

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS
AND FAMILY DAY CARE HOMES
Minutes for Regular Meeting of
August 3, 2005
APPROVED MINUTES

The Regular Meeting of the Pinellas County License Board for Children's Centers and Family Day Care Homes convened Wednesday, August 3, 2005, at the Juvenile Welfare Board Building, 6698 68th Avenue North, Pinellas Park, at 1:30 p.m.

- Board Members Present: Richard J. French, Jr., Chairman; Barbara Backus; Commissioner Latvala, Barbra Mastrota; Donna Rippley, Secretary; Ben F. Shirley, Jr.; Joseph A. Smith
- Board Members Absent: None
- Advisory Members Present: Debra Ballinger, Winona Anne Brooks, Ann Hofmeister, Bette Ra Ivey, Judy Macdonald
- Advisory Members Absent: Denise Roach and Virginia Rowell
- County Attorney Present: Romona Giasi and Christy Pemberton
- Staff Members Present: Linda Tamanini, Executive Director; Kathy Mulrennan, Program Manager Children's Centers; Jewel Waiters, Program Manager Family Day Care Homes; Dana Stajkowski, Recording Secretary; and other agency staff
- Call to Order: The meeting was called to order at 1:30 p.m.
- Agenda: The agenda was accepted as presented.
- Minutes: A motion was made by Commissioner Latvala to approve the minutes from the Public Hearing of April 29, 2005 and the regular meeting of May 4, 2005. Motion adopted.
- Presentation: A presentation was made by Arlene Roig-Garcia, Deputy Director/Education Manager, and Dick Boucher, Support Services Manager, of Head Start Child Development and Family Services, Inc. to request a variance for the playground used by Pinellas County Head Start/Early Head Start Rainbow Village Center. Mr. Boucher reported that the property on which the playground is located is in owned by Pinellas County not the Pinellas County Housing Authority as has been understood for the past 20 years.
- Ms. Tamanini reported that a license cannot be issued on property not belonging to or not leased by those using it. Until compliance can be met, staff can issue a provisional license.
- Chairman French stated that the Board will not take action at this time; staff will issue a provisional license August 17, 2005. When authority to use the property is verified, Board will act on the variance request.

II. Action Items

A.

Attorney Ramona Giasi led the Board in the following:

Final agency action regarding intent to revoke the license of family day care home provider Gloria Augustinus -

Motion:

A motion was made by Commissioner Latvala and was seconded by Joseph Smith to approve the Recommended Order as the Final Agency Action of the PCLB. Motion adopted.

B.

In the matter of final agency action regarding fine levied against family day care home provider, Shirley Lynn Gibson, Attorney Pemberton presented for the Board staff's exceptions to the Recommended Order, which dismissed the levied fine.

Attorney Joseph Corsmeier for the Petitioner, Shirley Lynn Gibson, spoke in favor of the Recommended Order.

Motion:

A motion was made by Commissioner Latvala and was seconded by Barbara Backus to approve the Recommended Order as the Final Agency Action of the PCLB. Approved 4, opposed 2. Motion adopted.

C.

Final agency action regarding intent to deny application for a license of family day care home provider Evangela Dillard -

Motion:

A motion was made by Joseph Smith and was seconded by Commissioner Latvala to approve staff's recommendation to deny application for a license to operate a family day care home. Motion adopted.

D.

Final agency action regarding fines levied against family day care home provider Mary Tyler -

Motion:

A motion was made by Ben Shirley and seconded by Commissioner Latvala to approve the Recommended Order as the Final Agency Action of the PCLB. Motion adopted.

Motion:

A motion was made by Commissioner Latvala to adjourn the meeting at 2:35 p.m. for 15 minutes. Motion adopted.

Call to Order:

Chairman Richard French recalled the meeting to order at 2:50 p.m. Attorney Christy Pemberton represented the Board from this point forward.

Discussion:

Following a Board discussion on the application of the standard "supervision/direct supervision", Board directed staff to review the application of "supervision/direct supervision" and report to Board.

- II. E. 1. Ms. Tamanini reported that Educare of Palm Harbor was added therefore recommending 5 new Children's Centers be approved for Regular Licenses.
- Motion: A motion was made by Commissioner Latvala that 5 new Children's Centers be approved for Regular Licenses. Motion adopted.
- E. 2. Ms. Tamanini reported that Educare of Palm Harbor was deleted therefore recommending no new Children's Centers be approved for Regular Licenses.
- Motion: (There were no new Children's Centers recommended for a Regular License.)
- E. 3.
- Motion: (There were no new Children's Centers recommended for a Probationary-Provisional License.)
- E. 4. Ms. Tamanini reported that Barbara Williams, St. Petersburg, was deleted and the following were added: Priscilla Figueroa, Largo; Alisiah Kelley, St. Petersburg; Shannon List, Pinellas Park; Suzette Pike, Pinellas Park, therefore recommending 16 new Family Day Care Homes be approved for Regular Licenses.
- Motion: A motion was made by Commissioner Latvala that 16 new Family Day Care Homes be approved for Regular Licenses. Motion adopted.
- E. 5. Ms. Tamanini reported that Barbara Williams, St. Petersburg, was added and the following were deleted: Priscilla Figueroa, Largo; Alisiah Kelley, St. Petersburg; Shannon List, Pinellas Park; Suzette Pike, Pinellas Park therefore recommending 6 new Family Day Care Homes be approved for Provisional Licenses.
- Ms. Tamanini also reported that for Carolyn Newson, St. Petersburg, the physical examination and immunization certificate were deleted from Reason column.
- Motion: A motion was made by Commissioner Latvala that 6 new Family Day Care Homes be approved for Provisional Licenses. Motion adopted.
- E. 6.
- Motion: (There were no new Family Day Care Homes recommended for a Probationary-Provisional License.)
- F. 1.
- Motion: A motion was made by Commissioner Latvala that 7 License Changes for Children's Centers be approved for Regular Licenses. Motion adopted.
- F. 2.
- Motion: (There were no License Changes for Children's Centers recommended for a Provisional License.)

II. F. 3.

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

F.4.

Ms. Tamanini reported that Verda Davis (LFCCH), St. Petersburg, was added therefore recommending 3 License Changes for Family Day Care Homes be approved for Regular Licenses.

Motion: A motion was made by Commissioner Latvala that 3 License Changes for Family Day Care Homes be approved for Regular Licenses. Motion adopted.

F. 5.

Ms. Tamanini reported that Verda Davis (LFCCH), St. Petersburg, was deleted there recommending no License Changes for Family Day Care Homes for a Provisional License. (There were no License Changes for Family Day Care Homes recommended for a Provisional License.)

Motion:

F. 6.

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

G.

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

H.

A report was made by Debra Ballinger, Chairman of the Nominating Committee for Board Chairman, that the committee recommends Richard French be elected Chairman for fiscal year 2005-06.

