

Pinellas County License Board for Children's Centers & Family Day Care Homes

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

Linda Tamanini, M.S., Executive Director
Richard J. French Jr., Chairman



MEMORANDUM

TO: License Board, Advisory Committee and Attorney

FROM: Linda Tamanini

DATE: April 25, 2006

Subject: **May 3, 2006 Board Meeting**

Enclosed is the License Board report for the regular Board meeting on Wednesday, May 3, 2006, **which begins at 7:00 p.m.** in conference room B, 6698 68th Avenue North, Pinellas Park.

If you find you are unable to attend the Board meeting, please call Dana at 547-5840 as soon as you know.

Thank you.

dms

**PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
REGULAR MEETING
May 3, 2006, 7:00 P.M. CONFERENCE ROOM B**

	Page
I. Call to Order	
A. Announcements:	
Thank you to Barbara Backus, Board Member, and to Denise Roach, Advisory Committee Member	
B. Agenda (addition of new items)	
C. Approval of the Minutes from March 6, 2006	1
 II. Action Items	
A. Licenses for New Centers/Homes	6
B. License Changes for Centers/ Homes	9
C. Religious Exempt Centers	10
D. County Attorney Miscellaneous	10
E. Recommendation from Variance Committee to Decrease Standard to Exceed 12-Hour Care	11
F. Procedure Recommendations for Granting Variance to Exceed 12-Hour Care	12
G. Application for JWB Continuation Funding 2006-07	21
H. Election of Nominating Committee for Board Chairman	25
I. Recommendation for Revision in Board Policy – Addressing the Board	26
J. Appointment of Advisory Committee Member – Sharon Carder	27
K. Recommendation for FDCH and LFCCH Substitutes	27
 III. Information Items	
A. Provisional Licenses issued by staff: Jan, Feb, Mar 2006	28
B. Probationary-Provisional Licenses issued by staff: Jan, Feb, Mar 2006	30
C. Requests for License Change: Licenses issued: Jan, Feb, Mar 2006	30
D. Centers and Homes Closed: Jan, Feb, Mar 2006	31
E. Temporary Permits Withdrawn: Jan, Feb, Mar 2006	35
F. Request for Change – Religious Exempt: Jan, Feb, Mar 2006	35
G. Request for Change – Nonpublic: Jan, Feb, Mar 2006	35
H. New Non-public School: Jan, Feb, Mar 2006	35
I. Administrative Fines: Jan, Feb, Mar 2006	36
J. Notice to Correct Violation or be Subject to Fine: Jan, Feb, Mar 2006	43
K. Infant Care Update	43
L. Use of Pools at FDCH and LFCCH	43
M. Report on Citizen Comment at March 6 Meeting	44
N. Disaster Preparedness Update	44
O. Budget Revenue & Expense Report: Jan, Feb, Mar 2006	45
P. Statistical Report: Jan, Feb, Mar 2006	48
Q. Personnel Report: Jan, Feb, Mar 2006	51
R. Staff Outreach and Publicity	51
1. Out of State/County Inquiries Jan, Feb, Mar 2006	51
2. Media Contacts: Jan, Feb, Mar 2006	51
3. Newspaper Articles: current	52
 IV. Open Forum (Verbal and Written Correspondence from the Public)	
The Pinellas County License Board welcomes input from Pinellas County citizens. If you wish to speak to the Board at regular meetings for no more than 3 minutes, please fill out the Citizen Comment form located near the recording secretary.	
 VI. Next Board Meetings: Regular Board Meeting August 2, 2006, 1:30 p.m.	

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.

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
Minutes of Special Board Meeting for
March 6, 2006
UNAPPROVED MINUTES

The Special Board Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes convened Monday, March 6, 2006, at 6698 68th Avenue North, Pinellas Park beginning at 7:00 p.m.

