

Specific Authority 420.507(12) FS. Law Implemented 420.5099 FS. History--New 7-22-96, Repromulgated 12-23-96, 1-6-98, Formerly 9I-48.031, Amended 11-9-98, Repromulgated 2-24-00, 2-22-01, 3-17-02, 4-6-03, 3-21-04, Amended 2-7-05, 1-29-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Vicki Robinson, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephen P. Auger, Executive Director, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol 32, No. 34, August 25, 2006

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF LAW ENFORCEMENT
Division of Criminal Justice Information Systems

RULE NO.: 11C-6.010
RULE TITLE: Retention of Applicant Fingerprints
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 50, December 15, 2006 issue of the Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

RULE NO.: 25-40.001
RULE TITLE: Exceptions to the Uniform Rules of Procedure
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 1, January 5, 2007 issue of the Florida Administrative Weekly.

Notice is hereby given that the following correction has been made to Rule 25-40.001, which was noticed as a proposed rule in Vol, 33, No. 1, January 5, 2007, issue of the Florida Administrative Weekly. The Rule Development Notice was published in Vol. 32, No. 50, December 15, 2006, instead of

Vol. 32, No. 44, November 3, 2006, as stated in the Notice of Rule Proposal. The foregoing correction does not affect the substance of the rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CORRECTION IS: Larry D. Harris, Associate General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0852, Telephone (850)413-6076. Docket No. 050108-OT.

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Purchasing

RULE NO.: 60A-1.041
RULE TITLE: Solicitation Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 32, August 11, 2006, issue of the Florida Administrative Weekly. These changes are in response to written material received on or before the date of the final public hearing, comments received by the Department during the final public hearing and comments received from staff of the Joint Administrative Procedures Committee.

The above-mentioned rules are changed as follows:

60A-1.041 Solicitation Requirements.

(1) through (3) No change.

(4) Certification of Contract Negotiators – Persons seeking certification as a contract negotiator shall complete and submit to the Department Form PUR 2011 ##### (0#/07 06), "Application for Certification as Contract Negotiator." Applicants shall either scan the completed form and submit it electronically to PURCertification@dms.state.fl.us, fax the form to the Department as provided in the PUR 2011 or mail the completed form to State Purchasing, Department of Management Services, 4050 Esplanade Way, Ste. 360, Tallahassee, FL 32399-0950. The Department shall certify as a contract negotiator any state or political subdivision employee who satisfies the following criteria:

(a) Any person certified by the Department as a Florida Certified Negotiator prior to the effective date of this administrative rule shall retain their contract negotiator status. The Department will issue to each prior-certified negotiator a new certificate reflecting his or her status as a Certified Contract Negotiator. Submission of Form PUR 2011 ##### will not be required;

(b) Any person who has: (1) completed either the National Institute of Governmental Purchasing ("NIGP") NIGP General Public Procurement seminar or the NIGP Sourcing in the Public Sector seminar or Department-approved equivalent; (2) completed the NIGP Negotiation Strategies seminar offered by the Department or Department-approved equivalent; (3) completed the Department's Negotiation in Florida seminar or

Department-approved equivalent training by another agency of the State of Florida; (4) worked a minimum of twelve (12) months as either a purchasing agent, contract manager or contract administrator for the State of Florida or one of its political subdivisions where the job description for the position required that at least half of the individual's designated duties included: procuring commodities or services; ~~or~~ participating in contract negotiation, ~~or~~ contract management or contract administration; or working ~~worked~~ as a state or political subdivision agency attorney whose duties included providing legal counsel to an agency's purchasing or contracting staff; and (5) led at least one federal, state or local government negotiation team through a negotiated procurement or served on at least three federal, state or local government negotiation teams;

(c) Any person holding a Masters in Business Administration or other graduate level business degree from a state accredited college or university ~~an M.B.A. (or similar graduate degree)~~ who has: (1) completed either the NIGP General Public Procurement seminar, the NIGP Sourcing in the Public Sector seminar or Department-approved equivalent; (2) completed a semester-long business school or graduate level class on negotiation, the Negotiation Strategies seminar offered by the Department, or Department-approved equivalent; (3) completed the Department's Negotiation in Florida seminar or Department-approved equivalent training by another agency of the State of Florida; (4) worked a minimum of twelve (12) months as either a purchasing agent, contract manager, or contract administrator for the State of Florida or one of its political subdivisions where the job description for the position required that at least half of the individual's designated duties included: procuring commodities or services; their participating in contract negotiations, contract management or contract administration; or working as a state or political subdivision agency attorney whose duties included providing legal counsel to an agency's purchasing or contracting staff; and (5) led at least one a federal, state or local government negotiation team through a negotiated procurement or served on at least three federal, state or local government negotiation teams; ~~(2) completed either a semester long business school or graduate level class on negotiation; and (3) completed the Department's Negotiations in Florida class; or~~

(d) Any state or political subdivision agency attorney currently licensed by the Florida Bar who has: (1) completed either the NIGP General Public Procurement seminar, the NIGP Sourcing in the Public Sector seminar or Department-approved equivalent; ~~led a federal, state or local government negotiation team through a procurement or served on at least three federal, state or local government negotiation teams;~~ (2) completed a semester-long business school or graduate level class on negotiation, the Negotiation Strategies seminar offered by the Department, or Department-approved equivalent; ~~and~~ (3) completed the Department's Negotiations in Florida seminar ~~class~~ or Department-approved equivalent

training by another agency of the State of Florida; (4) worked a minimum of twelve (12) months as a state or political subdivision agency attorney whose duties included providing legal counsel to an agency's purchasing or contracting staff; and (5) led at least one federal, state or local government negotiation team through a negotiated procurement or served on at least three federal, state or local government negotiation teams.

(5) Department-Approved Negotiation Training Equivalent is training in the form of classes or seminars taken to ensure that certified contract negotiators are: trained in effective negotiation strategies; are capable of successfully implementing those strategies during contract negotiations; and familiar with what is required of them in their role in the procurement process as a contract negotiator. In satisfying the equivalent training requirement, employees seeking certification or recertification may either select training classes from the state term contract or other Department listing that identifies pre-approved negotiation training courses or may, on a case-by-case basis, request that the Department separately approve a course or courses not listed on the state term contract or elsewhere by the Department, by completing and submitting to the Department Form PUR 2012 ##### (0#/07 06), "Request for Approval of Department Approved Equivalent Certified Negotiator Training Course."

(a) Approval of the PUR 2012 ##### shall be granted by the Department only if the course(s) identified on the form offers training that meets or exceeds the training standards established in subsection (5).

(b) Approval of the PUR 2012 ##### may be granted by the Department either before or after the employee takes the class, so long as the course(s) meets or exceeds the training standards established in subsection (5).

(6) No change.

(7) Recertification of Contract Negotiators – Persons seeking recertification as a contract negotiator shall complete and submit to the Department PUR 2013 (0#/07), "Application for Recertification as Contract Negotiator." Applicants shall either scan the completed form and submit it electronically to PURCertification@dms.state.fl.us, fax the form to the Department as provided in the PUR 2013 or mail the completed form to State Purchasing, Department of Management Services, 4050 Esplanade Way, Ste. 360, Tallahassee, FL 32399-0950. Recertification of contract negotiators by the Department shall be effective for five (5) years from the date the employee is recertified. The date of recertification shall be reflected on the certified contract negotiator certificate issued by the Department to the employee. If the certified contract negotiator fails to recertify before the end of the 5 year certification time period, their certification will expire until they are recertified by the Department.

(a) To become recertified as a contract negotiator, the person seeking recertification must have originally been certified by the Department as provided in this rule and shall be required to complete 16 hours of recertification courses offered through the Department, or, on a case-by-case basis, may request that the Department approve a course or courses not offered by the Department by completing and submitting to the Department Form PUR 2012 ##### (0#/06), "Request for Approval of Certified Negotiator Training Course." The person seeking recertification shall indicate on the form that the course or courses are presented for purposes of recertification. Further, recertification applicants must have led or participated in three or more federal, state or local government negotiated procurements during their proceeding five (5) year certification period and must be currently employed in a state or local government position in which the job description for the position includes contract negotiation as part of the job description.

(b) Approval of the PUR 2012 ##### submitted for recertification shall be granted by the Department only if the course(s) identified on the form offers training that meets or exceeds the training standards established in subsection (5).

(c) Approval of the PUR 2012 ##### may be granted by the Department either before or after the employee takes the recertification class or classes, as long as the course(s) meets or exceeds the training standards established in subsection (5).

(8) Appointment of Project Management Professional ("PMP")- If the value of the prospective contract will exceed \$10 million in any fiscal year, at least one member of the negotiation team shall be a PMP Project Management Professional, as certified by the Project Management Institute. The Department shall maintain a list of agency personnel certified as PMPs so certified, and assist agencies in determining their PMP needs and assist agencies with preparing identifying and training state agency employees for PMP employees who are suited for the certification.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony W. Garcia, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, garciaa@dms.state.fl.us

**DEPARTMENT OF MANAGEMENT SERVICES**

**State Technology Office**

RULE NO.: RULE TITLE:  
60DD-1.002 Rural County Grants  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 36, September 8, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: RULE TITLE:  
61G18-12.019 Reinstatement of a Null and Void Licensee Fee  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 35, September 1, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.: RULE TITLE:  
61G19-9.004 Approval of Courses  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 41, October 13, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:  
62-730.186 Universal Pharmaceutical Waste  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 37, September 15, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NO.: RULE TITLE:  
64B32-4.002 Reactivation of Retired Status License  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 45, November 9, 2006 issue of the Florida Administrative Weekly.

The Board held a public hearing on this rule on April 7, 2006, in Jacksonville, Florida, and determined a change to this rule should be made.

The changes are as follows:

64B32-4.002 Reactivation of Retired Status License.

(1) A retired status licensee for less than five years may change to active status provided:

(a) A licensee pay any renewal fees imposed on an active status license for all biennial licensure periods during which the licensee was on retired status.

(b) A licensee must provide evidence of licensure as either a Certified Respiratory Therapist (CRT) or a Registered Respiratory Therapist (RRT), pursuant to Section 468.358, Florida Statutes.

(c) A licensee must meet the continuing educational requirements for Rule 64B32-6.001, Florida Administrative Code, for each biennium the licensee was in retired status.

~~(d) A licensee must attend HIV and medical errors courses pursuant to Rule 64B32-6.007, F.A.C.~~

(2) A retired status licensee for five years or more may change to active status provided:

(a) A licensee pay any renewal fees imposed on an active status license for all biennial licensure periods during which the licensee was on retired status.