Motion: A motion was made by Commissioner Latvala to elect Richard French as Chairman of the LB for fiscal year 2005-06. Motion adopted.

Appointment: Richard French appointed Donna Rippley as Secretary for fiscal year 2005-06.

I. A. **Recommendation #1 – to correct**

Motion: A motion was made by Joseph Smith to correct by reinstating deleted words to minimum standard Temporary Permit for regulations governing children's centers, specialized children's centers for mildly-ill children, and family day care homes. Motion adopted.

X. APPLICATION, FEES, LICENSE (children's center regulations)**II. GENERAL INFORMATION** (mildly-ill regulations)**IX. APPLICATION, FEE, LICENSE** (family day care home regulations)**D. Temporary Permit**

1. . . .

2. The chairman of the Board, or in his absence two (2) members of the Board, may grant a temporary permit if it appears that the applicant has fulfilled all requirements for the granting of a license. Said temporary permit shall continue until the next Board meeting, at which time the Board shall make such orders as it deems appropriate.

Implementation Date: August 3, 2005

II. I. A. **Recommendation #2 – to correct**

Motion: A motion was made by Joseph Smith to correct by inserting correct dates for minimum standard Training Requirements for regulations governing children's centers, specialized children's centers for mildly-ill children. Motion adopted.

I. **PERSONNEL** (children's center regulations)

IV. **PERSONNEL** (mildly-ill regulations)

C. **Training Requirements**

1. . . .

e. All child care staff employed on or before September 30, 2005, shall complete 5-clock-hours or .5 documented continuing education unit (CEU) of training in early literacy and language development of children from birth to 5-years of age, as documented on the certificate of course completion, classroom transcript, or diploma, by August 3, 2006. All child care staff hired on or after October 1, 2005, shall complete this training within twelve (12) months of date of employment. Literacy training must be a single class or course that is no less than 5-hours in duration. In order to meet this requirement, child care staff must select a training course from the Department of Children and Family Services' list of approved literacy training programs, which can be accessed by contacting the License Board or by going to the Department of Children and Family Services' website at: www.myflorida.com/childcare/training. Literacy training that was taken between July 1, 1999 and August 3, 2005, will be accepted by the License Board, if it meets all the required components stated above, until January 1, 2006.

Implementation Date: October 1, 2005

I. B. Ms. Tamanini amended the staff recommendation to read – "To approve regulations meeting state standards, corrected rules, and editorial corrections made . . ."

Motion: A motion was made by Joseph Smith to approve the amended recommendation to approve regulations meeting state standards, corrected rules, and editorial corrections made for clarity for:

- *Licensing Regulations Governing Pinellas County Children's Centers*
- *Licensing Regulations Governing Pinellas County Specialized Children's Centers for Mildly-Ill Children*
- *Licensing Regulations Governing Pinellas County Family Day Care Homes and Large Family Child Care Homes*

Implementation Date: October 1, 2005

Motion adopted.

Motion: A motion was made by Commissioner Latvala to approve staff recommendations #1 through #6. Motion adopted.

Recommendation #1 – Increase School Age Center definition

School Age Center - A school age center means a children's center that provides child care for only school age children, for no more than twelve (12) hours a day outside regular school hours. To enroll a child younger than a school age child, the children's center must also be licensed as a day nursery.

Implementation Date: October 1, 2005

II. I. B. Recommendation #2 – Increase School Age Center definition

A program serving school age children before and/or after school is not required to be licensed if the program meets one of the following criteria:

1. Programs located on public/nonpublic school sites, operated and staffed directly by that school. These programs exclusively serve those children who attend the public/nonpublic school during the school day. The program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year. Pursuant to Section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator, shall follow the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities; or
2. . . .
3. Programs that meet all the following criteria:
 - a. Operate for a period not to exceed a total of four (4) hours in any one day; however, may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year; and
 - b. Allow children to enter and leave the program at any time, without adult supervision; and
 - c. Do not provide any transportation; and
 - d. Do not serve or prepare any meals or snacks, however the program may choose to provide drinks and snacks that do not require refrigeration or vending machine items that do not require refrigeration; or

Implementation Date: October 1, 2005

Recommendation #3 – Capacity definition

Capacity - Capacity means license capacity which is the maximum number of children allowed in attendance at any given time.

Implementation Date: October 1, 2005

**Recommendation #4 – Increase Child Care Personnel definition
Child Care Personnel**

... A volunteer who assists on an intermittent basis for less than forty (40) hours per month is not included in the term "personnel" for the purposes of screening and training, provided that the volunteer is under direct and constant supervision by persons who meet the child care personnel requirements. A volunteer who is included in the adult-child ratio must meet child care staff requirements.

Implementation Date: October 1, 2005

Recommendation #5 – Enforcement Plan definition

Enforcement Plan - Enforcement plan means a plan of progressive enforcement actions approved by the Board, consisting of incremental steps of intervention when reoccurring noncompliance is documented or an incident of serious risk to a child(ren) has occurred in a children's center, family day care home, and/or a large family child care home.

Implementation Date: October 1, 2005

- II. I. B. **Recommendation #6 – Evening Care definition**
Evening Care - Evening care means child care provided between 6:00 pm - 12:00 am.

Implementation Date: October 1, 2005

- Motion: **Recommendation #7 – Modify increase for Exemption from Licensing definition**
A motion was made by Commissioner Latvala to approve staff's recommendation to modify the proposed increase for the Exemption from Licensing definition for regulations governing children's centers. Motion adopted.

Exemption from Licensing of Religiously Affiliated Children's Centers -
Exemption from Licensing of Religiously Affiliated Children's Centers means a children's center that may request religious exemption if it is an integral part of a church or parochial school conducting regularly scheduled classes, courses of study or educational programs accredited by or a member of an organization which publishes and requires compliance with its standards for health, safety, and sanitation; provided, however, that such a center shall meet minimum requirements of the Pinellas County License Board, the applicable local governing body, as to health, safety, and sanitation, and the screening requirements as published in *Licensing Regulations Governing Pinellas County Children's Centers*, and that the center submits proof of membership in an organization which publishes and requires compliance with its standards for health, safety, and sanitation. The exemption shall be in effect as long as compliance with these guidelines is maintained. Nothing shall give any governmental agency jurisdiction or authority to regulate, supervise, or in any way be involved in any Sunday School, Sabbath School, Bible Schools normally conducted during vacation periods, or religious services or any nursery service or other program conducted during religious or church services primarily for the convenience of those attending such services.

Implementation Date: October 1, 2005

- Motion: **A motion was made by Commissioner Latvala to approve staff recommendations #8 through #11. Motion adopted.**

Recommendation #8 – Licensing Regulations definitions

Licensing Regulations - Licensing Regulations means Licensing Regulations Governing Pinellas County Children's Centers.

Licensing Regulations - Licensing Regulations means Licensing Regulations Governing Pinellas County Specialized Children's Centers for Mildly-Ill Children.

