

B. Fees

4. Pursuant to Florida law, restitution for dishonored checks shall be made within 7 days of receiving notice from the Pinellas County Health Department. Restitution for the dishonored check and any fees shall be made by money order, cashiers check or cash. Unless paid in full within the time specified, the license shall be deemed null and void and immediately returned to the Child Care Licensing Program office.

The holder of such check may turn over the dishonored check and all other available information relating to the dishonored check to the States Attorney for criminal prosecution. Additionally, there may be criminal action for triple the amount of the check, but in no case less than \$50, together with the amount of the check, a service charge, court costs, reasonable attorney fees, and incurred bank fees, as provided in F.S. 68.065.

Implementation Date: October 1, 2009

Classification Summary: Level 3 Fine

- IV. C. Ms. Recker reviewed the Enforcement Standards; reported that the state has updated their Class 1 fines; that we have lowered several classifications of fines, for instance supervision and behavior detrimental to the welfare of a child were lowered from Class 1 to Class 2; that the internal enforcement policy will be included in the regulation booklets

MOTION: A motion was made by Barbra Mastrota and seconded by Elise Minkoff to approve the Enforcement Regulations. Unanimously approved.

XV. Enforcement DEFINITIONS

Day: means a weekday, excluding weekends and holidays. (centers)

Day: means evening, overnight, or less than 24 hours of care seven days a week. (homes)

Probation: is a licensing status wherein the Child Care Licensing Program issues a disciplinary action imposing a deadline for a facility [or family child care home or large family child care home] to remedy a violation or violations, which are within the control of the facility, to become compliant with licensing standards.

Standards: are requirements that must be met for licensure as a child care facility [or family child care home or large family child care home] and that are identified on the Standards Classification Summary attached.

Violation: means a finding of noncompliance by the Child Care Licensing Program with a licensing standard.

XV. Enforcement

Class I-III Violation: is an incidence of noncompliance with a Class I-III standard.

Class 1	Class I violations are the most serious in nature, pose an imminent threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well-being of a child.
Class 2	Class II violations are less serious in nature than Class I violations and could be anticipated to pose a threat to the health, safety or well-being of a child, although the threat is not imminent
Class 3	Class III violations are less serious in nature than either Class I or Class II violations and pose a low potential for harm to children.
Technical Support	The first or second occurrence of noncompliance of an individual Class III standard or the first occurrence of noncompliance of an individual Class II standard.

A. Inspection of Children's Centers [Family Child Care Home or Large Family Child Care Home]

1. A licensed children's center [or family child care home or large family child care home] shall accord to the Child Care Licensing Program the privilege of inspection, including access to children's centers and personnel [or family child care home or large family child care home] and to those records required in Licensing Regulations, at reasonable times during regular business hours, to ensure compliance with the provisions of Licensing Regulations.

The right of entry and inspection shall also extend to any premises which the Child Care Licensing Program has reason to believe are being operated or maintained as a children's center [or family child care home or large family child care home] without a license, but no such entry or inspection of any premises shall be made without the permission of the person in charge thereof unless a warrant is first obtained from the circuit court authorizing same.

Any application for a license or renewal made pursuant to this act or the advertisement to the public for the provision of child care as defined in DEFINITIONS shall constitute permission for any entry or inspection of the premises for which the license is sought in order to facilitate verification of the information submitted on or in connection with the application.

In the event a licensed children's center [or family child care home or large family child care home] refuses permission for entry or inspection to the Child Care Licensing Program, a warrant shall be obtained from the circuit court authorizing same, prior to such entry or inspection. The Child Care Licensing Program may institute disciplinary proceedings pursuant to disciplinary actions in Licensing Regulations XV.H. for such refusal.

2. Inspection shall be at least once annually.

XV. Enforcement

B. Corrective Action

1. When the Child Care Licensing Program determines that a children's center [or family child care home or large family child care home] is not in compliance with the Licensing Regulations, the Child Care Licensing Program shall make a reasonable attempt to discuss each violation with the owner or operator of the children's center [or provider of a family child care home or large family child care home] and the time which the Child Care Licensing Program will establish for the owner or operator or provider to complete corrective action for any violation.
2. The violations cited shall be in writing and shall include the following information:
 - a. A reference to the regulation upon which the violation is premised;
 - b. A factual description of the nature of the violation, fully stating the manner in which the owner or operator or provider failed to comply with a specified regulation;
 - c. A specific statement as to how the violation should be corrected, if deemed necessary or appropriate;
 - d. A date by which each violation shall be corrected unless the violation is of an imminent threat to the health and safety of the children, in which case the violation shall be corrected within twenty-four (24) hours.
3. The Child Care Licensing Program may document any action by the owner or operator or provider taken to correct any violation cited.

C. Disciplinary Sanctions

1. Enforcement of disciplinary sanctions shall be applied progressively for each standard violation. In addition, providers will be offered technical assistance in conjunction with any disciplinary sanction. The Child Care Licensing Program shall take into consideration the actions taken by the facility [or family child care home or large family child care home] to correct the violation when determining the appropriate disciplinary sanction.
2. Each standard violation has an assigned classification based on the nature or severity of the violation(s) as identified within the Standards Classification Summary attached.
3. A violation of a Class II standard that results in death, ~~or~~ serious harm, or imminent threat of serious harm to a child shall escalate to a Class I violation.
4. Disciplinary sanctions for licensing violations that occur within a two (2) year period shall be progressively enforced as follows:

a. Class 1 Violations

- (1). For the first Class I violation, the Child Care Licensing Program shall issue an administrative complaint imposing a fine of \$500 per day for each violation and may impose other disciplinary sanctions in addition to the fine.
- (2). For the second Class I violation, the Child Care Licensing Program shall issue an administrative complaint imposing a fine of \$750 per day for each violation and may impose other disciplinary sanctions in addition to the fine.

XV. Enforcement
C. Disciplinary Sanctions
4. a. Class 1 Violations

- (3). For the third and subsequent Class I violations, the Child Care Licensing Program shall issue an administrative complaint to suspend, deny or revoke the license for state mandated Class 1 Violations as identified by "1s" in the Standards Classification Summary attached. The Child Care Licensing Program shall issue an administrative complaint imposing a fine of \$1,000 per day for each violation in addition to any other disciplinary sanction.

If a **Children's Center** receives **three (3) Class I fines** from the list below in two (2) consecutive years, then the Child Care Licensing Program has no other course of action based on State mandate, but to suspend, deny, or revoke the center's license.

Class 1 Fines Determined by the State of Florida	
Class 1s	A child was unknowingly left behind <i>in a vehicle, at the facility or</i> on a field trip.
Class 1s	A child was not adequately supervised and left the facility premises without the knowledge or awareness of staff.
Class 1s	The operator, <i>employee</i> , or substitute, identified on the Supplemental , was observed supervising children while under the influence of narcotics, alcohol or other drugs that impair the individual's ability to provide safe child care.
Class 1s	The facility provided a water activity using a swimming pool that exceeds three (3) feet in depth or a beach or lake area and did not have a person with a certified lifeguard certification or equivalent present.
Class 1s	An unscreened individual was left alone to supervise children in care.
Class 1s	The vehicle had seat belts and/or safety restraints for [] children and [] children were transported at one time
Class 1s	The facility's use of seat belts was not age appropriate for children being transported who required safety restraints.
Class 1s	The number of children transported exceeded the manufacturer's designated seating capacity.
Class 1s	The driver of the vehicle failed to drop the child off at the appropriate location resulting in serious harm to the health, safety or well-being of a child.
Class 1s	A method of discipline was used at the facility that was severe, humiliating or frightening to children in that [].
Class 1s	A firearm or weapon was observed on the premises.
*Class 1s	The facility's fencing, walls or gate area had gaps that could allow children to exit the outdoor play area.
Class 1s	Written instructions for dispensing a medication, [], were not followed in that [].
Class 1s	The personnel record for the an individual listed on the attached Supplemental indicated the person had been found guilty of an offense noted in Section 435.04, Florida Statute, which disqualifies the person from employment and the owner/operator failed to take appropriate action.
Class 1s	The owner, operator, employee or substitute, while caring for children, committed an act or omission that meets the definition of child abuse or neglect provided in Chapter 39, Florida Statutes.