(b) A licensee must provide evidence of licensure as either a Certified Respiratory Therapist (CRT) or a Registered Respiratory Therapist (RRT), pursuant to Section 468.358, Florida Statutes.

(c) A licensee must meet the continuing educational requirements for Rule 64B32-6.001, Florida Administrative Code for each biennium the licensee was in retired status.

(d) A licensee is required to provide evidence of attendance of a Board-approved comprehensive review course, within six months prior to reactivation of license, in order to ensure that he or she has the sufficient skills to re-enter the profession.

~~(e) A licensee must attend HIV and medical errors courses pursuant to Rule 64B32-6.007.~~

(3) Board-approved comprehensive review course means any course or courses which includes, at a minimum, fourteen (14) direct contact education hours in the topics and number of hours as follows. For the purpose of this section, home study courses are not permitted.

<u>Patient assessment</u>	<u>3 hours</u>
<u>Hemodynamics</u>	<u>2 hours</u>
<u>Pulmonary function</u>	<u>1 hour</u>
<u>Arterial blood gases</u>	<u>1 hour</u>
<u>Respiratory equipment</u>	<u>2 hour</u>
<u>Airway care</u>	<u>1 hour</u>
<u>Mechanical ventilation</u>	<u>2 hours</u>
<u>Emergency care/special procedures</u>	<u>1 hour</u>
<u>General respiratory care (including medication)</u>	<u>1 hour</u>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health Related Requirements
65C-20.011	Health Records
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCC)

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 30, (July 28, 2006) issue of the Florida Administrative Weekly. These changes are being made to address changes requested by the Joint Administrative Procedures Committee (JAPC).

65C-20.008 Application.

(1) Application for a license or for renewal of a license to operate a family day care home ~~must shall~~ be made on CF-FSP Form 5133, ~~April Feb.~~ 2006~~4~~, Application for a License to Operate a Family Day Care Home, which is incorporated ~~herein~~ by reference, ~~CF-FSP Form 5133 may can~~ be obtained from the licensing authority or ~~on by going to~~ the Department of Children and Family Services' website at [www.myflorida.com/childcare/information](http://www.myflorida.com/childcare/information) by clicking on the forms link.

~~(2) For the purpose of issuing a license, any out of state criminal offence, which if committed in Florida, would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.~~

~~(2)(3) A completed CF-FSP Form 5133 application for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. The renewal application and required forms may be obtained from the licensing authority.~~

~~(3)(4) A submitted CF-FSP Form 5133 application will not be considered complete until the licensing authority receives proof of background screening clearance on the operator/applicant of the family day care home and the operator/applicant provides proof to the licensing authority, that the screening materials have been submitted on all other household members who are subject to background screening pursuant to Section 402.313(3), F.S. 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. In addition, the operator/applicant 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 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. An employment history check for the previous two years at a minimum, which must include at least the last three jobs, is also required as part of background screening. An employment history check conducted under this rule, shall include not only confirmation of employment dates from previous job(s), but may also include position held and job performance. Additionally, an Affidavit of Good Moral Character, CF-FSP 1649, Aug. 04, which is incorporated by reference, must be completed annually for all operators/applicants. CF-FSP 1649 may be obtained from the licensing authority or by accessing the Department of Children and Family Services' website at [www.myflorida.com/childcare/information](http://www.myflorida.com/childcare/information).

(a) An employment history check is required as part of background screening, must include the previous two (2) years and must be maintained in the department's licensing file.

1. An employment history check conducted under this rule shall include the applicant's position description, confirmation of employment dates from previous job(s), and level of job performance.

2. CF Form 1649A, January 2007, An Attestation of Good Moral Character, which is incorporated by reference, must be completed for all operators/applicants and all adult household members annually or in accordance with local licensing agency compliance and must be maintained in the department's licensing file. CF-FSP 1649 may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) by clicking on the forms link.

3. For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

a. A screening conducted under this rule is valid for five (5) years, at which time a five (5) year re-screen must be conducted.

(I) The five (5) year re-screen is required for the operator/applicant and all other household members, including juveniles and substitutes, and must be maintained in the department's licensing file.

(II) The five (5) year re-screen must include, at a minimum, statewide criminal records checks through the Florida Department of Law Enforcement and a local criminal records check.

(III) An operator/applicant must be re-screened following a break in operation of the family day care home that exceeds 90 days. A person in this category must undergo the same level of screening that was required at the time of initial operation of the family day care home. If operator/applicant takes a leave of absence, such as maternity leave, extended sick leave, etc., re-screening is not required unless the five (5) year re-screen has come due during the leave of absence.

Specific Authority 402.313 FS. Law Implemented 402.313, 402.302(13) FS. History-New 7-2-98, Amended 7-13-03, 9-12-04,\_\_\_\_\_.

65C-20.009 Staffing Requirements.

(1) Definitions.

(a) "Active" refers to the status of a candidate's awarded credential or certification in which requirements have been successfully met.

(b) "Early Childhood Education" refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).

(c) "Florida Child Care Professional Credential (FCCPC)," pursuant to Section 402.305(3)(b), F.S., is a department approved training program that consists of a minimum of 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification; "Birth Through Five (formerly the department approved CDA Equivalency training programs)" and "School-Age (formerly the Florida School-Age Certification)." A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

1. Florida Child Care Professional Credential Training Program Providers.

a. Birth through Five FCCPC Training Providers.

I. Training providers seeking to offer the Birth through Five FCCPC training must utilize the criteria approved by the department referenced on CF-FSP Form 5191, April 2006, Birth through Five Florida Child Care Professional Credential (FCCPC) Training Program Application, which is incorporated by reference. CF-FSP Form 5191 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) by clicking on the forms link. Training providers must submit a completed CF-FSP Form 5191 to the department for approval.

II. Training providers that offer the Birth through Five FCCPC shall submit FCCPC training student completion documentation in the format referenced on CF-FSP Form 5191 to the department for issuance of the Birth through Five FCCPC and to update the graduate's child care training transcript.

III. Training providers approved to offer the Birth through Five FCCPC must annually complete, sign, date and submit the attestation page of CF-FSP Form 5191 to the Department of Children and Family Services for review and approval based on the providers anniversary date listed on CF-FSP 5191.

(d) “National Early Childhood Credential (NECC)” pursuant to Section 402.305(3)(c), F.S., is an early childhood credential recognized by licensing authorities in at least five (5) states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at least two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) by clicking on the training link.

(e) “Training Transcript” is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training transcripts may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(f) “Weighted score” means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

(2)(4) Personnel.

(a) Operator. The family day care home license shall be issued in the name of the operator who must be at least 18 years of age and a resident of the family home. In the event of rental or leased property, the operator shall be the individual who occupies the residence. The operator of a family day care home may not work outside of 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.~~

(b) Substitutes. There shall be a written plan to provide at least one (1) other competent adult, who must be at least 18 years of age, to be available as a substitute for the operator on a temporary or emergency basis. This plan shall include the name, address and telephone number of the designated substitute. Substitutes may not work over 40 hours per month on average during a 12 ~~twelve~~ month period in any single home for which they have been identified as the designated substitute.

(c) No person shall be an operator, substitute or employee in a family day care home while using, or ~~who is~~ under the influence of narcotics, alcohol, or other drugs ~~that, which~~ impair an individual’s ~~their~~ ability to provide supervision and safe child care, ~~shall be an operator or substitute.~~

(3)(2) Staff Training.

(a) Prior to licensure and prior to caring for children, all family day care home operators and substitutes who work 40 hours or more per month on average during a 12 month period must; successfully complete the Department of Children and Family Services’ 30 clock-hour Family Child Care Home training, as evidenced by passage of a competency based examination with a score of seventy (70) or better. Competency examinations will be offered by the Department of Children and Family Services or its designated representative. Prior to attending the training, Family Day Care Home operators have one opportunity, if they choose, to exempt from the Department of Children and Family Services’ 30 clock-hour Family Child Care Home training module by successfully completing competency examinations with a score of seventy (70) or better. All family day care home operators who have successfully completed the mandatory 30 clock-hour Family Child Care Home training prior to the availability of the competency examinations will not be required to complete the competency based testing.

1. Successfully complete the Department of Children and Family Services’ 30 clock-hour Family Child Care Home training, as evidenced by successful completion of a competency based examination(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Family day care home operators who successfully completed the mandatory 30 clock-hour Family Child Care Home training prior to January 1, 2004 are not required to fulfill the competency examination requirement. Beginning July 1, 2006, the 30 clock-hour Family Child Care Home training will be replaced by five (5) individual training courses which total 30 clock-hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening.

a. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department’s Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better.

b. Beginning July 1, 2006 the Department of Children and Family Services or its designated representative shall exempt individuals from the Health, Safety, and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:

(1) Associate’s degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade; or

(II) An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).

c. The Family Child Care Home training completed successfully after July 1, 2004 will be documented on the child care training transcript only. Training completed successfully prior to July 1, 2004 will be documented either on CF-FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference, or on the Department of Children and Family Services' child care training transcript.

2. Complete a single course of training in early literacy and language development of children ages birth through five (5) that is a minimum of five (5) clock-hours or .5 CEUs. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma. In order to meet this requirement, individuals must complete one (1) of the following:

a. One (1) of the department's online literacy courses available on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare); or

b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) (no additional courses will be approved by the department); or

c. One (1) college level early literacy course (for credit or non-credit) if taken within the last five (5) years.

3. Certificate(s) of course completion for infant and child cardiopulmonary resuscitation (CPR) procedures and first aid training, which must be current and valid at all times. Certificates of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three (3) years. Online CPR courses are not acceptable to meet this standard. CPR training must be completed by classroom instruction.

(b) In addition to the training above, all family day care homes licensed on or before December 31, 2004, shall complete 5 clock hours or .5 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 June 30, 2005. Family Day Care Homes licensed on or after January 1, 2005, prior to licensure, must complete 5 clock hours or .5 continuing education unit (CEU) of training in early literacy and language development of children from birth to 5 years of age. In order to meet this requirement, family day care home operators must select a training course from the Department of Children and Family Services' list of approved literacy training programs, which may be accessed by going to [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training), or by contacting the licensing authority. Literacy training that was

taken between July 1, 1999 and July 1, 2004 will be accepted by the licensing authority until January 1, 2005, if it meets all the required components stated above.