Implementation Date: October 1, 2005

Recommendation #9 – Increase the Overnight Care definition

Overnight Care - Overnight care means child care provided past 12:00 am and shall not be provided in children's centers. The License Board may authorize overnight care on New Year's Eve and other similar occasions, for a number not in excess of the total capacity authorized on its license, if it is determined such overnight care is reasonable under the circumstances and licensing requirements are maintained.

Implementation Date: October 1, 2005

II. I. B. **Recommendation #10 – Increase minimum standards for Education Qualifications**

I. PERSONNEL

B. Education/Credentials

1. Education Qualifications

- a. Day nursery workers (DNW) caring directly for children in any day nursery shall be high school graduates.

- SA** School age center workers (SACW) caring directly for children in any school age center shall be high school graduates.

All day nursery workers and school age center workers in the adult-child ratio hired on or after January 1, 2006, must fully meet the education requirement. Staff hired prior to January 1, 2006, will have until January 1, 2007, to satisfactorily complete a GED program or be a high school graduate.

- d. . . .

1. Child care staff, not in charge of curriculum, staff, or program who does not meet requirements, may be employed temporarily as a teacher of a licensed nursery school or kindergarten, if said staff member is in the process of acquiring the necessary educational qualifications. A teacher in the process (TIP) of acquiring the necessary educational qualification must meet the experience requirement and one of the following:

Implementation Date: October 1, 2005

Recommendation #11 – Increase minimum standards for Annual In-Service Training

I. PERSONNEL (children's center regulations)

IV. PERSONNEL (mildly-ill regulations)

C. Training Requirements

~~2.3.~~ **Annual In-Service Training**

- d. First aid and CPR training cannot be used towards the annual 10-hour in-service training requirement.

Implementation Date: October 1, 2005

Recommendation #12 – Increase minimum standards for Infant Center Training

Motion: A motion was made by Joseph Smith to approve staff's recommendation to increase minimum standards for Infant Center Training for regulations governing children's centers. Motion adopted.

I. PERSONNEL

C. Training Requirements

INF 3. Infant Center Training

- a. Director Training
- (1) The director shall be required to complete prior to issuance of a temporary permit the approved infant training specifically for directors who plan to provide for infant care.
 - (2) A new director of an existing children's center providing infant care shall be required to complete within ninety (90) days of hire the approved training for infant care. Directors hired prior to October 1, 2005 shall be required to complete the approved training by January 1, 2006.

Implementation Date: October 1, 2006

Motion A motion was made by Commissioner Latvala to approve staff recommendations #13 through #20. Motion adopted.

II. I. B. **Recommendation #13 – Increase minimum standards for General Supervisory Standards**

II. SUPERVISION

A. General Supervisory Standards

6. An isolated ill child must receive direct supervision at all times. The child must be carefully observed for worsening conditions.

Implementation Date: October 1, 2005

Recommendation #14 – Increase minimum standards for use of swimming and wading pools

VIII. PHYSICAL ENVIRONMENT

F. Outdoor Play Space

8. (mildly-ill regulations)

II. SUPERVISION (children's center regulations)

D. Use of swimming and wading pools located at children's centers in Pinellas County

2. Fencing. Any pool shall be securely enclosed by a fence or wall that is safe and maintained. Fencing, including gates must be a minimum height of six (6) feet, must be continuous and shall not have any gaps. The base of the fence must remain at ground level, free from erosion or buildup.

Implementation Date: October 1, 2005

Recommendation #15 – Increase minimum standards for Facility Records

V. RECORDS

A. Facility Records (children's center regulations)

C. Other (mildly-ill regulations)

7. 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 when each child enters and/or departs a group and when the group moves from one indoor/outdoor area to another. Such records shall be maintained for a minimum of four (4) months.
 - b. A current attendance record must accompany staff at all times including but not limited to a drill or actual evacuation and must be used to account for all the children.
 - c. Before closing a children's center each day, an assigned staff member must do a visual sweep of the premises to ensure that no child is left on the premises. The assigned staff member must sign and date a log designed for this purpose to document that all children have departed the premises.

Implementation Date: October 1, 2005

II I. B.

Recommendation #16 - Increase minimum standards for Facility Records**V. RECORDS****A. Facility Records**

8. Medication. Children's centers are not required to give medication, however, if they choose to do so, the following shall apply:
 - a. Prescription and non-prescription medication brought to the children's center by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name of the physician, child's name, name of the medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label.
 - b. If the parent or legal guardian notifies the children's center of any known allergies to medication, written documentation must be maintained in the child's file. Special restrictions to medication must be shared with staff and must be posted with stored medication.

Implementation Date: October 1, 2005

Recommendation #17 - Increase minimum standards for Indoor Play Space**VI. PHYSICAL ENVIRONMENT****C. Indoor Play Space**

- INF** 6. For the care of infants there shall be a separate room for each group with floor to ceiling walls and an exit opening directly to the outdoors. No infant care may occur above the first floor.

Implementation Date: October 1, 2005

Recommendation #18 - Increase minimum standards for Outdoor Play Space**VIII. PHYSICAL ENVIRONMENT****F. Outdoor Play Space**

2. (mildly-ill regulations)

VI. PHYSICAL ENVIRONMENT (children's center regulations)**D. Outdoor Play Space**

Outdoor play space is required and must have safe access and be on the same parcel of land as the building housing the children's center.

Implementation Date: October 1, 2005

II I. B. **Recommendation #19 - Increase minimum standards for Bathroom Facilities**

VIII. PHYSICAL ENVIRONMENT

I. Toilet and Bath Facilities

2. (mildly-ill regulations)

VI. PHYSICAL ENVIRONMENT (children's center regulations)

F. Bathroom Facilities

2. For children's centers there shall be a minimum of two (2) toilets and two (2) wash basins for the first eighteen (18) children. There shall be a minimum of one (1) toilet and one (1) wash basin for every eighteen (18) children. Facilities shall include at least one (1) lavatory and one (1) toilet for every eighteen (18) children, and facilities for bathing children when necessary, with a minimum of two (2) lavatories wash basins and two (2) toilets for each children's center. operating four (4) or more hours each day.

- SA** 6. For school-age centers, having from one to fifteen children, there shall be one toilet and one wash basin there shall be a minimum of two (2) toilets and two (2) wash basins for the first having one (1) to fifteen (15) children. There shall be one toilet and one (1) wash basin for every thirty (30) children thereafter.

Implementation Date: October 1, 2005

Recommendation #20 – Increase minimum standards for Bathroom Facilities, Indoor Equipment, Isolation Area, and Diapering Practices

VIII. PHYSICAL ENVIRONMENT

I. Toilet and Bath Facilities

8. (mildly-ill regulations)

VI. PHYSICAL ENVIRONMENT (children's center regulations)

F. Bathroom Facilities (children's center regulations)

10. Each basin and toilet must be maintained in good operating condition and cleaned and sanitized as needed, at least once per day.