XV. Enforcement
C. Disciplinary Sanctions
4. a. Class 1 Violations

Class 1 Fines Determined by the State of Florida - continued	
Class 1s	As a mandated reporter, the owner, operator, employee or substitute failed to report suspected child abuse or neglect as required in section 39.201, Florida Statutes.
*Class 1s	A form of discipline used by the staff was associated with food, rest or toileting.
*Class 1s	A child was left unattended in a vehicle without staff awareness upon returning from a field trip.
*Class 1s	The children's center outdoor play area was not fenced to prevent children's access to a water hazard.

* The State amended their Class 1s. The deleted one was reduced to a II and the last three were added.

If a **Family Child Care Home** receives **three (3) Class I fines** from the list below in two (2) consecutive years, then the Child Care Licensing Program has no other course of action based on State mandate, but to suspend, deny, or revoke the home's license.

Class 1 Fines Determined by the State of Florida	
1s	An unscreened individual was left alone to supervise children in care.
1s	A child was not adequately supervised and left the family child care home premises without the knowledge or awareness of the operator.
1s	A child was unknowingly left behind on a field trip.
1s	Firearms and/or weapons were not stored in a locked container, locked area, or with a secure trigger lock or in a location inaccessible to children.
1s	Written instructions for dispensing a medication were not followed in that [].
1s	A child was given the wrong medication in that [].
1s	The operator was not cooperative in allowing the Department's authorized licensing staff access to all parts of the home and premises to inspect for compliance and a court order was required to gain access to the home.
1s	The operator was over the licensed capacity by more than two (2) children
1s	A method of discipline practiced in the home was severe, humiliating and/or frightening in that [].
1s	A form of discipline used by staff was associated with food, rest, or toileting.
1s	The operator exceeded the maximum number of individuals transported in a vehicle as the number exceeded the manufacturer's designated seating capacity or the number of factory installed seat belts.
1s	The operator transported children in a vehicle that were not in an individual factory installed seat belt or federally approved child safety restraint.
1s	The use of seat belts was not age-appropriate for the child(ren) being transported who required the use of a safety restraint.
1s	A child was left unattended in the vehicle without staff awareness upon returning from a field trip.
1s	Supervision of children being transported was inadequate resulting in death or serious harm to the health, safety or well-being of a child.

XV. Enforcement
C. Disciplinary Sanctions
4. a. Class 1 Violations

1s	The driver of the vehicle failed to drop the child off at the appropriate location resulting in serious harm to the health, safety or well-being of a child.
1s	The operator or substitute, while caring for children, committed an act or omission that meets the definition of child abuse or neglect provided in Chapter 39, Florida Statutes.
1s	As a mandated reporter, the operator or substitute failed to report suspected child abuse or neglect as required in section 39.201, Florida Statutes.

If a **Large Family Child Care Home** receives **three (3) Class I fines** from the list below in two (2) consecutive years, then the Child Care Licensing Program has no other course of action based on State mandate, but to suspend, deny, or revoke the large home's license.

Class 1 Fines Determined by the State of Florida	
1s	An unscreened individual was left alone to supervise children in care.
1s	A child was not adequately supervised and left the family child care home premises without the knowledge or awareness of the operator.
1s	A child was unknowingly left behind on a field trip.
1s	The operator, substitute or employee, identified on the Supplemental , was observed supervising children while under the influence of narcotics, alcohol or other drugs that impair the individual's ability to provide safe child care.
1s	Firearms and/or weapons were not stored in a locked container, locked area, or with a secure trigger lock or in a location inaccessible to children.
1s	The large family child care home's swimming pool exceeded 3 feet in depth and no one who had completed a basic water safety course was present when children had access to the swimming area.
1s	Children were taken from the home for a swimming activity and a person with lifeguard certification/equivalent was not present.
1s	Children in care had access to a water hazard or swimming pool, in that ().
1s	Written instructions for dispensing a medication were not followed in that [].
1s	A child was given the wrong medication in that [].
1s	The operator was not cooperative in allowing the Program's authorized licensing staff access to all parts of the home and premises to inspect for compliance and a court order was required to gain access to the home.
1s	The operator was over the licensed capacity by more than two (2) children.
1s	A swimming pool that exceeded 3 feet in depth was used and no person with a certified lifeguard certification or equivalent was present.
1s	A water area, such as a beach or lake, was used for a water activity and no person with a certified lifeguard certification or equivalent was present or on duty.
1s	The operator transported children in a vehicle that were not in an individual factory installed seat belt or federally approved child safety restraint.
1s	The use of seat belts was not age-appropriate for the child(ren) being transported who required the use of a safety restraint.
1s	The operator exceeded the maximum number of individuals transported in a vehicle as the number exceeded the manufacturer's designated seating capacity or the number of factory installed seat belts.
1s	Supervision of children being transported was inadequate, resulting in death or serious harm to the health, safety or well-being of a child.
1s	The driver of the vehicle failed to drop the child off at the appropriate location resulting in serious harm to the health, safety or well-being of a child.

XV. Enforcement
C. Disciplinary Sanctions
4. a. Class 1 Violations

1s	A child was left unattended in the vehicle without staff awareness upon returning from a field trip.
1s	A method of discipline practiced in the home was severe, humiliating and/or frightening in that [].
1s	A form of discipline used by staff was associated with food, rest, or toileting.
1s	The operator, employee or substitute, while caring for children, committed an act or omission that meets the definition of child abuse or neglect provided in Chapter 39, Florida Statutes.
1s	As a mandated reporter, the operator, employee or substitute failed to report suspected child abuse or neglect as required in section 39.201, Florida Statutes.

4. b. Class 2 Violations

- (1). For the first Class 2 violation, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard occur. The violation will be classified as "Technical Support."
- (2). For the second Class 2 violation, the department shall issue an administrative complaint imposing a fine of \$50 for each violation. This violation, and subsequent violations, of the same standard within a two (2) year period will be classified as "Class 2."
- (3). For the third Class 2 violation, the department shall issue an administrative complaint imposing a fine of \$75 per day for each violation.
- (4). For the fourth Class 2 violation, the department shall issue an administrative complaint placing the provider's license on probation status for a period not to exceed six (6) months, and the department shall also issue an administrative complaint imposing an additional fine of \$100 per day for each violation.
- (5). For the fifth and subsequent Class 2 violations, the department shall issue an administrative complaint to suspend, deny, or revoke the license, and the department shall also issue an administrative complaint imposing an additional fine of \$125 per day for each violation.

c. Class 3 Violations

- (1). For the first Class 3 violation, technical assistance shall be provided. The violation will be classified as "Technical Support."
- (2). For the second Class 3 violation, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard are found. The violation will be classified as "Technical Support."

XV. Enforcement

C. Disciplinary Sanctions

4. c. Class 3 Violations

- (3). For the third Class 3 violation, the department shall issue an administrative complaint imposing a fine of \$25 for each violation. This violation and subsequent violations of the same standard within a two (2) year period will be classified as "Class 3."
- (4). For the fourth Class 3 violation, the department shall issue an administrative complaint imposing a fine of \$50 per day for each violation.
- (5). For the fifth Class 3 violation, the department shall issue an administrative complaint placing the provider's license on probation status for a period not to exceed six (6) months, and the department shall also issue an administrative complaint imposing a fine of \$75 per day for each violation.
- (6). For the sixth and subsequent Class 3 violations, the department shall issue an administrative complaint to suspend, deny, or revoke the license, and the department shall also issue an administrative complaint imposing a fine of \$100 per day for each violation.

d. Children's Health/Immunization Records Disciplinary Sanctions

- (1). For the first Class 3 Children's Health and or Immunization violation, technical assistance shall be provided. The violation will be classified as "Technical Support."
- (2). For the second Class 3 Children's Health and or Immunization violation, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard are found. The violation will be classified as "Technical Support."
- (3). For the third Class 3 Children's Health and or Immunization violation, the department shall issue an administrative complaint imposing a fine in the amount of \$25 for each violation. This violation, and subsequent violations of the same standard within a two (2) year period will be classified as "Class 3."
- (4). For the fourth Class 3 violation, the department shall issue an administrative complaint imposing a fine in the amount of \$50 for each violation.
- (5). For the fifth Class 3 Children's Health and or Immunization violation, the department shall issue an administrative complaint imposing a fine in the amount of \$75 per day for each violation.
- (6). For the sixth and subsequent Class 3 Children's Health and or Immunization violations, the department shall issue an administrative complaint placing the provider's license or registration on probation status for a period not to exceed six (6) months, and the department shall also issue an administrative complaint imposing an additional fine of \$100 per day for each violation.