(c) Documentation. Training transcripts are updated upon the successful completion of training, as evidenced by the passage of a competency examination. The 30 clock-hour Family Child Care Home training successfully completed after July 1, 2004 will be documented on the child care training transcript only. Training successfully completed prior to July 1, 2004 may be documented either on CF-FSP Form 5267, May 2003, or the Department of Children and Family Services' child care training transcript.

(d) Family day care home substitutes who work 40 hours or more a month on average during a 12 month period must successfully complete the 30 clock-hour Family Child Care Home training, prior to caring for children, as evidenced by passage of a competency based examination with a score of seventy (70) or better, documented on the Department of Children and Family Services' CF-FSP Form 5267, May 2003, or the Department of Children and Family Services' child care training transcript. All family day care home substitutes who have completed the 30 clock-hour Family Child Care Home training prior to the availability of the competency examination will not be required to complete the competency based testing. Prior to attending the training, Family Day Care Home substitutes have one opportunity, if they choose, to exempt from the Department of Children and Family Services' 30 clock-hour Family Child Care Home training by successfully completing competency examinations with a score of seventy (70) or better. Competency examinations will be offered by the Department of Children and Family Services or its designated representative. In addition to the 30 clock-hour Family Child Care Home training, all substitutes hired on or before December 31, 2004, who work 40 hours or more a month on average during a 12 month period, shall complete 5 clock hours or .5 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 June 30, 2005. Substitutes hired on or after January 1, 2005, prior to caring for children, must complete 5 clock hours or .5 continuing education unit (CEU) of training in early literacy and language development of children from birth to 5 years of age. In order to meet this requirement, substitutes must select a course from the Department of Children and Family Services' list of approved literacy training programs, which may be accessed by going to [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training) or by contacting the licensing authority. Literacy training that was taken between July 1, 1999 and July 1, 2004 will be accepted by the licensing authority until January 1, 2005, if it meets all the required components stated above.

~~(b)(e)~~ Family day care home substitutes who work less than 40 hours a month on average during a 12 month period shall complete the Department of Children and Family Services' three (3)-clock-hour Fundamentals of Child Care training prior to caring for children, as documented on the Department of Children and Family Services' CF-FSP Form 5267, ~~May 2003~~, and the Department of Children and Family Services' child care training transcript. ~~Family day care substitutes who have successfully completed the 30 clock-hour Family Child Care Home training will not be required to complete the 3 clock-hour Fundamentals of Child Care training.~~

~~1.(f)~~ The operator of the family day care home must sign a statement attesting to the number of hours that the substitute works in the operator's home. The statement must be placed in the substitute's file.

2. Family day care substitutes who have successfully completed the 30 clock-hour Family Child Care Home training are not required to complete the three (3) clock-hour Fundamentals of Child Care training.

~~(g) Prior to licensure, family day care home operators must have a valid certificate of course completion for infant and child cardiopulmonary resuscitation procedures and first aid training. The substitute, prior to caring for children in the family day care home, must have a valid and current certificate of course completion for infant and child cardiopulmonary resuscitation procedures and first aid training. Certificates of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years. On-line CPR courses are not acceptable to meet this standard. CPR training must be done by classroom instruction.~~

~~(4)(3)~~ Annual In-Service Training.

(a) All family day care home operators; must complete a minimum of 10 clock-hours or (1) CEU of in-service training ~~or 1 CEU~~, annually during the operator's 12 month licensing period state's fiscal year beginning July 1 and ending June 30.

(b) The annual 10 clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12 years ~~or 1 CEU~~, must be completed in one (1) or more of the following areas (college level courses will be accepted):

1. through 2. No change.

3. First Aid (~~this training~~ may only be taken to meet the in-service requirement once every three (3) years);

4. through 22. No change.

(c) Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268A, ~~April Feb. 2006~~04, Child Care In-Service Training Record, which is incorporated ~~herein~~ by reference, and maintained at the family day care home. CF-FSP Form 5268A may be obtained from the licensing authority or on by going to the Department of Children and Family Services' website at www.myflorida.com/childcare/training. A new in-service

training record is required each licensing fiscal year. ~~In addition to maintaining the training record for the current fiscal year, The in-service training records for the previous two (2) licensing fiscal years must also be maintained at the family day care home for review by the licensing authority College level courses that cover the topics above may also be counted to meet the annual in-service training requirement.~~

~~(5)(4)~~ Supervision.

(a) At all times, which includes when the children are napping or sleeping, the operator shall remain responsible for the supervision of the children in care and capable of responding to ~~the~~ emergencies and the needs of the children. While children are napping or sleeping in bedrooms, the bedroom doors must remain open. During the daytime hours of operation, children shall have adult supervision, which means watching and directing children's activities; both indoors and outdoors; and responding to each child's needs.

(b) A child who has been placed in an isolation area due to illness as stated in paragraph 65C-20.010(4)(b), F.A.C., must be within sight and hearing of the operator.

(c) Children must be attended at all times when being diapered or when changing clothes.

Specific Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended 5-21-00, 7-13-03, 9-12-04,\_\_\_\_\_.

65C-20.010 Health Related Requirements.

(1) General Requirements.

(a) Animals, pets or fowl must have current immunizations, if immunizations are available for the type of animal, pet or fowl; and be free from ~~of~~ disease. Custodial pParents or legal guardian must be informed in writing of all animals on the premises of the home. Such information may be provided by way of a parent flier, a notification statement, or a statement included in the child's enrollment form.

(b) All areas and surfaces accessible to children shall be free from ~~of~~ toxic substances and hazardous materials. All potentially harmful items including cleaning supplies, flammable products, poisonous, ~~and~~ toxic, and hazardous materials must be labeled. These items, as well as knives, ~~and~~ sharp tools and other potentially dangerous hazards, shall be stored separately and locked or out of a child's reach ~~in locations inaccessible to the children in care.~~

(c) All family day care home operators shall inform custodial parents or legal guardian in writing if someone living in the home smokes. Pursuant to Chapter 386, ~~Florida Statutes~~, while children are in care, smoking is prohibited within the family day care home, on all outdoor play areas and in vehicles when transporting children.

(d) At all times when children are in care, all firearms and weapons, as defined in Section Chapter 790.001, F.S., shall be stored in a location inaccessible to children and in accordance with Section 790.174, F.S.



(e) Play areas shall be clean; and free from ~~of~~ litter, nails, glass and other hazards.

(f) Family day care homes caring only for infants under 12 months of age; shall not be required to have an outdoor play area; however, infants in care shall be provided opportunities for outdoor time each day that weather permits. For all other family day care homes, including those providing evening care, the outdoor space shall be fenced; a minimum of four (4) feet in height; if the family day care home property borders any of the following:

1. No change.

2. Road or street open to travel by the public, divided by a median;

3. Road or street open to travel by the public where the posted or unposted speed limit is equal to or greater than 25 miles per hour; by municipal or county ordinance, pursuant to Section ~~s~~ 316.189, F.S.

4. No change.

(g) All in-ground swimming pools and above-ground swimming pools; more than one (1) foot deep; shall have either a fence or barrier on all four (4) sides, at a minimum of four (4) feet in height, separating the home from the swimming pool; or a pool alarm that is operable at all times when children are in care. The fence or barrier shall ~~may~~ not have any gaps or openings that would allow a young child to crawl under, squeeze through, or climb over the barrier. All spas and hot tubs must meet the same barrier requirements for in-ground and above-ground swimming pools, or instead, spas and hot tubs may be covered with a safety cover, as defined in Section 515.25(1), F.S., that complies with ASTM F1346-91 (2003), Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Hot Tubs, and Spas at all times when children are in care. A copy of ASTM F1346-91 (2003), Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Hot Tubs, and Spas, may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) by clicking on the forms link. The exterior wall of the home, ~~if it has~~ with an ingress and egress; does not constitute a fence or barrier. All doors or gates in the fence or barrier shall be locked at all times when children are in care and when the pool is not being used by the children in care. In addition to the fence, barrier or pool alarm, the family day care home operator shall ensure that all exterior doors leading to the pool, spa, or hot tub area remain locked at all times while children are in care. Barriers may be temporary in nature, but must be sturdy and meet all the above requirements and be in place during all times when children are in care. The wall of an above-ground swimming pool may be used as its barrier; however, such structure must be at least four (4) feet in height. In addition, any ladder or steps that are the

means of access to an above-ground pool must be removed at all times while children are in care and when the pool is not being used by the children in care.

~~(h)(g)~~ If a family day care home uses a swimming pool, it shall be maintained by using chlorine or other suitable chemicals. If the family day care home uses a swimming pool that, ~~which~~ exceeds three (3) feet in depth at the family day care home site, one (1) person who has completed a basic water safety course such as ~~one~~ offered by the American Red Cross, YMCA or other organization, must be present when children have access to the swimming area. If the family day care home uses swimming pools not at the ~~site of the~~ family day care home site; or takes the children to water areas such as a beach or lake for swimming activities, the family day care home operator must provide one (1) person with a certified lifeguard certificate or equivalent; who must be present when children are in the swimming area, unless a certified lifeguard is on duty.

~~(i)(h)~~ A family day care home must include a designated area where each child can sit quietly or lie down to rest or nap.

~~(j)(i)~~ Each child in care must be provided safe and sanitary bedding to be used when napping. Bedding means a cot, bed, crib, mattress, playpen or floor mat. Air mattresses and foam mattresses may not be used for napping. Mats must be at least one (1) inch thick and covered with an impermeable surface.

~~(k)(j)~~ Children one (1) year of age or older may nap or sleep on beds used by the family provided individual linens are provided for each child. Each child shall have a separate bed, cot, crib, playpen, mattress or floor mat, except that two (2) sibling preschool children may share a double bed. Sleeping refers to the normal night time sleep cycle and ~~When children remain overnight,~~ playpens, air mattresses, foam mattresses, and mats may not be used for care when children are sleeping are not acceptable and. The operator must prepare a written plan outlining the sleeping arrangements of the children in care to be provided to the licensing counselor upon request. If the children are sleeping overnight, the operator must ensure accepted bedtime routines, such as brushing teeth and face and hand washing. Toothbrushes, towels and wash cloths may not be shared.

~~(l)(k)~~ Children up to one (1) year of age must be in an individual crib, portacrib or playpen with sides. When napping or sleeping, young infants that are not capable of rolling over on their own shall be positioned on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome (SIDS), unless an alternative position is authorized in writing by a physician. The documentation shall be maintained in the child's record.