H. Indoor Equipment (children's center regulations)

- INF** 8. A labeled container must be provided for storage of dirty toys and play materials. Toys and equipment must be cleaned and sanitized daily.

I.- Isolation Area (children's center regulations)

2. Such space shall be adequately ventilated, heated, and equipped with a cot and materials that can be easily cleaned and sanitized.

VII. SAFETY, HEALTH AND SANITATION (children's center regulations)

E. Diapering Practices (children's center regulations)

X. HEALTH AND SAFETY (mildly-ill regulations)

F. Diapering Requirements

1. When children in diapers are in care, there shall be a diaper changing area with an impermeable surface, which is cleaned and sanitized after each use.

Implementation Date: October 1, 2005

- II. I. B. **Recommendation #21 - Increase minimum standards for Indoor Equipment**
 Motion: A motion was made by Barbra Mastrota to approve staff's recommendation to modify the proposed increase for minimum standards for Indoor Equipment in regulations governing children's centers and numbers 1, 2, 3, 4, 5 for specialized children's centers for mildly-ill children. Motion adopted.

VIII. PHYSICAL ENVIRONMENT

E. Indoor Equipment. 1., 2., 3., 6., 7., (mildly-ill regulations)

VI. PHYSICAL ENVIRONMENT (children's center regulations)

H. Indoor Equipment

6. For preschool children, adequate and appropriate equipment and materials shall include but are not limited to:
- Dramatic play materials: toy housekeeping furniture, supplies, and props.
 - Construction play materials: fluid and structured: unit blocks, water play, sand play, and other mediums.
 - Art, music, and creative expression materials: easels, paints, brushes, paper, scissors, crayons, markers, clay/play dough, rhythm instruments, and a source of music, such as a tape or CD player.
 - Early literacy and language materials: books, puppets, flannel boards, and writing supplies.
 - Science and math games and materials: magnifying glasses, magnets, measuring equipment, textured objects, geometric shapes, and supplies for counting, matching, sorting, patterning and sequencing.
 - Gross and fine motor development: balls, climbing and balancing equipment, puzzles, and other manipulatives.
 - Other materials that will enhance the child's development.

For programs using nationally recognized early childhood educational theory, such as Montessori programs, equivalent equipment and materials may be used. Equivalences must be approved by the License Board for adequacy and appropriateness.

Implementation Date: October 1, 2006

- Motion: **A motion was made by Joseph Smith to approve staff recommendations #22 through #25. Motion adopted.**

Recommendation #22 - Increase minimum standards for Emergency Procedures and Notification

X. HEALTH AND SAFETY

D. Emergency Procedures and Notification

7. (mildly-ill regulations)

VII. SAFETY, HEALTH AND SANITATION (children's center regulations)

C. Emergency Procedures and Notification

6. To continue operation when a children's center or the property sustains damage from a natural disaster, fire, or other event, the License Board staff must be notified within twenty-four (24) hours. If the children's center closes temporarily, prior to re-opening, the License Board staff must inspect to ensure health and safety standards.

Implementation Date: October 1, 2005

II. I. B. **Recommendation #23 - Increase minimum standards for License Change**

X. APPLICATION, FEES, LICENSE

F. License Change

1. Application for change
 - a. For the following, a children's center application for a change of license is to be filed with appropriate fees:
 - (2) Addition/change of category(ies)
 - (g) to school age center
 - (h) to school age center and day nursery

Implementation Date: October 1, 2005

Recommendation #24 – Increase minimum standards for License Change

II. GENERAL INFORMATION

F. License change

2. (mildly-ill regulations)

X. APPLICATION, FEES, LICENSE (children's center regulations)

F. License Change

2. Request for Change
 - a. Children's centers making the following changes affecting the face of their license must submit a Children's Center Request for License Change:

These changes include:

 - (6) Capacity,
 - (a) Decrease in capacity;
 - (b) Increase in capacity of five (5) or less children (excluding the addition of infant care), which does not necessitate additional staff, space, bathrooms, or equipment.

Implementation Date: October 1, 2005

Recommendation #25 – Increase minimum standards for License Term

II. GENERAL INFORMATION

G. Term; Assignment

1. (mildly-ill regulations)

X. APPLICATION, FEES, LICENSE (children's center regulations)

G. Term; Assignment

1. A license or permit and renewals thereof shall be valid only in the hands of the applicant to whom it is issued, and shall not be subject to sale, assignment, or transfer, voluntary, or involuntary, nor shall a license be valid for any premises other than those for which license or permit was originally issued. The license shall be valid for a period of one (1) year from the date of issuance. If the owner/operator voluntarily closes the children's center, the license will be considered null and void.

Implementation Date: October 1, 2005

Motion: A motion was made by Commissioner Latvala to approve staff recommendations #1 through #17. Motion adopted.

II. I. C. **Recommendation #1 – Capacity definition**

Capacity - Capacity means license capacity which is the maximum number of children allowed in attendance at any given time.

Implementation Date: October 1, 2005

Recommendation #2 – Increase Child Care Personnel definition

Child Care Personnel - Child care personnel means all owners, operators, employees, and volunteers working in a family day care home. A volunteer who assists and/or is responsible for supervision of children must meet child care personnel regulations for screening and training.

Implementation Date: October 1, 2005

Recommendation #3 – State Approved CDA Equivalency (CDAE) definition

State Approved CDA Equivalency (CDAE) - State approved CDA equivalency (CDAE) means a training program that has been approved by the Department of Children and Family Services as meeting or exceeding the criteria established for an equivalency program.

Implementation Date: October 1, 2005

Recommendation #4 – Enforcement Plan definition

Enforcement Plan - Enforcement plan means a plan of progressive enforcement actions approved by the Board, consisting of incremental steps of intervention when reoccurring noncompliance is documented or an incident of serious risk to a child(ren) has occurred.

Implementation Date: October 1, 2005

Recommendation #5 – Evening Care definition

Evening Care - Evening care means child care provided between 6:00 pm - 12:00 am.

Implementation Date: October 1, 2005

Recommendation #6 – Licensing Regulations definition

Licensing Regulations - Licensing Regulations means *Licensing Regulations Governing Pinellas County Family Day Care Homes and Large Family Child Care Homes*.

Implementation Date: October 1, 2005

Recommendation #7 – Overnight Care definition

Overnight Care - Overnight care means child care provided past 12:00 am.

Implementation Date: October 1, 2005

II. I. C. **Recommendation #8 – Increase minimum standards for General Qualifications. Personnel in Family Day Care Homes**

I. PERSONNEL

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

- 2. An application will not be considered complete until the License Board receives proof of background screening clearance on the operator/applicant of the family day care home and all other household members, substitutes, and employees who are subject to background screening. A screening conducted under this rule is valid for five (5) years, at which time a statewide re-screening must be conducted. The 5-year re-screening must include, at a minimum, statewide criminal records checks through the Florida Department of Law Enforcement and a local criminal records check.