XV. Enforcement
C. Disciplinary Sanctions

Fine Matrix (Proposed Fine Amounts)

Violation	Class 1	Class 2	Class 3	Health/Immunization
1st	\$500	TS	TS	TS
2nd	\$750	\$50	TS with WL	TS with WL
3rd	\$1,000	\$75	\$25*	\$25*
4th	\$1,000	\$100	\$50	\$50
5th	\$1,000	\$125	\$75	\$75
6th	\$1,000	\$125	\$100	\$100

* This violation, and subsequent violations of the same standard within a two (2) year period will be classified as "Class 3."

Implementation Date: October 1, 2009

~~C. Administrative Fines~~

~~Board Policy 9/3/97~~ 1. In determining the amount of fine to be levied for a violation of any of the provisions of Licensing Regulations, the License Board will consider these factors:

~~Board Policy 9/3/97~~ a. Any previous violations of the licensee.

~~Board Policy 9/3/97~~ b. Actions taken by the licensee to correct the violations or to remedy complaints.

~~Board Policy 9/3/97~~ c. The severity of the violation including the probability that death or serious harm to the health or safety of any person will result or has resulted, the severity of the actual or potential harm, and the extent to which the provisions of this part were violated.

~~Board Policy 9/3/97~~ 2. A violation is noncompliance with any provision of Licensing Regulations. The

~~11/07/07~~ 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:

~~Board Policy 9/3/97~~ a. **Class I Violations:** Are the most serious in nature and could result or do result in death or serious harm to the health, safety, and well-being of a child and include, but are not limited to, overt abuse and negligence related to the operation and maintenance of a children's center. Class I violations shall be penalized by a fine not less than \$100 nor more than \$500 per day for each violation. A fine shall be imposed for a Class I violation for every day that the violation occurred whether or not corrective action is completed by the owner or operator within the time established by the License Board. The amount of the fine will be based on the nature and severity of the violation, and repetition of the violation.

XV. Enforcement

~~G. Administrative Fines~~

~~Board Policy 9/3/97~~ b. **Class II Violations:** Are serious in nature but do not pose an immediate threat to the health, safety, and well-being of a child but could reasonably be expected to cause harm within ninety (90) days (for example, a leaking roof that could collapse) and include those conditions or occurrences related to the operation and maintenance of a children's center, other than Class I violations. Class II violations shall be penalized by a fine not less than \$50 nor more than \$100 per day for each violation. The fine will be levied for every day that the violation occurred, if uncorrected within the time frame specified by the License Board or for repeated occurrences of this violation. The amount of the fine will be based on the nature and severity of the violation, repetition of the violation, and actions of the children's center to correct the violation.

~~Board Policy 9/3/97~~ c. **Class III Violations:** Are the least serious in nature and pose no threat to the health, safety, and well-being of a child and include those conditions or occurrences related to the operation and maintenance of the children's center other than Class I or Class II violations. Class III violations shall be penalized by a fine not less than \$25 nor more than \$50 per day for each violation. The fine will be up to \$50 per day per violation. The fine will be levied for every day that the violation occurred, if uncorrected within the time frame specified by the License Board or for repeated occurrences of this violation. The amount of the fine will be based on the nature of the violation, repetition of the violation, and actions of the children's center to correct the violation.

~~Board Policy 9/3/97~~ d. **Other:** In addition, the License Board shall set and levy a fine or impose any other penalty authorized by law for each violation which cannot be classified as a Class I, II, or III violation up to the maximum authorized by law. No fines shall be imposed for a violation in this category which the owner or operator corrects within the time established by the License Board.

~~Board Policy 9/3/97~~ 3. Whenever the License Board seeks to impose an administrative fine against the owner or operator of a children's center, or deny, suspend, or revoke a license it shall issue a warning letter or letter of intent followed by an administrative complaint, when corrective action has not taken place. Both letters and administrative complaint shall advise the owner or operator of the proposed action against the license, amount of the fine which the License Board seeks to impose for each violation alleged, the classification of the violation, the factual basis for the violation, the regulation violated, any required corrective action with time frames, and the owner or operator's right to an administrative hearing, including time frames within which to request a hearing, if he or she disputes the imposition of the penalty.

STANDARDS CLASSIFICATION SUMMARY – Children’s Centers

Florida Statue and Administrative Code Reference

Specific Child Care Licensing Standard	
Class Violation Level	Description of the Licensing Standard Violation

General Requirements 65C-22.001

1. License Displayed/Citation Posted 402.3125	
<u>2</u>	The facility did not have proof of a current approved annual health food/facility inspection.

5. Supervision 65C-22.001(5)(a)-(d), 65C-22.001(6)(f), & 65C-22.007 (2)	
2 <u>1</u> 2	Direct supervision of children in the [] group was inadequate in that [].
2 <u>1</u>	Staff were not within sight and hearing of all the children during nap time.
2 <u>1</u>	In addition to the staff required to meet staff-to-child ratios, an additional adult was not present during a field trip.
2 <u>1</u> 2	The individual(s) responsible for children on a field trip did not have a telephone or other means of instant communication available.
2 <u>1</u>	During evening child care hours, staff did not stay awake at all times.
<u>2</u>	Staff did not supervise, control, or guide children’s behavior in that children were able to [].
<u>2</u>	Infants under two years of age were combined with other age children over two years.
<u>2</u>	A staff member in charge was not available during hours of operation.
<u>1</u>	A staff member released a child to a person not authorized by the parent or legal guardian.

6. Driver's License, Physician Certification & First Aid/CPR Training 65C22.001(6)(a)	
3 <u>2</u>	The personnel record did not include a copy of the driver's physician certification which grants medical approval to operate a vehicle.
<u>2</u>	A copy of the driver’s physician certification which grants medical approval to operate a vehicle was not posted in the vehicle.

7. Vehicle Insurance and Inspection 65C-22.001(6)(b)(c) & 402.305(10)	
<u>2</u>	The facility did not have verification of an annual vehicle inspection as required in s. 316.615, Florida Statute, for a vehicle used to transport children in care.

9. Transportation 65C-22.001(6)(f)	
2 <u>1</u>	The driver of the vehicle failed to drop the child off at the appropriate location.

11. Field Trip Permission 65C-22.001(7)(b)	
3 <u>2</u>	The facility did not secure written permission either in the form of a general permission or an individual permission slip prior to each field trip activity from the custodial parent or legal guardian.
3	The facility failed to retain documentation of parental field trip permission for a minimum of four months <u>one year</u> from the date of each field trip.

12. Child Discipline 65C-22.001(8)(a)(b)	
2 <u>1</u>	The facility's discipline practices included the use of spanking or other form of physical punishment.
<u>3</u>	<u>A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed and be available for review.</u>

Physical Environment 65C-22.002

14. Facility Environment 65C-22.002(1)(a)(c)	
(3) <u>2</u>	Evidence of rodent or vermin infestation was observed.
(3) <u>2</u>	The facility operator did not have current immunization records for the pet observed. Immunizations are available for this type of animal.

15. Toxic Substances and Hazardous Materials 65C-22.002(1)(b)(e)(g)	
3 <u>2</u>	There was evidence that smoking occurred in the facility/outdoor play area while children were in care.
<u>3</u>	<u>The Material Safety Data Sheets (MSDS) for cleaning supplies were not maintained and/or accessible for the staff.</u>
<u>3</u>	<u>An original label or a complete photocopy of an original label or Material Safety Data Sheet (MSDS) shall be affixed to all containers of cleaning solution.</u>

16. Supplies Labeled/Stored 65C-22.002(1)(d)	
3 <u>2</u>	The facility's storage of harmful items including cleaning supplies, flammable products, poisonous, toxic and hazardous materials allowed access by children in care.
3 <u>2</u>	The storage <i>of potentially harmful items such as bb guns, pellet guns</i> , knives and/or sharp tools allowed access by children in care.

17. Lighting 65C-22.002(2)(a)	
3 <u>2</u>	Lighting was insufficient to visually observe and supervise children, including during nap time.

21. Outdoor Play Area 65C-22.002(4)(c)(g)	
3 <u>2</u>	The outdoor play area was not clean, free from litter, nails, glass or other hazards.