~~(m)(l)~~ A minimum distance of ~~eighteen~~ (18) inches must be maintained between individual napping spaces. Napping spaces shall not be designated in kitchens, bathrooms, utility

rooms, or garages. If separate rooms are used for napping, the doors to each room shall remain open to allow the operator to respond to emergencies and needs of the children.

~~(n)(m)~~ Potable drinking water shall be available to children of all ages at all times. ~~If disposable cups are used, they must be discarded after each use.~~

(o) Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles and sippy cups provided by the family day care home that are not disposable shall be washed, rinsed and sanitized between uses. All bottles and sippy cups brought from home shall be individually labeled with the child's first and last name and returned to the custodial parent or legal guardian daily.

~~(p)(n)~~ Rodents and vermin shall be exterminated. Pest control shall not take place while rooms are occupied by children.

~~(q)(o)~~ All parts of the home, both indoors and outdoors, including the furnishings, equipment, and plumbing shall be kept clean and sanitary, free ~~from~~ of hazards, in an orderly condition and in good repair at all times. The family day care home shall have an operable smoke detector and fire extinguisher with a current certificate, at least one (1) operable corded telephone, and lighting that allows for safe movement and egress for children in care. At all times and appropriate for the activity, lighting in family day care homes must be sufficient enough to allow the operator to visually observe and supervise children in care. The home must have proper ventilation, and the temperature must be maintained between 65 and 82 degrees Fahrenheit.

~~(r)(p)~~ If the operator chooses to supply food, the operator shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA ~~My Food Guide Pyramid for Young Children, April March 2005 1999~~, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ~~one year of ages two (2) and older. The fats and sweets categories "oils" and "discretionary calories" may within the USDA Food Guide Pyramid for Young Children cannot be considered counted as a food groups. Copies of the USDA My Food Guide Pyramid for Young Children may be obtained from the licensing authority, the local county health department or from the USDA website at www.mypyramid.gov, district child care licensing office or local licensing agency.~~ Using the USDA ~~My Food Guide Pyramid for Young Children~~, breakfast shall consist of at least three (3) different food groups; lunch and dinner shall consist of at least four (4) different food groups and snacks shall consist of at least two (2) different food groups. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet and a sample meal plan for the special diet ~~appropriate documentation shall be maintained in the child's file for as long as the child is in care to include the physician's order, a~~

~~copy of a diet and sample meal plan for the special diet. If the custodial parent or legal guardian notifies the family day care home of any known food allergies, written documentation must be maintained in the child's file.~~

(2) Hygiene and Sanitation.

(a) Operators, substitutes, and children shall wash their hands with soap and running water, ~~drying~~ thoroughly, ~~and following~~ personal hygiene procedures for themselves, or ~~while when~~ assisting others, and immediately after outdoor play.

(b) Soiled items shall immediately be placed in plastic lined, securely covered containers ~~that which~~ are not accessible to children. The container shall be emptied, cleaned and disinfected daily. Children's wet or soiled clothing and crib sheets shall be changed promptly.

(c) No change.

(d) Each child shall have his own individually labeled towel and wash cloth. If disposable towels are used, they shall be discarded after each use.

(e) When children in diapers are in care, there shall be a diaper changing area with an impermeable surface ~~that which~~ is cleaned with a sanitizing solution after each use. The diaper changing area shall ~~not be located separate from the food preparation, service and feeding area. In addition, items unrelated to diaper changing shall not be stored in the diaper changing area nor shall they be placed on the diaper changing table, in or near the food service area. Children must be attended at all times when being diapered or when changing clothes.~~

(3) First Aid Kit and Emergency Procedures.

(a) At least one (1) first aid kit ~~containing materials to administer first aid~~ must be maintained on the premises of the family day care home at all times and on activities away from the home. The first aid kit shall be accessible to the operator and kept out of the reach of children. The kit must be clearly labeled "First Aid" and must, at a minimum, include:

1. through 11. No change.

(b) Emergency Procedures and Notification.

1. Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit, and the address of and directions to the home, including major intersections and local landmarks, must be posted on or near all telephones and shall be used to protect the health, safety and well-being of any child in care. To meet the immediate needs of the child, family day care home operators shall call 911 or other emergency numbers in the event of an emergency.

2. Custodial parents or legal guardian's shall be notified immediately in the event of any serious illness, accident, injury or emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, the family day care home operator will

contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow the written instructions provided by the custodial parent or legal guardian.

3. All accidents, incidents, and observed health related signs and symptoms which occur at a family day care home must be documented on the day they occur, and shared with the custodial parent or legal guardian on the day they occur. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken, and signature of operator and custodial parent or legal guardian. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Records of accidents, incidents, and observed health related signs and symptoms must be maintained for one (1) year.

4. Fire drills shall be conducted monthly and shall be conducted at various times when children are in care. A written record shall be maintained showing the date, time, number of children in attendance and time taken to evacuate the home. This record shall be maintained for six (6) months.

5. After a fire or natural disaster, the operator must notify the licensing agency, within 24 hours, as to their status of operation in order for the department or local licensing agency to ensure health standards are met for continued operation as a family day care home.

(4) Communicable Disease Control.

(a) Children in care shall be observed on a daily basis for signs of communicable disease. Signs and symptoms of a suspected communicable disease include the following:

1. Severe coughing, causing the child to become red or blue in the face or to make a whooping sound;

2. Difficult or rapid breathing;

3. Stiff neck;

4. Diarrhea (more than one abnormally loose stool within a 24 hour period);

5. Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness;

6. Pink Eye;

7. Exposed, open skin lesions;

8. Unusually dark urine and/or gray or white stool;

9. Yellowish skin or eyes; or

10. Any other unusual sign or symptom of illness.

(b) The family day care home shall have ~~an~~ designated isolation area for a child who becomes ill. The child's condition shall be closely observed. Any child who is suspected of having a communicable disease or who has a fever, of 101 degrees Fahrenheit or higher, in conjunction with any of the ~~other signs of or develops other~~ signs and symptoms listed in paragraph 65C-20.010(4)(a), F.A.C., ~~which include any of the following: diarrhea, rash, pink eye, vomiting, or skin infection,~~ shall be placed in the isolation area. Linens and disposables shall be changed after each use. The condition

shall be reported to the custodial parent or legal guardian and the child shall be removed from the family day care home. Such children shall not return to the home without medical authorization, or until the signs and symptoms of the disease are no longer present.

(c) A child identified as having ~~who~~ head lice shall ~~will~~ not be permitted to return until treatment has occurred. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a custodial parent or legal guardian, that treatment has occurred.

(d) An operator or household member who develops signs and symptoms of a communicable disease or who has a ~~which~~ include any of the following: fever (of 101 degrees Fahrenheit or higher); in conjunction with any of the ~~other following~~ signs and symptoms listed in paragraph 65C-20.010(4)(a), F.A.C.; ~~diarrhea, rash, pink eye, or skin infection~~ shall leave the areas of the home occupied by the children and shall not return without medical authorization, or until the signs and symptoms are no longer present. If it is the operator who is ill, the substitute must assume the operator's responsibilities.

(5) Medication. Family day care homes are not required to give medication; however, if they choose to do so, the following shall apply:

(a) The family day care home must have written authorization from the custodial parent or legal guardian to dispense prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and contain the child's name; the name of the medication to be dispensed; and date, time and amount of dosage to be given. This record shall be initialed or signed by the family day care home personnel who gave the medication.

(b) Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, and posted with stored medication.

(c) ~~(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 a ~~the~~ 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. ~~For the purposes of dispensing non-prescription medication that is not brought in by the parent, in the event of an emergency, non-prescription medication can only be dispensed if the home has written authorization from the parent or legal guardian to do so. Any medication dispensed under these conditions must be documented in the child's file and the parent or legal guardian must be notified on the day of occurrence. 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.~~

(d) In the event of an emergency, non-prescription medication that is not brought in by the custodial parent or legal guardian can only be dispensed if the family day care home has written authorization from the custodial parent or legal guardian to do so.

(e) Any medication dispensed under these conditions must be documented in the child's file and the custodial parent or legal guardian must be notified on the day of occurrence.

(f) The family day care home must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was dispensed, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of four (4) months after the last day the child received the dosage. All medicine must have child resistant caps and shall be stored separately and locked or out of a child's reach.

(g) Medication which has expired or is no longer being administered shall be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled in care at the family day care home.

(b) All medicines shall be kept out of the reach of children and must have child resistant caps.

(c) Medication which has expired or is no longer being administered shall be returned to the custodial parent or legal guardian.

(d) A written record documenting the child's name, the name of the medication, date, time and amount of dosage to be given, and the signature of the custodial parent or legal guardian shall be maintained by the family child care provider. This record shall be initialed or signed by the adult who gave the medication.

(e) This record shall be maintained for six months.

Specific Authority 402.313 FS. Law Implemented 402.313 FS. History--New 7-2-98, Amended 1-4-01, 7-13-03, 9-12-04, \_\_\_\_\_.

#### 65C-20.011 Health Records.

(1) Children's Health Requirements Immunizations. The family day care home provider is responsible for obtaining, from the parent or legal guardian, a current and a completed DH Form 680, Florida Certification of Immunization, Part A-1, B, and or C, (July), or, DH Form 681, Religious Exemption from Immunization (May 1999), for each child in care, within 30 days of enrollment, and maintaining a current copy at the family day care home, which are incorporated by reference in Rule 64D-3.011(9), F.A.C. DH Forms 680 and 681 can be obtained from the local county health department. The DH Form 680, Florida Certification of Immunization Parts A-1, Certification of Immunization for K-12 Excluding 7th Grade Requirements or Part B, Temporary Medical Exemption, shall be signed by a physician or authorized personnel licensed under the provisions of Chapter 458, 459, or 460, Florida Statutes and shall document vaccination for the

prevention of diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, mumps, Haemophilus influenza type B (HIB), and effective July 1, 2001, completion of varicella vaccination. The DH Form 680, Florida Certification of Immunization Part C, Permanent Medical Exemptions, shall be dated and signed by a physician licensed under the provisions of Chapter 458 or 459, Florida Statutes.

(a) The family day care home provider is responsible for obtaining, for each child in care, a current, complete and properly executed Florida Certification of Immunization form, Parts A-1, B, and or C, DH 680 (July 2001), or the Religious Exemption from Immunization form, DH 681 (May 1999), which are incorporated herein by reference, from the custodial parent or legal guardian. DH Form 680 and DH Form 681 may be obtained from the local health department. Immunizations received out-of-state are acceptable; however, immunizations must be documented on the Florida Certification of Immunization form and must be signed by a physician practicing in the State of Florida. Specific immunization requirements are included and detailed in the most current edition of the "Immunization Guidelines - Florida Schools, Child Care Facilities and Family Day Care Homes" as referenced in Rule 64D-3.011, F.A.C.