Board Members Present: Richard J. French, Jr., Chairman; Terri Hajian, Commissioner Seel (arrived at 7:30 p.m.), Donna Rippley, Secretary; Ben F. Shirley, Jr.; Joseph A. Smith

Board Members Absent: Barbara Backus

Advisory Members Present: Debra Ballinger, Bette Ra Ivey, and Virginia Rowell
Advisory Members Absent: Ann Hofmeister, Judy Macdonald, June Moody, and Denise Roach,

County Attorneys Present: Christy Pemberton

Staff Members Present: Linda Tamanini, Executive Director; Kathy Mulrennan, Program Manager Children's Centers; Kathy Conroy, Program Supervisor Family Day Care Homes; Dana Stajkowski, Recording Secretary

Call to order: The meeting was called to order at 7:00 p.m.

Agenda: The amended agenda was accepted as presented.

Minutes: A motion was made by Joseph Smith to approve the Minutes for Regular Board Meeting for February 1, 2006. Motion adopted.

Motion: A motion was made by Ben Shirley to approve the recommended order as the final agency action to revoke the license of family day care home provider Alisiah Kelley. Motion adopted.

Motion: A motion was made by Ben Shirley to approve the recommended order as the final agency action regarding the fine levied against family day care home provider Margaret Wilcox. Motion adopted.

Variance Committee Report: Committee Chairman Virginia Rowell reported that after much discussion the consensus of the committee (six out of seven committee members) voted to keep the variance as it is currently printed. The committee's focus was not on one particular child.

Ms. Rowell read the minority report from the Variance Committee minutes as follows:

Minutes of Special Board Meeting 3/6/06

Report continued:

“Barbara Backus would like the Board to define “temporary extraordinary circumstances” and to increase the hours to “less than 24 hours” for those people in our community who need it. She felt we are creating unethical situations for family day care providers who are doing it under the law. She has also heard that they have two separate sign-in sheets. June Moody’s personal opinion is that providers do not read the regulations and half of them do not know they cannot care for children longer than 12 hours.”

Board did not comment.

Ms. Rowell also recommended the Board address a concern the committee and staff have regarding comments by providers about other providers and read to Board the following portion of the Variance Committee minutes:

“Jewel Waiters expressed her concern that we are hearing that there are a number of providers that are cheating and staff is becoming concerned about it. She stated that these kinds of comments [from Barbara Backus and June Moody about caregivers] are putting the profession back 30 years; that most caregivers want to close at 5:30; that statements are being made to Board that are not accurate and sometimes they are believed; that some providers are intimidated by other providers and are coming to staff saying they do not agree with these statements. Ms. Tamanini added that when staff monitors, they ask providers the number of hours of care for every child and if it’s over 12 hours it’s marked in noncompliance.”

Board did not address this concern.

Ms. Rowell further recommended that there be a process regarding public presentations and open forum comments/questions before the Board that would require staff or subcommittee research prior to the Board making decisions.

Board took action on the above concern.

Discussion:

Ms. Tamanini reported that she received a call from the Coast Guard. The Lt. Commander reported that the service does not attract single parents with children because of their responsibilities. The Lt. Commander is concerned about adequate care; he mentioned Ms. Gibson’s care for this particular child; he did not mention Mr. Dziuban. The Lt. wondered if they could use 23 hours and 59 minutes; that the Coast Guard would reduce the 24-hour requirement to 23 hours giving the parent travel time to drop the child off and pick the child up.

Ms. Tamanini and Christy Pemberton reported that no pending legislation has been found that would allow exceptions to 24-hour care.

Minutes of Special Board Meeting 3/6/06

Motion: A motion was made by Joseph Smith to keep the current 14-hour variance as is and create a case by case exception and a procedure for the exception that would include for example: who initiates the variance request, proof of need and use of the variance, a subcommittee of the Board who would approve the exception, conditions for which the exception would be granted. Motion adopted.

Attorney Pemberton suggested that the Board motion to keep the current 14-hour variance and create a case-by-case exception may negate the need for the term “. . . temporary extraordinary circumstances. . .”