22. Fencing 65C-22.002(4)(d)(e)	
<u>2</u> <u>1</u>	The facility's outdoor play area was not fenced in accordance with accepted safety practices to prevent children's access to a water hazard.
<u>2</u> <u>1</u>	The facility's fencing, walls or gate area had gaps that could allow children to exit the outdoor play area.
<u>3</u> <u>1</u>	The base of the fence in the outdoor play area was not at ground level and could allow access by children or animals or allow children to exit the play area.
3 <u>1</u> <u>2</u>	The fence in the outdoor play area had a dirt buildup at the base, causing the fence to be less than the minimum 4 feet in height and could allow children to exit the play area.
<u>1</u>	The gate to the outdoor play area accessible to water was unlocked.
<u>2</u>	Children under the age of three years were allowed access to the center pool as evidence by [].

23. Individual Bedding 65C-22.002(5)(a)(b) & 65C-22.008((3)(g)	
<u>3</u>	Minimum spacing between cots or cribs used by children was not at least two feet.

24. Bedding and Linens 65C-22.002(5)(c)(d)	
<u>3</u> <u>2</u>	Linens, if used by more than one child, were not laundered between usage.
<u>3</u>	Linens or sheets used for individual cots or cribs were not secure or fitting.

26. Exit Area Clear 65C-22.002(5)(e)	
<u>3</u> <u>2</u>	Exit areas were not clear in accordance with fire safety regulations.
<u>2</u> <u>1</u>	Exit areas were blocked off and inaccessible in an emergency.

27. Crib Requirements 65C-22.002(5)(f)(g)	
<u>3</u> <u>2</u>	The facility did not have an adequate number of cribs, portacribs or playpens with sides for the number of children up to one year old in care.

31. Bathroom Supplies and Equipment 65C-22.002(6)(f)	
<u>3</u>	Running water was not available to the children for hand washing area after toileting.

35. Proper Handwashing 65C-22.002(8)(a)2 & 4,(b)1	
<u>2</u>	Center staff did not wash their hands after toileting.
<u>2</u>	Staff and/or children did not immediately wash their hands after wiping a nose.
<u>2</u>	Staff and/or children did not immediately wash their hands before food prep.

37. Sanitary Diapering 65C-22.002(8)(b)1-4	
3 2	The diaper changing surface was not cleaned <i>and sanitized</i> with a sanitizing solution after each use.
2 1	Children were left unattended while being diapered or when changing clothes.

40. Outdoor Equipment 65C-22.002(9)(b)	
3 2	The equipment used in the outdoor play area was not constructed to allow for water drainage.

Training 65C-22.003

43. Credentialed Staff 65C-22.003(7) & 65C-22.003(8)	
3	Director Credential was not posted in a conspicuous place within the facility.
3	Director Credential has expired and requires a plan for renewal.

Health Requirements 65C-22.004

44. Communicable Disease Control 65C-22.004(1)	
2 1	A child placed in the isolation area was not within sight and hearing of a staff person.
2	The facility failed to notify the Pinellas County Health Department immediately when an outbreak of communicable disease was suspected.

45. First Aid Requirements 65C-22.004(2)(a)-(c)	
3 2	A first aid kit did not accompany child care staff on a field trip.
3 2	The facility's first aid kit was stored in an area inaccessible to child care staff.
3	Supplies in the first aid kit were dirty.
3	The first kit supplies were not in a covered container.

48. Accident/ Incident Notification and Documentation 65C-22.004(2)(d)2-4	
3 2	The facility failed to notify the licensing agency within 24 hours following a fire or natural disaster.

49. Medication 65C-22.004(3)	
3 2	A prescription or non-prescription medication, [], brought to the center for administration, was not in its original container.
3 2	The label on the prescription medication did not have the required information in that [].
3 2	The facility was notified of allergies to medication and there was no written documentation in the child's file.
3 2	The facility did not maintain a complete record for each child who received medication while in care.
2	The facility failed to document accurately in the child's file after dispensing a nonprescription/prescription medication.

Food and Nutrition 65C-22.005

53. Bottles Sanitary and Labeled 65C-22.005(3)(c)(d)	
<u>3</u> <u>2</u>	An infant was observed with a propped bottle.

Record Keeping 65C-22.006

58. Enrollment Information on File/Current 65C-22.006(3)	
3	The facility did not have an enrollment form provided by the child care licensing program (CF FSP Form 5219) or equivalent, form completed for the child(ren) in care listed on the attached Supplemental Children's Records Summary.

59. Personnel Records 65C-22.006(4)(5) & 402.3055(1)(b)	
<u>3</u>	Staff not having a high school diploma or GED.

60. Background Screening Documents 65C-22.006(4), 435.04(1) & 435.05(1)(a)(c)	
<u>2</u>	An Attestation of Good Moral Character was not completed <u>at hire date and annually during the month of August</u> for all child care personnel.

61. Daily Attendance 65C-22.001(10) & 65C-22.006(5)	
<u>3</u>	Staff did not record complete and accurate daily attendance to include child's first and last name, time in and out, and date.
<u>2</u>	Attendance was not taken on a field trip.
<u>1</u>	Attendance record was not with staff member during an emergency.
<u>2</u>	Closing log was incomplete.

62. Infants	
<u>3</u>	Infant room capacity was exceeded by [] # of infants based on 50 square per child as required for initial licensure after January 1993.
<u>3</u>	The open play space for infants was insufficient for their developmental needs as evidence by [].
<u>3</u>	The infant room was not provided a separate classroom with floor to ceiling walls.
<u>3</u>	Staff in the [] infant room failed to keep a door closed that lead to a [].
<u>2</u>	[] infant room did not include a diapering area with a hand washing facility.
<u>3</u>	Facility did not have medical authorization on file to use an automatic feeding device.
<u>3</u>	Left or formula/milk in bottles and sippy cups was not discarded.
<u>3</u>	The facility provided formula that was not a commercially prepared, ready-to-feed formula.
<u>3</u>	Opened cans of ready-to-feed formula were observed in the refrigerator undated/uncovered.
<u>3</u>	The facility provided a commercially prepared, ready-to-feed formula that was no iron-fortified.

63. Other	
<u>2</u>	Narcotics, alcohol, or other impairing drugs, [], was/were found on the premises.
1-2	Personnel in the children's center shall not exercise any influence detrimental to the progress or developmental of children.
<u>3</u>	All center personnel did not have access to a printed copy of Licensing Regulations Governing Pinellas County Children's Centers.
<u>3</u>	All center personnel did not have access to a printed copy of Chapter 64E-11 Food Hygiene.

64. Emergency Plan/Posted 65C-22.004(2)(d)5 & 65C-22.006(5)(i)	
<u>3</u>	Staff were unaware of emergency plan.

Enforcement 65C-22.001(11)

65. Child Abuse or Neglect 65C-22.001(11)	
1-3	An open child abuse investigation involving the children's center shall be reported to the Child Care Licensing Program (CCLP) within 24 hours or the next business day upon initial knowledge of the investigation.

66. Animal Immunizations 65C-20.010(1)(a)	
3-2	The operator did not have documentation of current immunization records for the pet observed. Immunizations are available for this type of animal.
3-2	The operator did not have documentation that custodial parents or guardian are given written notification of animals on the premises.
<u>1</u>	An animal has bitten a human more than once/has exhibited aggressive behavior/has been declared dangerous was on the property of the family day care home. (Family Child Care Homes)

**FAMILY CHILD CARE HOME
 STANDARDS CLASSIFICATION SUMMARY**

Florida Statue and Administrative Code Reference

Specific Child Care Licensing Standard	
Class Violation Level	Description of the Licensing Standard Violation

Staffing Requirements 65C-20.009, F.A.C.

1. Operator 65C-20.009(2)(a)	
3 1	The operator worked outside of the home during the operating hours of the family day care home.
2 1	The operator, in whose name the license was issued, was no longer a resident at the address on the license.

3. Background Screening Requirements 402.313(2) 402.305, 402.3055, 402.302(13)& 65C-20.008(3), F.S.

2 1	The personnel record for the individual listed on the attached Supplemental indicated the person had been found guilty of an offense noted in Section 435.04, Florida Statute, which disqualifies the person from employment.
1	A person disqualified from being in the home was present.
2	The Central Abuse Hotline Record Search form and fee was not submitted for a household member who turned 12 years of age within the last 2 months.
2	The 5 year Central Abuse Hotline Record Search form and required fees were not submitted to the License Board office for the substitute.

5 . Renewal Application

3	A completed application for renewal of an annual license was not submitted at least 45 days prior to the expiration date of a current license.
---	--

6. Indoors and Outdoors Supervision 65C-20.009(2)(c)&(5)

2 1	Children were not being adequately supervised in that [].
2 1	A child observed in isolation due to illness was not within sight and hearing of the operator.
2 1	A child was not adequately supervised while being diapered or having clothes changed.
1	The provider released a child to a person that was not authorized by the custodial parent or legal guardian.
2	The substitute worked in the provider's home more than 40 hours per month on average during a 12 month period.
3	The provider did not have on file a statement attesting to the number of hours the substitute works in the provider's home.

