

PINELLAS COUNTY LICENSE BOARD FOR  
CHILDREN'S CENTERS & FAMILY DAY CARE HOMES  
**SPECIAL MEETING**

June 27, 2011, at 1:30 – 4:30 p.m.

LOCATION: Coordinated Child Care of Pinellas, Inc., 6500 102<sup>nd</sup> Avenue North, Pinellas Park

Our mission is to protect and promote the health, safety, and mental development of children  
cared for in children's centers and family child care homes in Pinellas County.

**I. Call to Order of Regular Board Meeting**

- A. Announcements
- B. Agenda (addition of new items) **Page**
- C. Public Comment for Items not on Agenda (see page 2-3) ..... 2

**II. Action Items**

- A. Family Child Care Homes Capacity Change ..... 4

**III. Information Items**

- A. Executive Report (To be distributed).....

**IV. Next Meetings:**

**Regular Meeting – July 14 @ 6:30 p.m.**  
**Special Meeting – September 7 @ 1:30 p.m. (If needed)**

The Pinellas County License Board welcomes input from Pinellas County citizens. **Please see Public Comment Policy on page 2.**

Persons are advised that if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. **Please see Policy for Recording Meetings on page 2.**

## PUBLIC COMMENT POLICY (Revised 7/7/10)

### 1. Public Comment Procedure for Regular and Special Board Meetings, and Public Hearings:

1. Sign-up in person to comment on each agenda item or proposed increase in standard prior to the start of the meeting.
2. When your name is called, come to the podium, be recognized by the Chairman, state your name, and make your comment. Comments should be concise and to the point. Supporting documentation may be distributed to the Board. Documents will be filed with the minutes.
3. Individual speakers have up to 3 minutes.
4. A spokesperson representing a group present has up to 5 minutes. Supporters may stand while the comment is being made.
5. Clapping, heckling or verbal outbursts in support or opposition to a speaker's comments is discouraged.
6. Repetitious comment(s) are also discouraged. If a speaker is saying what you signed up to say, you may stand during their comment and then decline when your name is called to speak.

#### Public Comment Sections of the Agenda:

- Public Comment Section during Regular Meetings: Sign up to comment on items NOT on the agenda.
- Action Items Section: Sign up to comment following staff presentation of the action item and prior to Board action.

#### Note:

Comment to the Board does not constitute a formal complaint, is not considered a request for records under the Public Records Act, and does not require staff response unless directed to do so by Board.

### 2. Making a Presentation to the Board:

To make a presentation to the Board lasting longer than 3-5 minutes but not longer than 10 minutes, please contact the Child Care Licensing Program office at 727-507-4857 for an application. All applications must be submitted at least 10 days prior to the Board meeting at which the presentation would occur.

### 3. Process for Decreasing or Increasing Licensing Regulations (Highlighted words are from Chapter 61-2681 et al):

#### Decreases:

- In the event the License Board determines it reasonable to decrease the requirements of any particular standard, it may do so by action of the Board only. However, state regulations (Chapters 65-C and 402) can only be decreased by the state not by county authority.

#### Increases:

- At a regular or special meeting, the Board will review the proposed increase for the first time. There shall be a finding of necessity, not merely desirability. The Board will hear public comment according to the procedure above.
- Following the meeting if approved, the licensing program must notice the finding, and mail to all licensees the old standard, the proposed new standard, the reason for the

change and a hearing date.

- At the hearing, Board must give an opportunity for all affected persons to present their views. The Board will hear public comment according to the procedure above.
- The proposed new standard may not be considered (discussed) again by the Board until a meeting at least 90 days after the hearing, at which time, if approved by at least 5/7 of the Board, it shall be adopted. The Board will hear public comment according to the procedure above. During the 90 day period, written public comment may be received and will be forwarded to Board members, however, Board cannot discuss it until the final meeting.
- Any new standard must provide a reasonable effective date. The Pinellas County License Board must provide sufficient notification to providers and must establish a reasonable effective date.
- Substantive changes made during the Final Agency Action would necessitate a new Public Hearing.