(b) The family day care home operator is responsible for obtaining, for each child in care, a current, complete and properly executed Student Health Examination form, DH 3040 (June 2002), incorporated herein by reference, or a signed statement by an authorized professional that indicates the results of the components of the form are included in the health examination from the custodial parent or legal guardian, within 30 days of enrollment. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations.

(c) The Student Health Examination form or signed statement is valid for two (2) years from the date the physical was performed and must be on file as long as the child is in care.

(d) School-aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the family day care home as such records are on file at the school where the child is enrolled.

(e) If the custodial parents or legal guardians need assistance concerning these requirements, the family day care home shall refer them to the Department of Health or to the child's physician.

(f) Medical records in this section are the property of the custodial parent or legal guardian and must be returned when the child is no longer in care. The medical records are transferable if the child is placed in a different family day care home.

(2) Children's Student Health Examination.

(a) ~~The family day care home provider is responsible for obtaining from the parent or legal guardian, a current and completed DH Form 3040, (June 02), Student Health Examination, for each child in care, within 30 days of enrollment, and maintaining a current copy at the family day care home. DH Form 3040, which is incorporated by reference, can be obtained from the local county health department. The student health examination shall be completed by a person given statutory authority to perform health examinations. Certification that a health examination has been completed may be documented on the State of Florida, Department of Health, DH Form 3040, June 02, OR a signed statement by an authorized professional that indicates the results of the components included in the health examination.~~

(b) ~~This Student Health Examination is valid for two (2) years from the date the physical was performed.~~

~~(3) Immunization and Health Records.~~

(a) ~~Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information.~~

(b) ~~School age children in kindergarten through grade 5, attending public or nonpublic schools are not required to have student health examination (DH Form 3040) and immunization records (DH 680 or 681) on file at the family day care home as such records are on file at the school where the child is enrolled.~~

~~(2)(4) Enrollment and Medical Authorization.~~

(a) ~~The operator shall obtain enrollment information from the child's custodial parent or legal guardian; prior to accepting the child into care. This information shall be documented on CF-FSP Form 5219, June 2005 Dec. 02, Child Care Application for Enrollment, which is incorporated by reference, or an equivalent that contains all the information required by the department's form. CF-FSP Form 5219 may can be obtained from the local Department of Children and Family Services district service center or the local licensing agency, and is incorporated by reference, or an equivalent that contains all the information required by the department's form.~~

(b) ~~Enrollment information shall be kept current and on file for each child in care.~~

(c) ~~There shall be signed statements from the custodial parents or legal guardian that the family day care home has provided them with the following information:~~

~~The Department of Children and Family Services family day care home brochure, CF/PI 175-28, July 2005, Selecting A Family Day Care Home Provider, which is incorporated by reference. This brochure may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).~~

Specific Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended 5-21-00, 7-13-03, 9-12-04, \_\_\_\_\_.

65C-20.012 Enforcement.

(1) No change.

(2) ~~The operation of a family day care home is prohibited unless registered; or licensed, as required by county ordinance or resolution. The department or local licensing agency shall have the authority to seek an injunction in the circuit court where the home is located to stop the continued operation of a family day care home that which is not licensed or registered. For licensed family day care homes, the department or local licensing agency 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. Pursuant to Section 120.60(6), F.S., an emergency suspension order may also be used to stop the continued operation if the family day care home poses immediate serious danger to the public health, safety, or welfare of the children who are enrolled.~~

(3) No change.

Specific Authority 402.313 FS. Law Implemented 402.313, 402.319 FS. History—New 7-2-98, Amended 7-13-03, 9-12-04, \_\_\_\_\_.

65C-20.013 Large Family Child Care Homes (LFCCH).

(1) ~~Large Family Child Care Homes. A Large Family Child Care Home, for the purposes of this rule, means a home that must have been licensed in the State of Florida as and meet all the requirements of a family day care home for two (2) consecutive years. Large family child care homes must meet and comply with all standards in Section 402.3131, F.S., and in 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. Large family child care homes shall meet all of the requirements in Rules 65C-20.008-65C-20.012, F.A.C., in addition to the requirements listed below.~~

(2) ~~Definitions.:~~

(a) ~~“Full Time Employee” means one (1) additional staff person at least 18 years of age, who is on the premises of a home operating as a large family child care home.~~

(b) ~~“Hours of Operation” means the hours of the day or night that a large family child care home has enough children in care to meet the definition of a large family child care home.~~

(c) ~~“Large Family Child Care Home,” is defined by Section 402.3131, F.S., and for the purpose of this rule means a home which must have been licensed in the State of Florida as a family day care home for two consecutive years, with an operator who has had a child development associate credential or its equivalent for 1 year, and meet all the requirements of this rule. 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.~~

~~(c)(d)~~ “Operator” means the occupant and licensee of the large family child care home who is at least 21 years of age and responsible for the overall operation of the home.

~~(d)(e)~~ “Substitute” means a competent adult, at least 18 years of age, who is available to substitute for the operator or employee on a temporary or emergency basis.

(3) Application and License.

(a) Application for a license or for renewal of a license to operate a large family child care home ~~must shall~~ be made on CF-FSP Form 5238, ~~April 2006 Feb. 2004~~, Application for a License to Operate a Large Family Child Care Home, which is incorporated ~~herein~~ by reference. ~~CF-FSP Form 5238 may and can~~ be obtained from the licensing authority or on at the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) ~~local district service center or the local licensing agency~~. A license to operate a Large Family Child Care Home may be used to operate a Family Day Care Home; when the number of children in care meets the definition of a Family Day Care Home. A license to operate a Family Day Care Home cannot be used to operate a Large Family Child Care Home.

(b) The large family child care home license shall be issued in the name of the operator, who must be at least 21 years of age and the resident of the large family child care home. In the event of rental or leased property, the operator shall be the individual who occupies the residence.

~~(c)(b)~~ A copy of the annual license shall be posted in a conspicuous location within the large family child care home.

(4) LFCCH Personnel.

~~(a) The large family child care home license shall be issued in the name of the operator who must be at least 21 years of age and the occupant of the large family child care home. In the event of rental or leased property the operator shall be the individual who occupies the residence.~~

~~(a)(b)~~ The operator of the large family child care home may not work outside of the home during hours ~~when~~ the large family child care home is in operation.

~~(b)(e)~~ No person shall be an operator, substitute, or employee while using, or who is under the influence of, narcotics, alcohol, or other drugs ~~that, which~~ impair an individual’s ~~their~~ ability to provide supervision and safe child care, ~~shall be an operator, substitute, or employee.~~

(c) Large family child care homes must have one (1) person on the premises during all hours of operation who has a valid and current certificate(s) of course completion for infant and child cardiopulmonary resuscitation (CPR) procedures and first aid training.

(5) LFCCH Staff Training.

(a) Definitions.

1. “Active” refers to the status of a candidate’s awarded credential or certification in which requirements have been successfully met.

2. “Begin training for child care personnel” refers to a candidate’s commencement of at least one (1) of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance, acquiring an educational exemption from training, beginning a department approved online child care training course, or by completion of a department approved competency examination within the first 90 days of employment in the child care industry. The large family child care home is responsible for obtaining documentation from child care personnel.

3. “Early Childhood Education” refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).

4. “Expired” refers to the status of a candidate’s awarded credential or certification that is not eligible for renewal.

5. “Florida Child Care Professional Credential (FCCPC),” pursuant to Section 402.305(3)(b), F.S., is a department approved training program that consists of a minimum of 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification: “Birth Through Five (formerly the department approved CDA Equivalency training programs)” and “School-Age (formerly the Florida School-Age Certification).” A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

6. “Florida Department of Education Child Care Apprenticeship Certificate (CCAC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

7. “Florida Department of Education Early Childhood Professional Certificate (ECPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

8. “Florida Department of Education School-Age Professional Certificate (SAPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with school-age children and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and

recognized DOE programs may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

9. "Inactive" refers to the status of a candidate's awarded credential or certification that remains eligible for renewal.

10. "National Early Childhood Credential (NECC)" pursuant to Section 402.305(3)(c), F.S., is an early childhood credential approved by the department and recognized by licensing authorities in at least five (5) states that incorporates 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at least two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

11. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training transcripts may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

12. "Weighted score" means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

(b)(\*) Large Family Child Care Home Operators. In addition to the ~~successful completion of the 30 clock hour Family Child Care Home training requirements identified in paragraph 65C-20.009(3)(a), F.A.C., large family child care home operators must:~~

1. Possess one (1) of the following credentials for a minimum of one (1) year:

a. An active National Early Childhood Credential (NECC); an active Birth Through Five or School-Age Florida Child Care Professional Credential (FCCPC) (formerly known as the Child Development Associate Equivalency); an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC) or School-Age Professional Certificate (SAPC); or meet the formal educational qualification requirement outlined on CF-FSP Form 5211, April 2006, Staff Credential Application, which is incorporated by reference. An Employment History Recognition Exemption will not be accepted to meet the minimum staff credential requirements for Large Family Child Care Home.

b. An Employment History Recognition Exemption and a School-Age FCCPC will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK).

c. Credential Renewal Requirements.

(I) A National Early Childhood Credential must be renewed through the agency that awarded the credential. Prior to December 31, 2008, a National Early Childhood Credential may comply with the Birth Through Five Florida Child Care Professional Credential renewal process referenced in sub-sub-subparagraph 65C-20.013(5)(b)1.b.2., F.A.C., if the credential was issued prior to December 31, 2003.

(II) To maintain an active Birth Through Five FCCPC, every five (5) years a candidate must renew their Birth Through Five FCCPC by completing CF-FSP Form 5273, April 2006, Birth Through Five Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5273 may be obtained on the Department of Children and Family Service's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(A) A Birth Through Five FCCPC Renewal will be documented on CF-FSP Form 5270. Renewal applications will be submitted by the candidate no earlier than one (1) year prior to the end of the active date of the Birth Through Five FCCPC.

(B) Individuals with a Birth Through Five FCCPC issued before December 31, 2003 will renew the credential by submitting a completed CF-FSP 5273 with the required documentation by December 31, 2008. A Birth Through Five FCCPC issued after December 31, 2003 will have a renewal date of five (5) years from the date of issuance.