7. Animal Immunizations 65C-20.010(1)(a)	
<u>3-2</u>	The operator did not have documentation of current immunization records for the pet observed. Immunizations are available for this type of animal.
<u>3-2</u>	The operator did not have documentation that custodial parents or guardian are given written notification of animals on the premises.
<u>1</u>	An animal has bitten a human more than once/has exhibited aggressive behavior/has been declared dangerous was on the property of the family day care home.

8. Toxic Substances, Hazardous Materials and Hazardous Items 65C-20.010(1)(b)	
<u>3-2</u>	Unsafe storage of materials dangerous to children was observed in that [].
<u>3-2</u>	The storage of knives and/or sharp tools allowed access by children in care.
<u>1</u>	A toxic material/substance, [], was observed open/in a child's hand.
<u>3</u>	Pet food was observed within reach of the child(ren).
<u>2</u>	Used ashtrays were observed within the reach of children.
<u>2</u>	Cigarettes, butts, and matches were observed within the reach of children.
<u>3</u>	Adult bicycles were observed to be a hazard to children in care, as evidenced by [].
<u>1</u>	A lit candle was observed while children were in care.
<u>2</u>	Medicine/hazardous product(s), [], observed within reach of children.

9 . Locks IV.A.	
<u>2</u>	Doors to the outside/off limits areas were unlocked or had no inaccessible locks.
<u>2</u>	A lock on a doggie door was accessible to children.
<u>2</u>	A gate was not locked while children were playing outside.
<u>2</u>	A lock for [] was broken.
<u>2</u>	There was no safety plug in open exposed outlet [].

10. Smoking on Premise 65C-20.010(1)(c)	
<u>2</u>	Smoking was observed in the home/outdoor play area/vehicle while children were in care.
<u>3-2</u>	There was evidence that smoking occurred in the home/outdoor play area/vehicle while children were in care.
<u>3-2</u>	The custodial parents or guardians of children in care were not informed in writing, by the operator that someone living in the home smoked.

11. Firearms and Weapons 65C-20.010(1)(d)	
<u>1</u>	A gun was within reach of children.
<u>1</u>	A gun was out of the reach of children, but was within sight and not in locked storage.
<u>1</u>	Ammunition was stored with the gun.

12. Indoor Floor Space: IV. B.	
<u>3</u>	The home no longer provides adequate indoor play space for each child due to rearrangement of [].
<u>2</u>	The family day care home does not have 35 square feet per child of usable indoor space.
<u>2</u>	The family day care home did not have open indoor floor space outside of cribs and playpens when infants were in care.

13. Play Areas Clean and Free of Litter 65C-20.010(1)(e)	
<u>3</u> <u>2</u>	Nails, glass or other hazards were observed in an area where children play.
<u>2</u>	The following indoor/outdoor areas of the home, equipment and furnishings were dirty: [].
<u>3</u>	An odor was present in the [].
<u>3</u>	Excessive dust was observed on the [].
<u>3</u>	Excessive clutter was observed in the [].
<u>2</u>	The cat litter box was observed within reach of children.
<u>3</u>	Beds in the napping/play areas were unmade when children were in care.

27. Diapering Area Clean and Sanitized 65C-20.010(2)(e)	
<u>3</u>	The surface of the diaper changing area was not impermeable.
<u>3</u> <u>2</u>	The diaper changing surface was not cleaned with a sanitizing solution after each use.
<u>3</u>	The diaper changing area is in or near the food preparation, service or feeding area.
<u>3</u>	Items unrelated to diaper changing were stored in the diaper changing area or placed on the diaper changing table.
<u>2</u>	Soiled diapers were disposed of in the feeding/food service area.
<u>2</u>	Soiled diapers were not disposed of in a securely covered container.

28. First Aid Kit 65C-20.010(3)(a)	
<u>3</u>	The home's first aid kit did not include the following: [].
<u>3</u>	The first aid kit was accessible to children.
<u>3</u>	The home's first aid kit was not clearly labeled "First Aid".
<u>3</u> <u>2</u>	The home's first aid kit was not accessible to the operator or substitute.
<u>2</u>	There was no first aid kit in the home.
<u>2</u>	The home did not have a complete first aid kit on a field trip when some children remained in the home and others went on a field trip.

29. Emergency Telephone Information 65C-20.010(3)(b)1	
<u>3</u>	The home's posted emergency information did not include the following phone numbers: [].
<u>3</u> <u>2</u>	The family day care home's posted emergency information did not include the home's address and directions to the home.
<u>3</u> <u>2</u>	No emergency information was posted on or near telephones in the home.

30. Documented Accidents, Incidents and Health Related Symptoms 65C20.010(3)(b) 2 and 3

<u>3</u> <u>2</u>	The operator did not document an observed health related sign or symptom that occurred at the family day care home.
<u>3</u> <u>2</u>	Documentation completed by the operator was not shared with the custodial parent or legal guardian the day the accident or incident occurred.
<u>3</u> <u>2</u>	An accident or incident record did not include the following: [].
<u>2</u>	Documentation of accidents/incidents did not include the signature of operator/parent or legal guardian.
<u>2</u>	A household member with signs and symptoms of a communicable disease was observed in areas of the home occupied by the child(ren) in care.

31. Fire Drills 65C-20.010(3)(b)4

<u>3</u>	The provider's fire emergency plan of evacuation was not posted in a conspicuous location.
----------	--

32. Daily Attendance II.A.

<u>2</u>	The provider did not have available a daily attendance record for each child in care.
<u>2</u>	Attendance was not recorded for the date(s) as follows [].
<u>2</u>	The daily attendance record for the day of inspection did not include all children who were present.
<u>2</u>	The daily attendance record for the day of inspection did not include all children enrolled.

33. License Displayed/Citation Posted II.A.

<u>3</u>	The family child care home's license was not prominently displayed.
<u>3</u>	The provider did not have the family day care home's license available.
<u>2</u>	An administrative fine was issued and the provider did not post the fine next to their license for a period of one (1) year after issuance date.

34. Inspection Report II. A.

<u>3</u>	The most recent inspection report was not available for review.
----------	---

35. Activities Schedule II.C.

<u>3</u>	The provider did not have a written schedule of daily activities.
<u>3</u>	The written plan of activities was developmentally inappropriate for the child(ren) in care, in that [].
<u>3</u>	The activities observed for the child(ren) were developmentally inappropriate, in that [].

37. Prescription and Non-Prescription Medication 65C-20.010(5)(a)(c)(g)(h)	
3 <u>2</u>	Medication, [], was brought to the home by the custodial parent or legal guardian not in its original container.
3 <u>2</u>	The label on the prescription medication did not have the required information in that [].

40. Student Emergency Medical Release: II.A.	
<u>2</u>	There was no notarized Emergency Medical Release form for the child(ren) listed on the Children's Record Log.
<u>3</u>	The notarized Emergency Medical Release for the for the child(ren) listed on the Children's Records Log was over one year old.
<u>3</u>	The notarized Emergency Medical Release form contained the names of more than one child as noted on the Children's Record Log.
<u>2</u>	The notarized Emergency Medical Release for was not an original.
<u>2</u>	The Emergency Medical Release form for the child(ren) listed on the Children's Record Log was not properly notarized in that [] .

43. Medical Records II.A6.	
<u>2</u>	Immunization and student health examinations records were not returned to the parent or legal guardian upon withdrawal from care.

44. Access to the Premises 65C-20.012(4)	
2 <u>1</u>	The operator was not cooperative in allowing the Program's authorized licensing staff access to all parts of the home and premises to inspect for compliance with minimum standards.

46. Child Discipline 65C-20.010(6)	
2 <u>1</u>	A method of discipline used in the home included of spanking or other form of physical punishment. <u>A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed and be available for review.</u>

47. Transportation and Supervision 65C-20.010(8)	
2 <u>1</u>	Supervision of children being transported was not adequate in that [].
2 <u>1</u>	The driver of the vehicle failed to drop the child off at the appropriate location.
2- <u>1</u>	The individual(s) responsible for children on a field trip did not have a telephone or other means of instant communication available.
<u>2</u>	The vehicle used for transporting children was not in safe condition in that [].