Motion: A motion was made by Joseph Smith to deny Dawn Porcelli's request to allow an emergency person to be a substitute for up to 4 hours per month. Motion adopted.

Motion: A motion was made by Ben Shirley to approve staff's recommended plan to meet the Department of Children and Family Services' Contract requirements for substitutes and to request staff bring a procedure for substitutes back to Board. Motion adopted.

Motion: A motion was made by Terri Hajian to approve staff's recommendation to decrease Large Family Child Care Home definition in regulations governing large family child care homes as follows:

Large Family Child Care Home - A large family child care home means an occupied residence in which child care is regularly provided for children with or without compensation from at least two (2) unrelated households and which has at least two (2) full-time child care personnel on the premises during the hours of operation. One (1) of the two (2) full-time child care personnel must be the operator or the operator's substitute. A large family child care home must first have operated as a licensed family day care home for two (2) consecutive years in Pinellas County with an operator who has had a child development associate credential or its equivalent for one (1) year, before seeking licensure as a large family child care home. A large family child care home shall be allowed to provide care for one of the following groups of children, which shall include those children under 13 years of age who are related to the caregiver:

- a maximum of 8 children from birth to 24 months of age
- a maximum of 12 children, with no more than 4 children under 24 months of age

Large family child care homes must meet and comply with all standards of this rule at all times unless there are insufficient numbers of children in care to meet the definition of a large family child care home in which case an additional employee is not required.

Implementation Date: March 6, 2006

Motion adopted.

Minutes of Special Board Meeting 3/6/06

Motion: A motion was made by Commissioner Seel to approve staff's recommendation to decrease minimum standards for Supervision in regulations governing family day care homes as follows:

C. Supervision

1. . . .
2. . . .
3. In family day care homes, there shall be one (1) adult, the operator or the operator's substitute, who shall remain on the premises at all times when children in care are present.

Implementation Date: March 6, 2006

Motion adopted.

Motion: A motion was made by Joseph Smith to approve staff's recommendation to bring back to Board a procedure for public access to the Board and to assist the Board in responding to public requests for Board action.

Discussion: Commissioner Seel reported that for Commission meetings the public are granted 3 minutes or 5 minutes if representing a group; that the public speaks at the beginning of the meeting; that the public may speak to an agenda item during public hearings, and that the Commission does not answer questions but refers questions to the staff to either answer or to request staff research the issue and bring it back to the Commission for action.

Motion adopted.

Special Meetings: Board selected the following Special Meetings:
Thursday, June 22, 2006 at 1:30 p.m.
Monday, September 18 at 9:00 a.m.
Tuesday, December 12 at 9:00 a.m.

Open Agenda: Board directed staff to mail the letter to Ms. Harper as drafted for Board.

Anne Brooks commented that in the child care regulations "substitute means an employee" and her husband who is her substitute is not her employee. She further suggested that PCLB keep both the emergency person and the substitute. Board directed staff to look into these issues.

Minutes of Special Board Meeting 3/6/06

Shirley Lynn Gibson commented that we were given the wrong last name of Joshua Ganderlin, administrative assistant, with the Senate Committee on Children and Families; that his last name started with an S (she pronounced the name but did not give a correct spelling). Ms. Gibson reported that a senator on the east coast is backing the exception to the state's licensing requirement of "less than 24 hours".

Ms. Gibson requested PCLB keep both the emergency person and the substitute.

Ms. Gibson took exception to the wording of the FDCH and LFCCH definition "shall remain on the premises at all times".

Regarding the shortfall of subsidy dollars, Ms. Gibson commented the difference comes because a center can charge up to \$80.40 more per week per child than a family day care home. She further suggested that if homes could take 6 children "for those infant slots" that providers could save a lot of money toward reducing the 2,000 children on the waiting list.

Motion:

A motion was made by Joseph Smith to adjourn the meeting at 8:15 p.m. Motion adopted.

Respectfully submitted,

Donna Rippley, Secretary