**A. In the event a member of the public proposes or drafts a bill that effects Chapter 61 et al and wishes to present it to the Board:**

1. The person(s) may present the proposed bill to the Board at anytime during the public comment portion of its meeting pursuant to the guidelines above or in writing to the Executive Secretary who will forward it to the Board.
2. However, if the Child Care Licensing Program is notified at least seven (7) days in advance of a Board meeting that a person or person(s) would like to present a proposed bill, the Licensing Program will include the presentation of the proposed bill on the agenda of the next Board meeting, which is published on the program's website. The Board will determine the length of the presentation by the presenter pertaining to the proposed bill, but in no event will it be less than 10 minutes. At their discretion, the Board or licensing program may schedule a special meeting or public hearing regarding the proposed bill presented.
3. Board may choose to refer the proposed bill to staff for research and set a date for staff to present their findings. Board may also choose to send a letter of support or disagreement to the legislature.
4. Nothing set forth above limits the Licensing Program or the Board's ability to present or discuss or take action on proposed bills or legislation during a regular meeting or special meeting or public hearing without a presentation by a member of the public.

**Policy for Recording Meetings (Revised 11/1/06)**

Citizens desiring or requiring a verbatim transcript of the meeting, or needing a transcript for appeal, should, at their own expense, retain a certified court reporter to record the meeting, or the relevant portion of the meeting.

Citizens not needing a verbatim transcript or transcript for appeal may use silent, unobtrusive recording devices to record meetings.

Video cameras may be used to record meetings, but the cameras must be hand held. Tripods may be used only in the area(s) designated by staff. The designated tripod area will not impede ingress or egress, or the ability of attendees to see the meeting and will be adjusted according to known attendance.

Persons needing an accommodation may request it by calling the executive secretary at 507-4857 at least two business days prior to the Board meeting.

## II. ACTION ITEMS

### A. RECOMMENDATION FOR DECREASES IN FAMILY CHILD CARE HOME REGULATIONS

In order to decrease any standard in Pinellas County the procedure outlined in Section 5, Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida (printed below) must be followed.

Section 5. **Rules and regulations.** The license board shall have the power and duty to promulgate and adopt rules and regulations for the purposes of administering and enforcing minimum standards prescribed in this act. In the event the license board determines it reasonable to decrease the requirements of any particular standard, it may do so by the action of the board only. In the event the license board determines that there is a reasonable necessity to supplement or increase any standard, it may do so according to the following procedure:

#### **Background Information:**

Representative Nehr and Senator Fasano filed Local Bill 01 which became HB 1049 and SB 2074. This legislation proposed to increase the capacity of children in family child care homes in Pinellas County. The bill died in the session.

The Pinellas County License Board discussed Local Bill 01 at the December 14, 2010 Emergency Meeting and again at the January 5, 2011, regular Board Meeting and at the latter meeting took action to approve the language that was presented to the Legislature.

After the legislation failed to pass, the PCLB again took the matter under consideration and approved the following language on May 25, 2011:

**Family Child Care Home:** means an occupied residence in which child care is regularly provided for children from at least two unrelated households with or without compensation. A family child care home shall be allowed to provide care for one of the following groups of children, which shall include household preschool aged children whether present or not, and household school aged children under 13 years of age when on the premises of the family child care home or on a field trip with children enrolled in care.

- A) A maximum of 6 children, if no more than 3 are under 18 months of age.
- B) A maximum of 6 preschool aged children, if no more than three are under 18 months of age, and all are older than 12 months of age
- C) A maximum of 8 children, if no more than five are preschool age and of those five no more than three are under 18 months of age, and of those three, no more than two are under 12 months of age.

Subsequent to the May meeting, staff became aware that there was an inadvertent increase in the language that was approved involving Option C. Therefore, Staff recommends the following decrease in regulation to meet State capacities to include household members.

**Staff Recommends that the PCLB change C) as follows:**

**C) A maximum of 10 children total, of which, a maximum of 8 children are in Child Care status. Of the 10 total children, no more than five are preschool age and of those five no more than three are under 18 months of age, and of those three, no more than two are under 12 months of age.**

Implementation Date: July 1, 2011

**Board Action: To approve, modify or deny staff recommendation**

### III. INFORMATION ITEMS

#### **A. EXECUTIVE DIRECTOR REPORT**

To be distributed at meeting.