48. After Fire/Natural Disaster III.A.2.f.	
<u>1</u>	A family day care home or property sustained damage from a natural disaster, fire or other event and did not notify the child care licensing program within twenty-four (24) hours.
<u>1</u>	A family day care home did not have a health and safety inspection prior to re-opening after a fire, natural disaster, or other event.

49. Child Abuse or Neglect 65C-20.010(7)	
<u>1</u>	An open child abuse investigation involving the family child care home shall be reported to the Child Care Licensing Program (CCLP) within 24 hours or the next business day upon initial knowledge of the investigation.

**LARGE FAMILY CHILD CARE HOME
 STANDARDS CLASSIFICATION SUMMARY**

Florida Statute and Administrative Code Reference

Specific Child Care Licensing Standard	
Class Violation Level	Description of the Licensing Standard Violation

Staffing Requirements 65C-20.009 & 65C-20.013, F.A.C.

1. Operator/Occupant 65C-20.009(2)(a) and 65C-2.013(4)(a)(c)	
<u>2</u> <u>1</u>	The operator, in whose name the license was issued, was no longer a resident at the address on the license.

3. Background Screening Requirements 402.3131(3) 402.305, 02.3055 & 402.302(13)	
<u>2</u> <u>1</u>	The personnel record for the individual listed on the attached Supplemental indicated the person had been found guilty of an offense noted in Section 435.04, Florida Statute, which disqualifies the person from employment.
<u>2</u>	There was no Affidavit of Good Moral Character on file for the operator, employees or the substitute as noted on the Family Child Care Personnel Log.
<u>1</u>	A person disqualified from being in the home was present.
<u>2</u>	The Central Abuse Hotline Record Search form and fee wan not submitted for a household member who turned 12 years of age within the last 2 months.
<u>2</u>	The 5 year Central Abuse Hotline Record Search form and required fees were not submitted to the License Board office for the substitute.

4. Staff Training 65C-20.013(5) & (6)	
<u>3</u>	The personnel record for staff as noted on the Family Child Care Personnel Log did not include the start date of the 30 clock hour Family Child Care Training course.
<u>3</u>	The personnel record for the staff as noted on the Family Child Care Personnel Log did not include that the 30-clock hour Family Child Care Training course had been completed within one year of the date training began.
<u>3</u>	Completion of the 30 clock hour Family Child Care Training course was not documented on CF-FSP Form 5194 for staff as noted on the Family Child Care Personnel Log.
<u>3</u>	The operator failed to begin the 10-hour specialized training modules within 90 days of licensure.

5. Renewal Application	
<u>3</u>	A completed application for renewal of an annual license was not submitted at least 45 days prior to the expiration date of a current license.

6. Indoors and Outdoors Supervision 65C-20.009(2)(c)&(5) & 65C-20.013(7)	
<u>2</u> <u>1</u>	Children were not being adequately supervised in that [].
<u>3</u> <u>1</u>	The operator's plan for isolation and supervision of an ill child did not provide for the child to be within sight and hearing.
<u>2</u> <u>1</u>	A child observed in isolation due to illness was not within sight and hearing of the operator.
<u>2</u> <u>1</u>	A child was not adequately supervised while being diapered or having clothes changed.
<u>1</u>	The provider released a child to a person that was not authorized by the custodial parent or legal guardian.
<u>2</u>	The substitute worked in the provider's home more than 40 hours per month on average during a 12 month period.
<u>3</u>	The provider did not have on file a statement attesting to the number of hours the substitute works in the provider's home.

Health Requirements (65C-20.010)

7. Animal Immunizations 65C-20.010(1)(a)	
<u>3</u> <u>2</u>	The operator did not have documentation of current immunization records for the pet observed. Immunizations are available for this type of animal.
<u>3</u> <u>2</u>	The operator did not have documentation that custodial parents or guardian are given written notification of animals on the premises.
<u>1</u>	An animal has bitten a human more than once/has exhibited aggressive behavior/has been declared dangerous was on the property of the family day care home.

8. Toxic, Hazardous Materials and Hazardous Items 65C-20.010(1)(b)	
<u>3</u> <u>2</u>	Unsafe storage of materials dangerous to children was observed in that [].
<u>3</u> <u>2</u>	The storage of knives and/or sharp tools allowed access by children in care.
<u>1</u>	A toxic material/substance, [], was observed open/in a child's hand.
<u>3</u>	Pet food was observed within reach of the child(ren).
<u>2</u>	Used ashtrays were observed within the reach of children.
<u>2</u>	Cigarettes, butts, and matches were observed within the reach of children.
<u>3</u>	Adult bicycles were observed to be a hazard to children in care, as evidenced by [].
<u>1</u>	A lit candle was observed while children were in care.
<u>2</u>	Medicine/hazardous product(s), [], observed within reach of children.

9. Locks IV.A.	
<u>2</u>	Doors to the outside/off limits areas were unlocked or had no inaccessible locks.
<u>2</u>	A lock on a doggie door was accessible to children.
<u>2</u>	A gate was not locked while children were playing outside.
<u>2</u>	A lock for [] was broken.
<u>2</u>	There was no safety plug in open exposed outlet [].

10. Smoking on Premise 65C-20.010(1)(c)	
<u>3-2</u>	There was evidence that smoking occurred in the home/outdoor play area while children were in care.
<u>3-2</u>	The custodial parents or guardians of children in care were not informed in writing, by the operator that someone living in the home smoked.

11. Firearms and Weapons 65C-20.010(1)(d)	
<u>1</u>	A gun was within reach of children.
<u>1</u>	A gun was out of the reach of children, but was within sight and not in locked storage.
<u>1</u>	Ammunition was stored with the gun.

12 . Indoor Floor Space: IV. B.	
<u>3</u>	The home no longer provides adequate indoor play space for each child due to rearrangement of [].
<u>2</u>	The family day care home does not have 35 square feet per child of usable indoor space.
<u>2</u>	The family day care home did not have open indoor floor space outside of cribs and playpens when infants were in care.

13. Play Areas Clean and Free of Litter 65C-20.010(1)(e)	
<u>3 2</u>	Nails, glass or other hazards were observed in an area where children play.
<u>2</u>	The following indoor/outdoor areas of the home, equipment and furnishings were dirty: [].
<u>3</u>	An odor was present in the [].
<u>3</u>	Excessive dust was observed on the [].
<u>3</u>	Excessive clutter was observed in the [].
<u>2</u>	The cat litter box was observed within reach of children.
<u>3</u>	Beds in the napping/play areas were unmade when children were in care.

14. Outdoor Time and Play Area Requirements 65C-20.010(1)(f)-(h) & 65C20.013(11)(c)	
<u>2</u> <u>1</u>	Children in the outdoor play area had access to a road or street that was open to travel by the public.
<u>3</u> <u>1</u>	The base of the fence in the outdoor play area was not at ground level and could allow access by children or animals or allow children to exit the play area.
<u>3</u> <u>2</u>	The fence in the outdoor play area had a dirt/sand buildup at the base, causing the fence to be less than the minimum 4 feet in height and could allow children to exit the play area.
<u>3</u> <u>2</u>	The frame of the [] was not securely anchored in the ground or stationary by design.
<u>3</u> <u>2</u>	The play equipment was not safe for the children to use in that [].
<u>3</u> <u>2</u>	The ground cover or other protective surface under the [] was not maintained.
<u>3</u> <u>2</u>	The equipment used in the outdoor play area was not constructed to allow for water drainage.
<u>3</u>	The outdoor play space was not adequate for active play as evidenced by [].
<u>1</u>	A wading pool with water was observed in the area where children were playing.
<u>2</u>	The following items observed in the outside play space presented a hazard to children: [].
<u>3</u>	The outdoor space was not adequate in that there was not 35 square feet of outdoor space per child.
<u>1</u>	The lake/ditch/pond/brook/canal/water hazard that borders on the family day care home was not fenced a minimum of four (4) feet.
<u>3</u>	The outdoor area did not have an adequate sunny area available.
<u>3</u>	The outdoor area did not have an adequate shady available area available.
<u>2</u>	Equipment in the outdoor play space does not allow for water drainage/ has not been maintained in a safe and sanitary condition.
<u>3</u>	The family day care home had no system for providing routine checks at least every other month of all outdoor play equipment.