(C) An individual with an inactive Birth Through Five FCCPC will submit a renewal application for a period of up to three (3) years after the end of the Birth Through Five FCCPC active period. The application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5273 is processed.

(D) For purposes of participation in the Voluntary Pre-Kindergarten (VPK) Program, an individual must ensure an active credential by July 1, 2006.

(III) To maintain an active School-Age FCCPC, every five (5) years a candidate must renew their School-Age FCCPC by completing CF-FSP Form 5307, April 2006, the School-Age Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5307 may be obtained on the Department of Children and Family Service's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). A School-Age FCCPC will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK).

(A) A School-Age FCCPC renewal will be documented on CF-FSP Form 5270. Renewal applications shall be submitted no earlier than one (1) year prior to the end of the active date of the School-Age FCCPC.

(B) An individual with an inactive School-Age FCCPC shall submit a renewal application for the period of up to three (3) years from the end of the School-Age FCCPC active

period. The application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5270 is processed.

(IV) To maintain an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC) or Early Childhood Professional Certificate (ECPC), every five (5) years a candidate must renew their CCAC or ECPC by completing CF-FSP Form 5309, April 2006, Florida Department of Education Child Care Apprenticeship Certificate (CCAC) and Early Childhood Professional Certificate (ECPC) Renewal Application, which is incorporated by reference. To maintain an active Florida Department of Education School-Age Professional Certificate (SAPC), every five (5) years a candidate must renew their SAPC by completing CF-FSP Form 5308, April 2006, Florida Department of Education School-Age Professional Certificate (SAPC) Renewal Application, which is incorporated by reference. CF-FSP Forms 5308 and 5309 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(A) A Florida Department of Education CCAC, ECPC or SAPC renewal will be documented on CF-FSP Form 5310, April 2006, Certificate for Florida Department of Education Child Care Apprenticeship Certificate (CCAC)/Early Childhood Professional Certificate (ECPC)/School-Age Professional Certificate (SAPC) Program Renewal, which is incorporated by reference. CF-FSP Forms 5308 and 5309, as applicable, for renewal will be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Florida Department of Education CCAC, ECPC, or SAPC.

(B) An individual with an inactive Florida Department of Education CCAC, ECPC, or SAPC may submit CF-FSP Form 5308 or 5309 for a period of up to three (3) years from the end of the Florida Department of Education CCAC, ECPC, or SAPC active period. CF-FSP Form 5308 or 5309, as applicable, will be reviewed and, if approved, a CF-FSP Form 5310 will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5308 or 5309 is processed.

(V) A staff credential awarded for formal educational qualifications does not need to be renewed to remain active.

2. Within six (6) months of licensure, successfully complete 10 clock-hours of specialized training from the Department of Children and Family Services' Part II specialized training courses as evidenced by successful completion of a competency examination with a weighted score of 70 or better. These courses include:

- a. Infant and Toddler Appropriate Practices (10 hours),
- b. Preschool Appropriate Practices (10 hours),
- c. School-Age Appropriate Practices (10 hours),
- d. Special Needs Appropriate Practices (10 hours),
- e. Basic Guidance and Discipline (5 hours online),

f. Computer Technology for Child Care Professionals (5 hours online),

g. Early Literacy for Children Ages Birth Through Three (5 hours online),

h. Early Childhood Computer Learning Centers (5 hours online), or

i. Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online).

j. Child care operators have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. Exemption examinations are not available for the department's online Part II specialized training courses.

k. The Department of Children and Family Services or its designated representative shall exempt individuals with a:

(I) B.A., B.S., or advanced degree in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.

(II) B.A., B.S., or advanced degree in Elementary Education from the School-Age Appropriate Practices course.

(III) B.A., B.S., or advanced degree in Exceptional Student Education from the Special Needs Appropriate Practices course.

(c) Substitutes. Prior to taking care of children, substitutes for the operator of large family child care home and substitutes for the large family child care home employee who work 40 hours or more per month on average during a 12 month period shall be at least 18 years of age and must:

1. Successfully complete the Department of Children and Family Services 30 clock-hour Family Child Care Home training, as evidenced by successful completion of a competency based examination(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Individuals who have successfully completed the mandatory 30 clock-hour Family Child Care Home training prior to January 1, 2004 are not required to fulfill the competency examination requirement. Beginning July 1, 2006, the 30 clock-hour Family Child Care Home training will be replaced by five (5) individual training courses which total 30 clock-hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening. Completion of the 30 clock-hour Family Child Care Home training shall be documented on the Department of Children and Family Services CF-FSP Form 5267 or the Department of Children and Family Services child care training transcript.



a. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better.

b. Beginning July 1, 2006 the Department of Children and Family Services or its designated representative shall exempt individuals from the Health, Safety, and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:

(I) Associate's degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade; or

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

2. Complete a single course of training in early literacy and language development of children ages birth through five (5) that is a minimum of five (5) clock-hours or .5 CEUs. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma. In order to meet this requirement, substitutes for the operator of a large family child care home and substitutes for the large family child care home employee who work 40 hours or more per month on average during a 12 month period must complete one (1) of the following:

a. One (1) of the department's online literacy courses available on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare); or

b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) (no additional courses will be approved by the department); or

c. One (1) college level early literacy course (for credit or non-credit) if taken within the last five (5) years.

d. Employees in a large family child care home. Employees in a large family child care home shall be at least 18 years of age and must:

1. Within 90 days of employment in the child care industry, begin the Department of Children and Family Services' 30 clock-hour Family Child Care Home training. The training shall be successfully completed within 12 months from the date on which the training began, as evidenced by the successful completion of a competency examination offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better, and may not exceed 15 months from the date of employment in the child care industry. All individuals who have successfully completed the mandatory 30 clock-hour Family Child Care Home training prior to January 1, 2004 are not required to

fulfill the competency examination requirement. Beginning July 1, 2006, the 30 clock-hour Family Child Care Home training will be replaced by five (5) individual training courses which total 30 clock-hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening.

a. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. The Family Child Care Home training must be documented on the Department of Children and Family Services CF-FSP Form 5267 or the Department of Children and Family Services child care training transcript.

b. Beginning July 1, 2006 the Department of Children and Family Services or its designated representative shall exempt individuals from the Health, Safety, and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:

(I) Associate's degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade; or

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

2. Within 12 months of date of employment in the child care industry, complete a single course of training in early literacy and language development of children ages birth through five (5) that is a minimum of five (5) clock-hours or .5 CEUs. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma. In order to meet this requirement, employees must complete one (1) of the following:

a. One (1) of the department's online literacy courses available on the Department of Children and Family Services website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare); or

b. One (1) of the department's approved literacy training courses. A list of these courses may be obtained from the licensing authority on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) (no additional courses will be approved by the department); or

c. One (1) college level early literacy course (for credit or non-credit) if taken within the last five (5) years.

(e) Substitutes for an employee at a large family child care home. Prior to caring for children, substitutes for an employee at a large family child care home who work less than 40 hours a month on average during a 12 month period shall complete the department's three (3) clock-hour Fundamentals of Child

Care Training. Large family child care substitutes who have successfully completed the 30 clock-hour Family Child Care Home training are not required to complete the three (3) clock-hour Fundamentals of Child Care training.

(f) Documentation of Training. Training completed successfully will be documented on the training transcript or on CF-FSP Form 5267.

~~completed prior to caring for children, large family child care home operators must successfully complete training as evidenced by passage of a competency examination with a score of seventy (70) or better in 10 clock-hours of specialized training from the Department of Children and Family Services specialized training modules within six (6) months of licensure:~~

- ~~1. Infant and Toddler Appropriate Practices (10 hours);~~
- ~~2. Preschool Appropriate Practices (10 hours);~~
- ~~3. School Age Appropriate Practices for school-age children (10 hours);~~
- ~~4. Special Needs Appropriate Practices (10 hours);~~
- ~~5. Basic Guidance and Discipline (5 hours web-based);~~
- ~~6. Computer Technology for Child Care Professionals (5 hours web-based); and~~
- ~~7. Early Literacy in the Child Care Environment (5 hours web-based).~~

~~(b) Large family child care home operators shall complete 5 clock hours or .5 continuing education unit (CEU) of training in early literacy and language development of children from birth to 5 years of age by June 30, 2005, as documented on the certificate of course completion, classroom transcript, or diploma. Literacy training must be a single class or course that is no less than 5 hours in duration. In order to meet this requirement, large family child care home operators must select a training course from the Department of Children and Family Services' list of approved training programs, which can be accessed by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training), or by contacting the licensing authority. Literacy training that was taken between July 1, 1999 and July 1, 2004 will be accepted by the licensing authority until January 1, 2005, if it meets all the required components stated above.~~

~~(e) Training transcripts are updated upon the successful completion of training, as evidenced by the passage of a competency examination with a score of seventy (70) or better. Competency examinations will be offered by the Department of Children and Family Services or its designated representative. Prior to attending the training, Large Family Child Care Home operators have one opportunity, if they choose, to exempt from the 10 clock-hour specialized training modules by successfully completing competency examinations with a score of seventy (70) or better. The 10-hour specialized training must be documented on CF-FSP Form 5267, May 2003, or the Department of Children and Family Services'~~

~~child care training transcript. Examination exemptions are not available for the Department of Children and Family Services' web-based Part II specialized training modules.~~

~~(d) Large family child care homes must have one person on the premises during all hours of operation who has a valid certificate of course completion for infant and child cardiopulmonary resuscitation procedures and first aid training.~~