Implementation Date: October 1, 2005

Recommendation #9 – Increase minimum standards for General Qualifications. Personnel in Family Day Care Homes

I. PERSONNEL

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

- 3. Shall Be of Good Character.
Good moral character based upon screening. This screening shall be conducted as provided in Chapter 435, using level 2 standards for screening set forth in that chapter.

Additionally, an Affidavit of Good Moral Character, must be completed annually for all operators/applicants and all other household members, substitutes and employees who are subject to background screening. The affidavit may be obtained from the License Board office or by accessing the Pinellas County License Board website at www.pclb.org.

- 4. . .
- 5. . .
- 6. Family day care home providers, applicants, substitutes, household members, and employees must be re-screened following a break in operation of the family day care home which exceeds 90-days. A person in this category must undergo the same level of screening which was required at the time of initial operation of the family day care home. If the operator/applicant takes a leave of absence, such as maternity leave, extended sick leave, etc., re-screening is not required unless the 5-year re-screening has come due during the leave of absence.

Implementation Date: October 1, 2005

II. I. C. **Recommendation #10 – Increase minimum standards for General Qualifications. Personnel in Family Day Care Homes**

I. PERSONNEL

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

13. The family day care home license shall be issued in the name of the operator who must be at least twenty-one (21) years of age, and a resident of the family day care home. The operator of a family day care home may not work outside of the home or conduct a business from the home during the hours when the family day care home is operating. In the event of rental or leased property the operator shall be the individual who occupies the residence.

Implementation Date: October 1, 2005

Recommendation #11 – Increase minimum standards for Supervision

I. PERSONNEL

C. Supervision

2. A child in care shall not be released to any person other than the person(s) authorized, or in the manner authorized in writing, by the custodial parent or legal guardian(s).

Implementation Date: October 1, 2005

Recommendation #12 – Increase minimum standards for Facility Records

II. RECORDS

A. Facility Records

7. Medication

Family day care homes are not required to give medication, however, if they choose to do so, the following shall apply:

- a. Prescription and non-prescription medication brought to the family day care home by the custodial parent or legal guardian must be in the original container. Prescription medication must have the label stating the name of the physician, child's name, medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label.
- b. If the parent or legal guardian notifies the family day care home of any known allergies to medication, written documentation must be maintained in the child's file.

Implementation Date: October 1, 2005

II. I. C. Recommendation #13 – Increase minimum standards for Facility Records**II. RECORDS****A. Facility Records**

10. In addition to posting the license as required, the provider shall post with the license:
 - a. Each administrative fine for a violation of any standard.
 - b. An explanation, written in simple language, of each administrative fine.
 - c. A description, written in simple language, of the corrective action, if any, taken by the provider for each administrative fine. Included in the description shall be the dates on which the corrective action was taken.
 - d. Each administrative fine, explanation, and description of corrective action shall remain posted for one (1) year after issuance date.

Implementation Date: October 1, 2005

Recommendation #14 – Increase minimum standards for Facility Records**II. RECORDS****A. Facility Records**

11. The most recent License Board inspection report shall be readily available to parents.

Implementation Date: October 1, 2005

Recommendation #15 – Increase minimum standards for First Aid Treatment and Emergency Procedures**III. SAFETY, HEALTH AND SANITATION****A. First Aid Treatment and Emergency Procedures**

2. Emergency Procedures and Notification
 - f. To continue operation when a family day care home or property sustains damage from a natural disaster, fire, or other event, the License Board staff must be notified within twenty-four (24) hours. If the family day care home closes temporarily, prior to re-opening, the License Board staff must inspect to ensure health and safety standards.

Implementation Date: October 1, 2005

Recommendation #16 – Increase minimum standards for Building**IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES****A. Building**

7. Any animal which according to the records of Pinellas County Animal Services has bitten a human more than once, or exhibited aggressive behavior, or has been declared dangerous pursuant to Chapter 767.12, Chapter 14 Pinellas County Code, or any comparable law, shall not be on the property of the family day care home.

Implementation Date: October 1, 2005

II. I. C. **Recommendation #17 – Increase minimum standards for Building**
IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES

A. Building

11. All exits leading to the outside of the family day care home shall be free of any obstruction.

Implementation Date: October 1, 2005

Recommendation #18 – Increase minimum standards for Building

Motion: A motion was made by Commissioner Latvala to modify staff's recommendation to increase minimum standards for Building for regulations governing family day care homes. Motion adopted.

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES

A. Building

12. Homes shall not have burglar bars. Homes holding a valid license on December 31, 2005, and having burglar bars may maintain those bars, however they are required to pass an annual inspection by the fire department.

Implementation Date: October 1, 2005

Motion: **A motion was made by Commissioner Latvala to approve staff recommendations #19 through #26. Motion adopted.**

Recommendation #19 – Increase minimum standards for Indoor Floor Space

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES

B. Indoor Floor Space ~~Indoor Play Space~~

1. A family day care home must have thirty-five (35) square feet of usable indoor floor space per child, which does not include bedrooms unless it can be demonstrated that these bedrooms are used as multipurpose activity rooms.
2. Usable indoor floor space refers to that space available for indoor play and activities. Usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures, and non-moveable furniture. Kitchens, offices, laundry rooms, storage areas, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space.
3. Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.
4. Where infants are in care, they shall have open indoor floor space outside of cribs and playpens.

Implementation Date: October 1, 2005

Recommendation #20 – Increase minimum standards for Outdoor Play Space

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES

C. Outdoor Play Space

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

Implementation Date: October 1, 2005

II. I. C.

Recommendation #21 – Increase minimum standards for Outdoor Play Space**IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES****C. Outdoor Play Space**

4. Fencing, including gates must be sturdy and secure and continuous and shall not have gaps that would allow children to exit the outdoor play area. The base of the fence must remain at ground level, free from erosion or buildup.
5. All equipment, fences, and objects on the family day care home premises shall be free of sharp, broken, and jagged edges and properly placed to prevent overcrowding or safety hazards in any one area.

Implementation Date: October 1, 2005

Recommendation #22 – Increase minimum standards for Equipment Maintenance**IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES****D. Equipment Maintenance**

1. Toys must be safe and maintained in a sanitary condition.
2. All play equipment shall be securely anchored, unless portable by design, in good repair, maintained in safe condition, and placed to ensure safe usage by the children. Maintenance shall include checks at least every other month of all supports, above and below the ground, and all connectors and moving parts.
3. Permanent playground equipment must have ground cover or other protective surface under the equipment, which provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls.
4. All equipment used in the outdoor play area shall be constructed to allow for water drainage and maintained in a safe and sanitary condition.