15. Equipment: IV.H	
<u>3</u>	The provider did not have an adequate number of play materials, toys and books available for the number of children in care.
<u>3</u>	Play materials, toys and books were inappropriate for the developmental level of children in care as evidenced by [].
<u>2</u>	Play materials available to the children were unsafe, in that [] was broken/had jagged edges/ had large cracks that could cause pinching/had peeling paint/had splintered wood.
<u>3</u>	Play materials, toys, books, and equipment were not accessible to children.
<u>2</u>	Equipment used in caring for children was unsafe in that [].
<u>3</u>	The home did not have developmentally appropriate equipment as evidenced by phone books used for booster seats/children sitting on their knees.
<u>2</u>	While children were awake the television was tuned to programming that was inappropriate for children as it contained obscene language/violence/adult situations.
<u>2</u>	The television was on for unlimited time periods.

16. Swimming Pools 65C-20.010(1)(i)(j)	
<u>1</u>	There was no additional adult present during a water activity.
<u>1</u>	The fence enclosing the pool was in disrepair and children were observed outdoors.
<u>2</u>	The swimming pool is deeper than 4 feet and the required shepherd's crook was not available.
<u>3</u>	The fence enclosing the swimming pool was in disrepair and the children were confined to indoor play.
<u>1</u>	The wall of the above ground pool is not 4 feet in height/ the ladder or steps leading to the above ground pool were not removed while children were in care.
<u>1</u>	Spa/hot tub did not have a safety cover that was in compliance with performance standards is not in an enclosed locked room.

17. Appropriate, Safe and Sanitary Bedding 65C-20.010(1)(k)-(o)	
2 <u>1</u>	A crib in use had bar spacings that exceeded 2 and 3/8 inches.
3 <u>2</u>	A kitchen, bathroom, utility room, and/or garage were used as napping space.
<u>3</u>	Non siblings shared a full bed for napping.
<u>3</u>	A child was observed napping or sleeping on the floor.
<u>2</u>	Bedding provided for an infant was missing a pad.
<u>2</u>	The latching device on [] crib(s) was broken and the crib sides could not adequately be secured.
<u>2</u>	The mattress was too small for [] crib(s) in use and could cause entrapment.
<u>3</u>	An infant was observed napping in a car seat/swing.
<u>3</u>	Provider did not have a written plan outlining the overnight sleeping arrangements.
<u>3</u>	Playpens/cribs were routinely used to confine children other than for rest or sleep.

19. Vermin/Pest Control 65C-20.010(1)(r)	
3 <u>1</u>	There was evidence of rodent or vermin infestation in the home.
<u>2</u>	Evidence of pests was observed in the [] area.

20. Furnishings and Equipment 65C-20.010(1)(s)	
<u>2</u>	There was no gate on stairs to prevent children's access to the steps.
<u>2</u>	The building housing a family day care home must be safe and in good repair.
<u>2</u>	A worn or overloaded electrical cord(s) with exposed wiring was/were observed on the [].
<u>1</u>	A fixture that was assessed as dangerous, in that [].
<u>2</u>	The building housing the family day care home was not observed to be in good repair as evidenced by damage/holes in the wall/floor/window.
<u>2</u>	The exit(s) leading outside the family day care home are obstructed by [].
<u>2</u>	The building housing the family day care home has burglar bars and there is no evidence that the home has passed an annual inspection by the local fire department.
<u>2</u>	Peeling/chipping paint in reach of children was observed on the [].

21. Smoke Detector, Fire Extinguisher, Corded Telephone, Lighting, Temperature and Ventilation 65C-20.010(1)(s)	
<u>2</u>	The family day care home's fire extinguisher was not easily accessible.
<u>2</u>	A heater used in the home was hot to the touch and was without a gate or barrier.
<u>1</u>	An unvented kerosene heater was being used in the home.
<u>2</u>	The family day care home did not have a source of heat.
<u>1</u>	An open fireplace with fire served as the home's sole source of heat.
<u>2</u>	Portable electric fans within reach of children did not have adequate protective screen, in that [].

22. Nutritious Meals and Snacks Provided 65C-20.010(1)(t)	
<u>3</u>	The breakfast observed did not consist of at least three different food groups.
<u>3</u>	The lunch/dinner observed did not consist of at least four different food groups.
<u>3</u>	The snacks observed did not consist of at least two different food groups.
<u>3</u>	Children were not individually fed in that [].
<u>3</u>	Children were not offered foods appropriate for their age.
<u>3</u>	The operator did not provide the proper serving size for meals/snacks as noted in the USDA Food Guide Pyramid for Young Children
<u>2</u>	An infant's bottle was propped.
<u>2</u>	Formula was not refrigerated/handled in a sanitary manner.
<u>3</u>	Formula was heated in the microwave.
<u>2</u>	The home's drinking water was obtained from an untested well.

23. Handwashing 65C-20.010(2)(a)	
<u>1</u>	The home did not have at least 1 toilet/bathtub/handwashing sink in good working order.
<u>3</u>	Children were not provided an individually labeled towel or disposable towel.
<u>3</u>	There was no soap available at the handwashing sink.

27. Diapering Area Clean and Sanitized 65C-20.010(2)(e)	
3 <u>2</u>	The diaper changing surface was not cleaned with a sanitizing solution after each use.
<u>2</u>	Soiled diapers were disposed of in the feeding/food service area.
<u>2</u>	Soiled diapers ere not disposed of in a securely covered container.

28. First Aid Kit 65C-20.010(3)(a)	
3 <u>2</u>	The home's first aid kit was not accessible to the operator/staff or substitutes.

29. Emergency Telephone Information and Plans 65C-20.010(3)(b)1	
3 <u>2</u>	The large family child care home's posted emergency information did not include the home's address and directions to the home.
3 <u>2</u>	No emergency information was posted on or near telephones in the home.

30. Accidents, Incidents, Health Related Symptoms Documented and Shared With Parents 65C-20.010(3)(b) 2 & 3	
<u>3</u> <u>2</u>	The operator did not document an observed health sign/symptom that occurred at the large family child care home.
<u>3</u> <u>2</u>	Documentation completed by the operator was not shared with the custodial parent or legal guardian the day the accident/incident occurred.
<u>3</u> <u>2</u>	The operator failed to document an accident or incident which occurred at the home.
<u>2</u>	Documentation of accidents/incidents did not include the signature of operator/parent or legal guardian.
<u>2</u>	A household member with signs and symptoms of a communicable disease was observed in areas of the home occupied by the child(ren) in care.

31. Fire Drills 65C-20.010(3)(b)4 & 65C-20.013(11)(a)(d)2	
<u>3</u>	The provider's fire emergency plan of evacuation was not posted in a conspicuous location.

32. Daily Attendance II.A.	
<u>2</u>	The provider did not have available a daily attendance record for each child in care.
<u>2</u>	Attendance was not recorded for the date(s) as follows [].
<u>2</u>	The daily attendance record for the day of inspection did not include all children who were present.
<u>2</u>	The daily attendance record for the day of inspection did not include all children enrolled.

33. License Displayed/Citation Posted II.A.	
<u>3</u>	The family day care home's license was not prominently displayed.
<u>3</u>	The provider did not have the family day care home's license available.
<u>2</u>	An administrative fine was issued and the provider did not post the fine next to their license for a period of one (1) year after issuance date.

34. Inspection Report II. A.	
<u>3</u>	The most recent inspection report was not available for review.

36. Prescription and Non-Prescription Medication 65C-20.010(5)(a)(c)(g)(h)	
<u>3</u> <u>2</u>	Medication, [], was brought to the home by the custodial parent or legal guardian not in its original container.
<u>3</u> <u>2</u>	The label on the prescription medication did not have the required information in that [].

Health Records 65C-20.011

39. Student Emergency Medical Release: II.A.	
<u>2</u>	There was no notarized Emergency Medical Release form for the child(ren) listed on the Children's Record Log.
<u>3</u>	The notarized Emergency Medical Release for the for the child(ren) listed on the Children's Records Log was over one year old.
<u>3</u>	The notarized Emergency Medical Release form contained the names of more than one child as noted on the Children's Record Log.
<u>2</u>	The notarized Emergency Medical Release for was not an original.
<u>2</u>	The Emergency Medical Release form for the child(ren) listed on the Children's Record Log was not properly notarized in that [].

42. Access to the Premises 65C-20.012(4)	
<u>2 1</u>	The operator was not cooperative in allowing the Department's authorized licensing staff access to all parts of the home and premises to inspect for compliance with minimum standards.

45. Employee and Substitute Requirements 65C-20.013(2)(a)(e)	
<u>2 1</u>	There was no staff person in addition to the operator on the premises while operating as a large family child care home.