~~(f) Prior to taking care of children, substitutes for the operator of large family child care homes shall be at least 18 years of age and shall have successfully completed the 30 clock-hour Family Child Care Home training, as evidenced by the passage of a competency examination with a score of seventy (70) or better. Prior to attending the training, substitutes for the operator have one opportunity, if they choose, to exempt from the 30 clock-hour Family Child Care Home training by successfully completing competency examinations with a score of seventy (70) or better. Competency examinations will be offered by the Department of Children and Family Services or its designated representative. Completion of the 30 hour Family Child Care Home training shall be documented on the Department of Children and Family Services' CF-FSP Form 5267, May 2003, or the Department of Children and Family Services' child care training transcript. In addition to the 30 clock-hour Family Child Care Home training, prior to caring for children, all substitutes for the operator of the large family child care home, hired on or before December 31, 2004, shall complete 5 clock hours or .5 continuing 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 June 30, 2005. Substitutes for the operator hired on or after January 1, 2005, prior to caring for children, must complete 5 clock hours or .5 continuing education unit (CEU) of training in early literacy and language development of children from birth to 5 years of age. Literacy training must be a single class or course that is no less than 5 hours in duration. In order to meet this requirement, substitutes must select a training course from the Department of Children and Family Services' list of approved literacy training programs, which may be accessed by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training), or by contacting the licensing authority. Literacy training that was taken between July 1, 1999 and July 1, 2004 will be accepted by the licensing authority until January 1, 2005, if it meets all the required components stated above.~~(e) Employees in a large family child care home shall be at least 18 years of age and within 90 days of employment within the child care field, shall begin the 30 clock-hour Family Child Care Home training. Prior to attending the training, employees in a large family child care home have one opportunity, if they choose, to exempt from the 30 clock-hour Family Child Care Home training by successfully completing competency examinations with a

score of seventy (70) or better. The training shall be successfully completed within one year of the date on which the training began, as evidenced by the passage of a competency examination with a score of seventy (70) or better. The Family Child Care Home training must be documented on the Department of Children and Family Services' CF-FSP Form 5267, May 2003, or the Department of Children and Family Services' child care training transcript. In addition to the 30-clock-hour Family Child Care Home training, all employees in a large family child care home, hired on or before December 31, 2004, shall complete 5-clock-hours or .5 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 June 30, 2005. Employees hired on or after January 1, 2005, prior to caring for children, must complete 5-clock-hours or .5 continuing education unit (CEU) of training in early literacy and language development of children from birth to 5 years of age. Literacy training must be a single class or course that is no less than five (5) hours in duration. In order to meet this requirement, employees must select a training course from the Department of Children and Family Services' list of approved literacy training programs, which can be accessed by going to from the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training), or by contacting the licensing authority. Literacy training that was taken between July 1, 1999 and July 1, 2004 will be accepted by the licensing authority until January 1, 2005, if it meets all the required components stated above.

(g) Prior to caring for children, substitutes for an employee at a large family child care home who work less than 40 hours a month on average during a 12 month period, shall complete the department's 3-clock-hour Fundamentals of Child Care Training.

(h) Prior to taking care of children, substitutes for an employee at a large family child care home who work more than 40 hours a month on average during a 12 month period, shall successfully complete the 30-clock-hour Family Child Care Home training, as demonstrated through passage of a competency examination with a score of seventy (70) or better, documented on the form or transcript referenced above. Prior to attending the training, substitutes for an employee at a large family child care home who work more than 40 hours a month on average during a 12 month period have one opportunity, if they choose, to exempt from the 30-clock-hour Family Child Care Home training by successfully completing competency examinations with a score of seventy (70) or better. All large family child care home substitutes who have completed the 30-clock-hour Family Child Care Home training prior to the availability of the competency examination will not be required to complete the competency based testing. In addition to the 30-clock-hour Family Child Care Home training, prior to caring for children, all substitutes for an employee of a large

family child care home, hired on or before December 31, 2004, shall complete 5-clock-hours or .5 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 June 30, 2005. Substitutes for the employee; hired on or after January 1, 2005, prior to caring for children, must complete 5-clock-hours or .5 continuing education unit (CEU) of training in early literacy and language development of children from birth to 5 years of age. In order to meet this requirement, substitutes for the employee must select a training course from the Department of Children and Family Services' list of approved literacy training programs, which can be accessed by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training), or by contacting the licensing authority. Literacy training that was taken between July 1, 1999 and July 1, 2004 will be accepted by the licensing authority until January 1, 2005, if it meets all the required components stated above.

(6) Annual In-Service Training.

(a) All large family child care home operators and employees, must complete a minimum of 10 clock-hours or one (1) CEU of in-service training or 1 CEU, annually during the operator state's 12 month licensing period fiscal year beginning July 1 and ending June 30.

(b) The annual 10-clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12 or 1 CEU, must be completed in one (1) or more of the following areas (college level courses will be accepted):

1. through 2. No change.

3. First Aid (this training may only be taken to meet the in-service requirement once every three (3) years);

4. through 22. No change.

(c) Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268A, Feb. 04, Child Care In Service Training Record, which is incorporated by reference, and maintained at the large family child care home. CF-FSP Form 5268A may be obtained from the licensing authority or on by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training) by clicking on the forms link. A new in-service training record is required each licensing fiscal year. In addition to maintaining the training record for the current fiscal year, the in-service training records for the previous two (2) licensing fiscal years must also be maintained at the large family child day care home for review by the licensing authority. College level courses that cover the topics above may also be counted to meet the annual in-service training requirement.

(7) LFCCH Supervision.

(a) In a large family child care home, direct supervision must be maintained at all times during the hours of operation. Direct supervision means watching and directing children's

activities within the area designated as usable indoor floor space or outdoor play space and responding to each child's need. While children are napping or sleeping in bedrooms, the bedroom doors must remain open.

(b) Additional Supervision Requirements.

1. In addition to the number of staff required to meet staff-to-child ratios, if there are more than six (6) preschoolers participating on field trips away from the large family child care home, there must be one (1) additional adult present; per each six (6) preschoolers, or any fraction thereof, to provide direct supervision to the children. Where some children remain in the home, the adult supervision as required in Section 402.302(8), F.S., shall be maintained. At no time shall the total number of children exceed the capacity as defined in Section s. 402.302(8), F.S.

2. If a large family child care home uses a swimming pool that which exceeds three (3) feet in depth or uses beach or lake areas for water activities, the large family child care home must provide one (1) person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty and present when children are in the swimming area.

(8) Transportation.

(a) When any vehicle is regularly used by a large family child care home to provide transportation, the driver shall have a current Florida driver's license in accordance with Sections s. 322.01-.322.70, Florida Statutes.

(b) through (f) No change.

1. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of six (6) months. The log shall include each child's name, date, time of departure and time of arrival, signature of driver and signature of second staff member to verify driver's log and the fact that all children have left the vehicle.

2. No change.

a. Mark each child off the log as the child departs the vehicle,

b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and

c. Sign, date and record the driver's log immediately, verifying that all children were ~~at~~ accounted for and that the visual sweep was conducted.

3. Upon arrival at the destination, a second staff member shall:

a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the drivers log is complete.

(g) No change.

(9) Planned and Unplanned Activities.

(a) Each age group or class must have a written and followed plan of scheduled activities posted in a conspicuous location ~~place~~ accessible to the custodial parents or legal guardian. The written plan must meet the needs of the children being served and include scheduled activities that which:

1. Promote emotional, social, intellectual and physical growth;-

2. Include quiet and active play, both indoors and outdoors;-and

3. No change.

(b) A permission and transportation release form signed by the custodial parent or legal guardian of the children in care must be on file for planned and unplanned activities.

1. A telephone or other means of instant communication shall be available to the operator, employee or other adult responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

2. Emergency medical forms signed by the custodial parent or legal guardian and emergency contact numbers must accompany the children on all field trips.

(10) Child Discipline.

(a) Large family child care homes shall adopt a discipline policy consistent with Section s. 402.305(12), F.S.

(b) All child care personnel must of the large family child care home shall comply with the large family child care home's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited by all child care personnel.

(c) No change.

(11) LFCCH General Requirements.

(a) Fire Safety. Large family child care homes shall conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, Florida Administrative Code, Uniform Fire Safety Standards for Child Care Facilities and shall be inspected annually.

(b) No change.

1. A large family child care home must have 35 square feet of usable indoor floor space per child that 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-movable furniture. Kitchens, offices, laundry rooms, storage areas, hallways, 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. No change.

5. Large family child care homes shall make available toys, equipment and furnishings suitable to each child's age and development and of a quantity suitable for each child to be involved in activities.

6. No change.

(c) No change.

1. At all large family child care homes, the outdoor play space shall maintain safe and adequate be fenced, or walls, a minimum of four (4) feet in height. Fencing, including gates, must be 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, to prevent inside or outside access by children or animals.

2. All large family child care homes must have a minimum of 270 square feet of usable outdoor play space located on their property and which is exclusively used for the children attending or residing at the large family child care home. Large family child care homes caring only for infants under 12 months of age; shall not be required to have an outdoor play space; however, infants in care shall be provided opportunities for outdoor time each day that weather permits.

3. No change.

4. All playground equipment shall be securely anchored, unless portable or stationary 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, all connectors, and moving parts.

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

6. All equipment, fences, and objects on the large family child care home's premises shall be free from of sharp, broken and jagged edges and properly placed to prevent overcrowding or safety hazards in any one (1) area.

7. No change.

(d) No change.

1. The operator shall prepare an emergency evacuation plan including a diagram of safe routes by which the operator, employee and children may exit each area of the home in the event of fire or other emergency requiring evacuation. This plan shall be posted or shared with the employees, custodial and parents, and/or legal guardians.

2. ~~In addition to conducting fire drills as specified in 65C-20.010(3)(b)4., F.A.C.,~~ the large family child care home shall maintain and retain a written the fire drill record of monthly fire drills as specified in subparagraph 65C-20.010(3)(b)4., F.A.C. on the premises for twelve months.

~~(12) LFCCH Enforcement. Pursuant to Section 402.3131, F.S., the department or local licensing agency shall deny, suspend, revoke a license, or impose an administrative fine for the violation of any provision of ss. 402.301-319, F.S., or rules adopted thereunder.~~

(a) No change.

Specific Authority 402.3131 FS. Law Implemented 402.302, 402.305, 402.3131 FS. History--New 5-21-00, Amended 1-4-01, 7-13-03, 9-12-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Carrie Pafford, Government Operations Consultant II  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Winstead, Deputy Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 13, 2006

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65C-22.001	General Information
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirements
65C-22.005	Food and Nutrition
65C-22.006	Record Keeping
65C-22.007	Evening Child Care
65C-22.008	School-Age Child Care

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 30, (July 28, 2006) issue of the Florida Administrative Weekly. These changes are being made to address changes requested by the Joint Administrative Procedures Committee (JAPC).

65C-22.001 General Information.

(1) Application.

(a) Application for a license or for renewal of a license to operate a child care facility must be made on CF-FSP Form 5017, ~~April Feb. 2006~~4, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 ~~An application~~ may be obtained from the licensing authority or on by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/information](http://www.myflorida.com/childcare/information) by clicking on the forms link.

(b) Each completed CF-FSP Form 5017 application must be submitted with the licensure fee pursuant to Section 402.315, F.S.