Implementation Date: October 1, 2005

Recommendation #23 – Increase minimum standards for Nutrition Practices**VI. NUTRITION PRACTICES**

- E. Children shall be individually fed or supervised at feedings and offered foods appropriate for their age. There shall be no propped bottles for infants. Formula shall be refrigerated and handled in a sanitary manner.

Implementation Date: October 1, 2005

Recommendation #24 – Increase minimum standards for Nutrition Practices**VI. NUTRITION PRACTICES**

- F. Formula shall not be heated in the microwave oven.

Implementation Date: October 1, 2005

II. I. C. **Recommendation #25 – Increase minimum standards for Term; Assignment**
IX. APPLICATION, FEE, LICENSE

F. Term; Assignment

A license or permit and renewals thereof shall be valid only in the hands of the applicant to whom it is issued, and shall not be subject to sale, assignment, or transfer, voluntary or involuntary, nor shall a license be valid for any premises other than those for which license or permit was originally issued. The license shall be valid for a period of one (1) year from the date of issuance.

If the provider voluntarily closes the family day care home or large family child care home, the license will be considered null and void.

Implementation Date: October 1, 2005

Recommendation #26 – Increase minimum standards for Inspection of Family Day Care Homes

XIII. ENFORCEMENT of FAMILY DAY CARE HOMES

A. Inspection of Family Day Care Homes

1. A licensed family day care home or large family child care home shall accord to the License Board the privilege of inspection, including access to the entire premises of the family day care home, large family child care home and personnel and to the records required in Licensing Regulations at reasonable times during regular business hours, to ensure compliance with the provisions of License Regulations.

The right of entry and inspection shall also extend to any premises which the License Board has reason to believe are being operated or maintained as a family day 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 Licensing Regulations or the advertisement to the public for the provision of child care as defined in Licensing Regulations 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 family day care home refuses permission for entry or inspection to the License Board, a warrant shall be obtained from the circuit court authorizing same prior to such entry or inspection. The License Board may institute disciplinary proceedings pursuant to disciplinary actions XIII for such refusal.

2. Access to the family day care home also includes access by the parent, legal guardian, and/or custodian, to their child(ren) while in care.

Implementation Date: October 1, 2005

- II. I. C. **Recommendation #1A - Increase the Large Family Child Care Home definition**
Motion: A motion was made by Commissioner Latvala to approve staff's recommendation to modify proposed increase for Large Family Child Care Home definition for regulations governing large family child care homes. Motion adopted.

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 unrelated households and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. 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: . . .

Implementation Date: October 1, 2005

- Motion: **Recommendation #1B – Increase minimum standards for General Qualifications**
A motion was made by Commissioner Latvala to approve staff's recommendation to increase minimum standards for General Qualifications for regulations governing large family child care homes. Motion adopted.

I. PERSONNEL

A. General Qualifications

1. The operator and the home must meet the following requirements:
 - a. Must have been licensed as a family day care home in Pinellas County for two consecutive years.

Implementation Date: October 1, 2005

- Motion: **A motion was made by Commissioner Latvala to approve staff recommendations #2 and #3. Motion adopted.**

Recommendation #2 – Increase minimum standards for General Qualifications

I. PERSONNEL

A. General Qualifications

2. The operator of a large family child care home may not work outside of the home or conduct a business from the home during the hours when the large family child care home is operating. Other child care staff may not work outside of the home or conduct a business while responsible for providing direct supervision to children in care. In the event of rental or leased property the operator shall be the individual who occupies the residence.

Implementation Date: October 1, 2005

II. I. C. **Recommendation #3 – Increase minimum standards for Supervision**

I. **PERSONNEL**

C. **Supervision**

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

Implementation Date: October 1, 2005

J. A. **Recommendation #1 – Decrease minimum standards for Bathroom Facilities and Toilet and Bath Facilities**

Motion: A motion was made by Commissioner Latvala to approve staff's recommendation to decrease minimum standards for Bathroom Facilities for regulations governing children's centers and Toilet and Bath Facilities for regulations governing specialized children's centers for mildly-ill children. Motion adopted.

(children's center regulations)

VI. PHYSICAL ENVIRONMENT

F. **Bathroom Facilities**

2. For children's centers, having one (1) to thirty-six (36) children, there shall be a minimum of two (2) toilets and two (2) wash basins. There shall be a minimum of one (1) toilet and one (1) wash basin for every eighteen (18) children thereafter.
- SA 6.** For school-age centers, having one (1) to thirty (30) children, there shall be a minimum of two (2) toilets and two (2) wash basins. There shall be one (1) toilet and one (1) wash basin for every thirty (30) thereafter.

(mildly-ill regulations)

VIII. PHYSICAL ENVIRONMENT

I. **Toilet and Bath Facilities**

2. For children's centers for mildly- ill children having one (1) to twenty (20) children, there shall be a minimum of two (2) toilets and two (2) wash basins. There shall be a minimum of one (1) toilet and one (1) wash basin for every ten (10) children thereafter.

Implementation Date: August 3, 2005

II. J. A.

Motion:

Recommendation #2 – Decrease minimum standards for License Change

A motion was made by Commissioner Latvala to approve staff's recommendation to decrease minimum standards for License Change for regulations governing children's centers and specialized children's centers for mildly-ill children. Motion adopted.

(children's center regulations)

X. APPLICATION, FEES, LICENSE**F. License Change**

1. Application for change
 - a. For the following, a children's center application for a change of license is to 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) of/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
 - b. The application for change of license is to be filed and approved before the change occurs. A temporary permit is issued when all requirements are met. The application for license change must be presented to the License Board for determination. It is not a renewal with the automatic issuance of license.

(mildly-ill regulations)

II. GENERAL INFORMATION**F. License Change**

1. Application for Change
 - a. For the following, a children's center application for a change of license is to be filed with appropriate fees:
 - (1) Addition of owner
 - (2) Increase of capacity
 - (3) Change of age limits
 - b. The application for change of license is to be filed and approved before the change occurs. A temporary permit is issued when all requirements are met. The application for license change must be presented to the License Board for determination.

Implementation Date: August 3, 2005

- II. J. A. **Recommendation #3 – Decrease minimum standards for Outdoor Play Space**
Motion: A motion was made by Commissioner Latvala to approve staff's recommendation to decrease minimum standards for Outdoor Play Space for regulations governing children's centers and specialized children's centers for mildly-ill children. Motion adopted.

(children's center regulations)

VI. PHYSICAL ENVIRONMENT

D. Outdoor Play Space

Outdoor play space is required and must have safe ingress and egress and be on the same premises as the building housing the children's center.

(mildly-ill regulations)

VIII. PHYSICAL ENVIRONMENT

F. Outdoor Play Space

1. Child care facilities for mildly-ill children are not required to provide outdoor play space.
2. Should a children's center choose to provide outdoor play space, it shall be physically separated from that space provided for well children and must have safe ingress and egress and be on the same premises as the building housing the children's centers.