46. Supervision Requirements for Field Trips 65C-20.013(7)(b)	
<u>2 1</u>	In addition to the staff required to meet staff to child ratios, an additional adult was not present during a field trip for more than 6 preschool children.
<u>1</u>	Adult supervision was inadequate for children who remained in the home while others went on a field trip; [] children ages [] were supervised by [] adults.
<u>1</u>	The individual responsible for children during a field trip did not have a telephone or other means of instant communication.
<u>2</u>	Emergency medical forms were not taken for children on a field trip.

49. Transportation & Supervision 65C-20.013(8)(e)-(j) & 9	
<u>2 1</u>	Supervision of children being transported was not adequate in that [].
<u>2 1</u>	The driver of the vehicle failed to drop the child off at the appropriate location.
<u>3</u>	There was no signed parental permission and transportation release form on file for planned and unplanned activities for children as noted on the Children's Record Log.
<u>2</u>	The vehicle used for transporting children was not in safe condition in that [].

50. Planned Activities 65C-20.013(9)(a)	
<u>3</u>	The operator's written plan of scheduled activities was not posted in a place accessible to parents.

51. Communication Equipment and Emergency Contacts 65C-20.013(9)(b)	
2 1	The individual(s) responsible for children on a field trip did not have a telephone or other means of instant communication available.
3 2	Completed children's emergency medical forms and emergency contact numbers were not taken on a field trip.
3 2	A transportation permission and release form, signed by the custodial parent or legal guardian, for planned and/or unplanned activities was not on file for the child(ren) listed on the attached Supplemental.

52. Child Discipline/Compliance 65C-20.013(10)	
2 1	A method of discipline used in the home included of spanking or other form of physical punishment. <u>A copy of a changed Discipline Policy shall be submitted to the Child Care Licensing Program at the time it is changed and be available for review.</u>

54. Indoor Floor Space 65C-20.013(11)(b)1-4	
-3 2	The home did not have an open indoor floor space outside of cribs and playpens for the infant(s) in care.

56. Outdoor Play Area 65C-20.013(11)(c)1 & 2	
2 1	The home's fencing, walls or gate area had gaps that could allow children to exit the outdoor play area.
3 1	The base of the fence in the outdoor play area was not at ground level and could allow access by children or animals or allow children to exit the play area.
3 2	The fence in the outdoor play area had a dirt buildup at the base, causing the fence to be less than the minimum 4 feet in height and could allow children to exit the play area.

57. Outdoor Equipment 65C-20.013(11)(c)3-7	
3 2	The frame of the [] was not securely anchored in the ground.
3 2	The ground cover or other protective surface under the [] was not maintained.
3 2	The equipment used in the outdoor play area was not constructed to allow for water drainage.

59. After Fire/Natural Disaster III.A.2.f.	
1	A family day care home or property sustained damage from a natural disaster, fire or other event and did not notify the child care licensing program within twenty-four (24) hours.
1	A family day care home did not have a health and safety inspection prior to re-opening after a fire, natural disaster, or other event.

60. Medical Records II.A6.	
<u>2</u>	Immunization and student health examinations records were not returned to the parent or legal guardian upon withdrawal from care.

61. Child Abuse or Neglect 65C-20.010(7)	
<u>1</u>	An open child abuse investigation involving the large family child care home shall be reported to the Child Care Licensing Program (CCLP) within 24 hours or the next business day upon initial knowledge of the investigation.

Implementation Date: October 1, 2009

IV. D.

MOTION: A motion was made by Barbra Mastrota and seconded to ratify current Standards Classification Summaries. Unanimously approved. **See attached Classification Summaries.**

E.

MOTION: A motion was made by Judi Vitucci and seconded to approve the following decrease in standards for children's centers. Unanimously approved.

X. APPLICATION, FEES, LICENSE (Children's Centers)

F. License Change

1. Application for License Change

3/6/96 a. For the following, a children's center application for a change of license is to
8/3/05 be filed with appropriate fees:

- (1) Addition of owner
- (2) Addition/change of category(ies)
 - (a) of/to day nursery
 - (b) of/to nursery school
 - (c) of/to kindergarten
 - (d) of/to day nursery and nursery school, or
 - (e) of/to nursery school and kindergarten
 - (f) to day nursery and kindergarten
 - (g) to school age center
 - (h) to school age center and day nursery
- (3) Increase of capacity
- (4) Change of age limits

3/6/96 b. The application for change of license is to be filed and approved before the change occurs. A revised license is issued if all requirements have been met. ~~A temporary permit is issued when all requirements are met. The application for license change must be presented to the License Board for determination.~~

Effective Date: September 11, 2009
 Implementation Date: September 14, 2009

IV. F.

MOTION: A motion was made by Commissioner Bostock and seconded to approve Elizabeth Krakowski as a member of the Advisory Committee representing privately-operated children's centers. Unanimously approved.

MOTION: A motion was made by Commissioner Bostock and seconded to approve Nina Meyers as a member of the Advisory Committee representing faith-based children's centers. Unanimously approved.

G.

MOTION: A motion was made by Commissioner Bostock and seconded to approve the following regular and special Board meetings. Unanimously approved.

Regular Meetings: 1:30 p.m.

January 6, 2010 Reg. Mtg.

April 7, 2010 Reg. Mtg.

July 7, 2010 Reg. Mtg.

October 6, 2010 Reg. Mtg.

Special Meetings: 6:30 p.m.

February 17, 2010

May 19, 2010

August 18, 2010

November 17, 2010

H. Regarding the proposed new logo, Board comments included: add "licensing child care", include children or something to indicate children.

MOTION: A motion was made by Elise Minkoff to modify recommendation for a new logo taking into consideration comments from the Board. Unanimously approved.

I. Board recommended that staff look around the state for other interpretations of the restroom supervision standard; that the committee have representatives from school age facilities in the community.

MOTION: A motion was made by Judi Vitucci to establish a Restroom Supervision Committee for Preschools and School Age Centers with Hope Williams as the Chairman. Unanimously approved. Lynn Bittner volunteered to be on the committee.

MOTION: A motion was made by Elise Minkoff and seconded to establish an unlicensed school age care committee. Barbra Mastrotta volunteered to chair the committee. Unanimously approved.

J.

MOTION: A motion was made by Commissioner Bostock and approved to present a noncompetitive bid for the Voluntary Prekindergarten Provider Certification program. Unanimously approved.

- V. A. Chairman Benedict recommended the addition of the dangers of “co-sleeping” to the parent brochure. A number of child deaths occur each year due to co-sleeping with infants. Look at Winds of Change, a JWB committee to prevent child abuse as an avenue for brochure distribution, plus 500 community partners through Lourdes Benedict DCF.
- Motion: A motion was made by Commissioner Bostock and seconded to establish an unlicensed care committee. Unanimously approved. Lynn Gibson will be invited to chair the committee.
- Initial Temporary Permits: Jorie Massarsky reported that initial Temporary Permits will be issued for 12 months instead of the current 6 months; that staff issued Temporary Permits “may continue until it is presented to the Board” according to regulations.
- Public Committee Anne Brooks, 2801 Dovewood Street, Clearwater 33759
Ms. Brooks commented that she thinks this is an increase referencing a statement in Chapter 61.
- Attorney Response: In 1995, an addition to the regulations was added to allow staff issued temporary permits “to continue until presented to the Board.” Colleen will double check to be sure regulation was approved correctly.
- Audit Report: Ms. Recker reported that CCLP received 100% compliance on the DCF Performance Standard Monitoring Report.
- Update on Legal Issues: Ms. Flynn advised that there were outstanding legal issues prior to Carla Recker’s time. A quarter of what was spent on legal fees over the past year was spent on these unresolved legal issues. All but one has been resolved, however, they could be appealed.
- Ms. Recker reported that even though someone’s application has been denied, they can reapply and when they are denied again it sets up the whole appeal process.
- Responding to Board request, Attorney Flynn will research at what point attorney costs can be passed on to provider, if at all.
- New Complaint System: A formal complaint system is in place with JWB and the HD. When JWB receives a complaint on CCLP, the complaint is forwarded to Dr. Dharamraj, then forwarded down through the chain of command to CCLP; the staff response is then forwarded up through the chain of command to Dr. Dharamraj.
- Motion to Adjourn: A motion was made by Commissioner Bostock to adjourn the meeting at 5:05 p.m. Unanimously approved.

Respectively presented,

Judi Vitucci, Board Secretary