Implementation Date: August 3, 2005

- Motion: **Recommendation #4 – Decrease minimum standards for General requirement**
A motion was made by Donna Rippley to approve staff's recommendation to decrease minimum standards for General Requirements for regulations governing children's centers. Motion adopted.

VII. SAFETY, HEALTH AND SANITATION

A. General Requirements

9. No firearms or weapons as defined in Section 790.001, F.S., shall be allowed within any building or conveyance, or upon any person located on the premises, excluding federal, state or local law enforcement officers.

Implementation Date: August 3, 2005

- B. **Recommendation #1 – Decrease minimum standards for General Qualifications. Personnel in Family Day Care Homes**
Motion: A motion was made by Commissioner Latvala to approve staff's recommendation to decrease minimum standards for General Qualifications. Personnel in Family Day Care Homes for regulations governing family day care homes. Motion adopted.

I. PERSONNEL

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

8. All family day care home operators, household members, employees, or substitutes shall be free from the influence of drugs which impairs their ability whether narcotic or non-narcotic. While children are in care, alcohol use is prohibited within the family day care home and all outdoor areas of the home.

Implementation Date: August 3, 2005

- II. J. B. **Recommendation #2 – Decrease minimum standards for Application**
Motion: A motion was made by Joseph Smith to approve staff's recommendation to decrease minimum standards for Application for regulations governing family day care homes. Motion adopted.

IX. APPLICATION, FEE, LICENSE

A. Application

5. Family Day Care Home Addition of Provider's Name(s)
 - a. Family day care home application for change of license is to be filed for an addition of a provider's name(s).
 - b. The application for change of license is to be filed and approved before the change occurs even though this may be before the date of license expiration. A temporary permit is issued when all requirements are met. The application for license change must be presented to the License Board for determination. It is not a renewal with the automatic issuance of license.

Implementation Date: August 3, 2005

Recommendation #3 – Decrease minimum standards for Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes

- Motion: A motion was made by Joseph Smith to approve staff's recommendation to decrease minimum standards for Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes for regulations governing family day care homes and large family child care homes. Motion adopted.

IV. PHYSICAL PLANT HOUSING FAMILY DAY CARE HOMES

E. Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes

4. (deleted)

Implementation Date: August 3, 2005

II. K. A. **Recommendation – Approve regulations meeting state rules (all shaded regulations) for:**

- ♦ ***Licensing Regulations Governing Pinellas County Children’s Centers***
- ♦ ***Licensing Regulations Governing Pinellas County Specialized Children’s Centers for Mildly-Ill Children***

Motion: A motion was made by Joseph Smith to approve staff’s recommendation to approve regulations meeting state rules (all shaded regulations) for:

- ♦ *Licensing Regulations Governing Pinellas County Children’s Centers*
- ♦ *Licensing Regulations Governing Pinellas County Specialized Children’s Centers for Mildly-Ill Children*

Motion adopted.

Implementation Date: February 1, 2006

B. **Recommendation #1 – Increase minimum standards for General Qualifications. Personnel**

Motion: A motion was made by Joseph Smith to approve staff’s recommendation to increase minimum standards for General Qualifications. Personnel in children’s centers for regulations governing children’s centers and specialized children’s centers for mildly-ill children. Motion adopted.

IV. PERSONNEL

A. General Qualifications

3. (mildly-ill regulations)

I. PERSONNEL (children’s center regulations)

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

3. Shall be free from the influence of drugs which impairs their ability whether narcotic or non-narcotic ~~or under~~ and be free from the influence of alcohol. ~~which impairs their ability~~

Implementation Date: February 1, 2006

Recommendation #2 – Increase minimum standards for Building

Motion: A motion was made by Joseph Smith to approve staff’s recommendation to increase minimum standards for Building for regulations governing children’s centers. Motion adopted.

VI. PHYSICAL ENVIRONMENT

A. Building

1. The building to be used for housing children in a children’s center shall conform to the building, electrical, and zoning codes of the local authority within whose jurisdiction the children’s center is located. It shall conform to the fire regulations of the local fire authority within whose jurisdiction the children’s center is located or to the public school fire code (Chapter 6A-2 F.A.C.) if licensed program is operated in a public school. Any costs required to be paid to procure such inspection and the appropriate certification shall be paid by the applicant directly to the inspecting authority.

Implementation Date: February 1, 2006

- II. K. B. **Recommendation #3 – Increase minimum standards for Sanitation and Safety**
 Motion: A motion was made by Commissioner Latvala to approve staff’s recommendation to increase minimum standards for Sanitation and Safety for regulations governing specialized children’s centers for mildly-ill children. Motion adopted.

VIII. PHYSICAL ENVIRONMENT

B. Sanitation and Safety

- 10. No firearms or weapons as defined in Section 790.001, F.S., shall be allowed within any building or conveyance, or upon any person located on the premises, excluding federal, state or local law enforcement officers, shall be kept on the premises.

Implementation Date: February 1, 2006

- C. **Recommendation #1 – Increase minimum standards for Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes**

- Motion: A motion was made by Commissioner Latvala to modify staff’s recommendation to increase minimum standards for Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes for regulations governing family day care homes. Motion adopted.

IV. Physical Plant Housing Family Day Care Homes

E. Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes

- 1. Fences and Locks

a. . . .

All doors ~~or~~ and gates in the fence or barrier shall be locked at all times when children are in care. In addition ~~to the fence, barrier, or pool alarm,~~ the family day care home operator shall ensure that all exterior ~~doors~~ egress and ingress leading to the pool, spa, or hot tub area remain locked at all times while children are in care.

Implementation Date: February 1, 2006

- Recommendation #2 – Increase minimum standards for Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes**

- Motion: A motion was made by Ben Shirley to approve staff’s recommendation to increase minimum standards for Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes for regulations governing family day care homes. Motion adopted.

IV. Physical Plant Housing Family Day Care Homes

E. Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes

- 4. Swimming pool and/or spa are off limits to all children, the provider, and other adults when children are in care.

Implementation Date: February 1, 2006

Commissioner Latvala no longer present.

II. K. C. **Recommendation #3 – Increase minimum standards for Fines**

Motion: A motion was made by Donna Rippley to approve staff's recommendation to increase minimum standards for Fines for regulations governing large family child care homes. Motion adopted.

~~VIII. Fines~~

VIII. Enforcement

- A. Large family child care homes shall meet all requirements in *Licensing Regulations Governing Pinellas County Family Day Care Homes* in addition to the requirements listed herein.
- B. Large Family Child Care Homes will be subject to the same policies and procedures found in Section XIII. ENFORCEMENT OF FAMILY DAY CARE HOMES.
- C. The Pinellas County License Board may impose an administrative fine, not to exceed \$1,000, for failure to comply with licensure requirements.

Implementation Date: February 1, 2006

Recommendation #4 – Increase minimum standards for License Required; Injunctive Relief

Motion: A motion was made by Barbra Mastrota to modify staff's recommendation to increase minimum standards for License Required; Injunctive Relief for regulations governing family day care homes. Motion adopted.

XIII. ENFORCEMENT OF FAMILY DAY CARE HOMES

J. License Required; Injunctive Relief

1. The operation of a family day care home without a license ~~or a large family child care home without a license~~ is prohibited. If the License Board discovers that a family day care home is being operated without a license, ~~or a large family child care home is being operated without a license,~~ the License Board is authorized to seek an ~~injunction~~ injunctive relief in the circuit court where the ~~family day care home~~ is located to ~~stop enjoin~~ continued operation of the family day care home ~~or large family child care home~~ that is not licensed. ~~When the court is closed for the transaction of judicial business, the License Board is authorized to seek an emergency injunction to stop enjoin continued operation of such unlicensed family day care home, or unlicensed large family child care home, which injunction shall be continued, modified, or revoked on the next day of judicial business. For licensed family day care homes, the License Board shall also have the authority to seek an injunction in the circuit court where the home is located to stop the continued operation if the family day care home is in violation of the minimum standards.~~
2. Other grounds for seeking an injunction to close a family day care home, ~~or large family child care home~~ are that:
 - a. There is any violation of the standards applied under Licensing Regulations which threatens harm to any child in ~~the~~ a family day care home, or large family child care home.
 - b. A licensee has repeatedly violated the standards provided for under Licensing Regulations.
 - c. A family day care home, ~~or large family child care home~~ continues to have children in attendance after the closing date established by the License Board.

II. K. C. **Recommendation #4 – continued**

3. An administrative fine may be imposed on any family day care home, or large family child care home operating without a license consistent with the provisions of Licensing Regulations XIII.I.

Implementation Date: February 1, 2006

Motion: A motion was made by Ben Shirley to hold a Public Hearing on November 2, 2005, from 1:30 – 1:45 or until the last person speaks, in conference room B located at 6698 68th Avenue North, Pinellas Park. Motion adopted.

L. **Proposed deletion of 19 Board Policies**

Motion: A motion was made by Barbara Backus to delete the following 19 Board Policies. Motion adopted.

1. **Deletion: Advertising** (Approved May 19, 1986)
2. **Deletion: Authority to Adopt New Department of Children and Families Rules** (Approved September 30, 1985, revised May 3, 1995 and March 6, 2002)
3. **Deletion: Application Fee** (Approved April 17, 1978, revised March 21, 1983, December 5, 1990, April 1, 1991, and March 6, 2002)
4. **Deletion: Center Renovation – Inspections Required** (Approved August 29, 1977, revised February 3, 1993)
5. **Deletion: Children’s Center Request for License Change** (Approved March 1, 1995, revised March 6, 1996 and November 3, 1999)
6. **Deletion: College Credit Requirements** (Approved August 29, 1977, revised April 21, 1980, June 2, 1993, and December 4, 2002)
7. **Deletion: Definition: Child Care** (Approved September 24, 2003, revised December 3, 2003)
8. **Deletion: Enforcement for Children’s Centers and Family Day Care Homes** (Approved September 3, 1997)
9. **Deletion: Exemption Examination** (Approved August 29, 1977, revised December 20, 1978, April 4, 1990, February 3, 1993 and March 1, 1995)
10. **Deletion: Family Day Care Home Request for License Change** (Approved March 1, 1995)
11. **Deletion: Indoor Equipment – Cot Covers** (Approved August 29, 1977, revised February 3, 1993)
12. **Deletion: Kindergarten Entrance Age** (Approved December 21, 1981, revised November 19, 1984)

- II. L. **13. Deletion: Large Family Child Care Home Requirement Compliance** (Approved March 6, 2002)
- 14. Deletion: Licensing the School Age Center** (Approved August 29, 1977, revised February 21, 1989, March 1, 1995, and December 4, 2002)
- 15. Deletion: Probationary Provisional License** (Approved July 7, 1999)
- 16. Deletion: Rescreening of Child Care Personnel** (Approved December 4, 2002)
- 17. Deletion: Rules and Regulations For Use of Swimming and Wading Pools Located at Children's Centers in Pinellas County** (Approved December 20, 1978, revised February 15, 1982)
- 18. Deletion: Teacher "In The Process"** (Approved August 29, 1977, revised February 3, 1993 and March 1, 1995)
- 19. Deletion: Temporary Permit** (Approved August 29, 1977, revised May 3, 1995)

Proposed Revision #1: Children's Center License – Change (Approved August 29, 1977, revised April 17, 1978, March 1, 1995, March 6, 1996))

Motion: A motion was made by Joseph Smith to approve proposed revision to Board Policy Children's Center License – Change. Motion adopted.

Every license is to be accompanied by a statement notifying the applicant that if any change is contemplated which would affect any information on the license, the applicant is responsible for notifying the License Board office to see if an application for a new license, an application for change of license, or Request for License Change is required.

Proposed Revision #2: Family Day Care Home Addition of Provider's Name(s) (approved August 29, 1977, revised April 17, 1978, March 1, 1995)

Motion: A motion was made by Joseph Smith to approve proposed revision to Board Policy Family Day Care Home Addition of Provider's Name(s). Motion adopted.

Every license is to be accompanied by a statement notifying the applicant that if any change is contemplated which would affect any information on the license, the applicant is responsible for notifying the License Board office to see if an application for a new license, an application for change of license, or a Request for License change is required.

Proposed Deletion #3: Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes (Approved September 20, 1982, revised April 4, 1990, May 3, 1995, and September 24, 2003)

Motion: A motion was made by Ben Shirley to modify proposed revision to Board Policy Rules for Pools Located at Family Day Care Homes and Large Family Child Care Homes. Motion adopted.

STATEMENT ON TEMPORARY PERMIT AND LICENSE: Temporary permit and license shall include the applicable statement that follows:

- a. Swimming pool (or spa) is off limits when children are in care.

II. M.

Motion: A motion was made by Barbara Backus to approve the JWB budget request. Motion adopted.

N.

Motion: A motion was made by Joseph Smith to modify staff's recommendation and therefore direct staff to conduct a fact finding mission in order to develop procedures to be followed by PCLB in the aftermath of a disaster. Motion adopted.

Motion: A motion was made by Joseph Smith to modify staff's recommendation and therefore approve the following waiver. Motion adopted.

PCLB staff may issue an emergency waiver to places of employment including but not limited to county facilities, hospitals, and places of business to provide emergency temporary child care in a state of emergency for Pinellas County for personnel including mandated first responders, hospital personnel, and other similarly essential personnel.

Citizen Comment:

Mary Roberts, large family child care home provider, requested that Board consider an adult child ratio similar to the state of Florida: 6 children, 3 under 12 months.

Respectfully submitted,

Donna Rippley, Secretary