(c) The completed CF-FSP Form 5017 application must be signed by the individual owner, or prospective owner, or the designated representative of a partnership, association, or corporation.

(d) For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida, would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

(e) A completed CF-FSP Form 5017 application for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. ~~The renewal application and required forms may be obtained from the licensing authority.~~

(f) In order to ~~be classified~~ operate as an urban child care facility, the ~~applicant child care facility~~ must obtain written ~~provide~~ documentation from the local governing body that confirms the geographical area has been declared urban. Urban child care facilities at the time of application that the outdoor play space requirement cannot be met, and must receive approval from the licensing authority and provide documentation at the time of application that the outdoor play space requirement cannot be met. An urban child care facility will not be approved if outdoor space is found by the licensing authority to be available.

(2) License.

(a) No change.

(b) At least one (1) week prior to changing ownership of a child care facility, in compliance with Section 402.305(18), F.S., at least one week prior to changing ownership of a child care facility, one (1) of the following methods of notification to custodial parents or legal guardians must be observed:

1. Posting a notice in a conspicuous location at the facility;-

2. Incorporating information into any existing newsletter; ~~or-~~

3. Individual letters; or fliers.

(3) Minimum Age Requirements. No change.

(4) Ratios.

(a) The staff-to-children ratio, as established in Section 402.305(4), F.S., is based on primary responsibility for the direct supervision of children and applies at all times while children are in care.

(b) No change.

1. In groups of mixed age ranges, where children under one (1) year of age are included, one (1) staff member shall be responsible for no more than four (4) children of any age group, at all times.

2. In groups of mixed age ranges, where children one (1) year of age but under two (2) years of age are included, one (1) staff member shall be responsible for no more than six (6) children of any age group, at all times.

(c) For every 20 children, a child care facility must have one (1) credentialed staff member pursuant to Section 402.305(3), F.S.

(5) Supervision.

(a) Direct supervision means watching and directing children's activities within the same room or designated outdoor play area and responding to the needs of each child's need. Child care personnel at a facility must be assigned to provide direct supervision to a specific group of children and be present with that group of children at all times. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care, ~~and~~ capable of responding to emergencies; and are accountable for children at all times, ~~which includes~~ when children are separated from their groups.

(b) During nap time, supervision means sufficient staff are in close proximity, within sight and hearing, of all the children. All other staff required to meet the ~~required~~ staff-to-children ratio shall be within the same building on the same floor and be readily accessible and available to be summoned to ensure the safety of the children. Nap time supervision, as described in this section, does not include supervision of children up to 24 months of age, who must be directly supervised at all times.

(c) No person shall be an operator, owner, or employee of a child care facility while using, or who is under the influence of, narcotics, alcohol, or other impairing drugs that impair an individual's, which affects their ability to provide supervision and safe child care, shall be an operator, owner, or employee in a child care facility.

(d) No change.

1. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one (1) additional adult must be present on all field trips away from the child care facility, for the purpose of safety, to assist in providing direct supervision.

2. If a child care facility uses a swimming pool that which exceeds three (3) feet in depth or uses beach or lake areas for water activities, the child care facility must provide one (1) person with a certified lifeguard certificate or equivalent; unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the child care facility provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (d)1., above.

3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

(6) Transportation. For the purpose of this section, vehicles refer to those that are owned/operated or regularly used by the child care facility; and vehicles that provide transportation through a contract or agreement with an outside entity.

(a) When any vehicle is regularly used by a child care facility to provide transportation, the driver shall have a current Florida driver's license, ~~and~~ an annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.

(b) All child care facilities must comply with the ~~inspection responsibilities and~~ insurance requirements found in Section 316.615(4), F.S.

(c) All vehicles regularly used to transport children shall be inspected annually; by a mechanic; to ensure proper working order. Documentation by the mechanic shall be maintained in the vehicle.

(d) through (e) No change.

(f) When transporting children, ~~staff-to-child~~ ratios must be maintained at all times. The driver may be included in the ~~staff-to-child~~ ratio. Prior to transporting children and upon the vehicle(s) arrival at its destination, the following shall be conducted by the driver(s) of the vehicle(s) used to transport the children:

1. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four (4) months. ~~The log shall~~ include each child's name, date, time of departure, time of arrival, signature of driver and signature of second staff member to verify driver's log and the fact that all children have left the vehicle. ~~The log shall be retained for a minimum of four months.~~

2. Upon arrival at the destination, the driver of the vehicle shall:

a. Mark each child off the log as the children departs the vehicle,

b. No change.

c. Sign, date and record the driver's log immediately, verifying that all children were ~~all~~ accounted for and that the visual sweep was conducted.

3. Upon arrival at the destination, a second staff member shall:

a. No change.

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the drivers log is complete.

(7) Planned Activities.

(a) Each age group or class must have a written and followed plan of scheduled activities posted in a conspicuous location ~~place~~ accessible to ~~the~~ parents. The written plan must meet the needs of the children being served and include scheduled activities that ~~which~~:

1. Promote emotional, social, intellectual and physical growth;-

2. Include quiet and active play, both indoors and outdoors; and-

3. No change.

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

(8) Child Discipline.

(a) Verification that the child care facility has provided, in writing, the disciplinary policy ~~practices~~ used by the facility shall be documented on the enrollment form; with the signature of the custodial parent or legal guardian.

(b) All child care personnel ~~of the child care facility~~ must comply with the facility's written disciplinary policy ~~practices~~. Such policies shall include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited by all child care personnel.

(c) A copy of the facility's current written disciplinary policy ~~practices~~ must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

(9) Access. No change.

(10) Attendance. Daily attendance of children shall be taken and recorded by the child care facility personnel, documenting when each child enters and departs a child care facility or program. Such records shall be maintained for a minimum of four (4) months.

(11) Child Safety. Pursuant to Section 402.301, F.S., acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S., constitute a violation of the standards in Section 402.301-309, F.S.

Specific Authority 402.281, 402.305 FS. Law Implemented 402.281, 402.305, 402.3055, 402.308, 402.315 FS. History--New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, \_\_\_\_\_.

65C-22.002 Physical Environment.

(1) General Requirements.

(a) All child care facilities must be clean, in good repair, and free from health and safety hazards, ~~clean~~, and ~~free~~ from vermin infestation. During the hours that the facility is in operation, no portion of the building shall be used for any activity which endangers the health and safety of ~~the~~ children.

(b) All areas and surfaces accessible to children shall be free from ~~of~~ toxic substances and hazardous materials.

(c) Animals must be properly immunized, free from ~~of~~ disease, and clean. Parents must be informed in writing of all animals on the premises. Such information may be provided by way of a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form.

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

(e) through (g) No change.

(h) Design and construction of a new child care facility or modifications to an existing facility; must meet the minimum requirements of the applicable local governing body.

(2) Rooms Occupied by Children.

(a) All rooms must have and maintain lighting the equivalent of 20 foot candles at three (3) feet from the floor to allow for supervision and for safe methods of entering and exiting each room. In reading, painting, and other close work areas, lighting must be equivalent to 50 foot candles on the work surface. At all times lighting must be sufficient to visually observe and supervise children, including during naptime.

(b) An inside temperature of 65<sup>o</sup> to 82<sup>o</sup> degrees Fahrenheit; must be maintained at all times.

(c) through (d) No change.

(3) Indoor Floor Space.

(a) No change.

(b) Usable indoor floor space refers to that space available for indoor play, classroom, work area, or nap space. Usable indoor floor space, for the facility as a whole, is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space.

(c) In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must also have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times, pursuant to Section 402.305(6), F.S.

(d) Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.

(e) Where infants are in care, they shall have open indoor floor space outside of cribs and playpens. The space used for play may be interchangeable with space used for cribs and play pens.

(4) Outdoor Play Area.

(a) There shall be a minimum of ~~forty-five (45)~~ square feet of usable, safe and sanitary outdoor play area per child, one (1) year of age and older. A minimum outside play area shall be provided for one-half (1/2) of this identified population.

(b) The outdoor play area shall be calculated at the rate of ~~forty-five (45)~~ square feet per child in any group using the play area at one (1) time.

(c) The outdoor play area shall be clean, free from ~~of~~ litter, nails, glass and other hazards.

1. through 2. No change.

(d) No change.

(e) The outdoor play area shall have and maintain safe and adequate fencing or walls a minimum of four (4) feet in height. Fencing, including gates, must be 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; and be free from erosion or build-up; to prevent inside or outside access by children or animals.

(f) through (g) No change.

(h) For the purposes of child care facilities who are providing care to school-age children, a fence is not required if all the following conditions are met:

1. The children using the outdoor play area are in five-year-old kindergarten and grades one (1) or above;

2. In addition to the established staff-to-children ratios, for the purpose of safety, an additional staff member is present, during all times of outdoor activities, to assist in providing direct supervision;

3. The outdoor play area is bordered by a road or street open to travel by the public with a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and

4. The licensing authority has provided written authorization to the program to operate without a fence.

(5) Napping and Sleeping Space. For the purposes of these standards, sleeping refers to the normal ~~overnight time~~ sleep cycle while napping refers to a brief period of rest during daylight or early evening hours.

(a) Each facility must include a designated area where each a child can sit quietly or ~~and~~ lie down to rest or nap. When not in use, napping space and usable indoor floor space may be used interchangeably.



(b) Each child in care must be provided safe and sanitary bedding to be used when napping or sleeping. Bedding means a cot, bed, crib, playpen, mattress (excluding an air mattress or a foam mattress) or floor mat. Floor mats must be at least one (1) inch thick and covered with an impermeable surface. Floor mats, foam mattresses, air mattresses, and playpens may not be used for care when children are sleeping. Bedding must be appropriate for the child's size. Bedding is not required for school-age children; however, the program or facility shall provide an area as described in paragraph 65C-22.002(5)(a), F.A.C., for those children choosing to rest.

(c) Linens, if used, must be laundered at least once each week and more often if soiled or dirty. Linens, if used for more than one (1) child shall be laundered between usage. Linens must be provided when children are sleeping and pillows and blankets must be available.

(d) No change.

(e) A minimum distance of ~~eighteen~~ (18) inches must be maintained around individual napping and sleeping spaces. Exit areas must remain clear in accordance with fire safety regulations.

(f) Children up to one (1) year of age must be in an individual crib, portacrib or playpen with sides. Crib sides must be raised and secured while an infant is in the crib and bar spacings may not exceed two and three-eighths (2 3/8) inches. Cribs must meet the construction regulations as outlined in Title 16, Parts 1508 & 1509, Code of Federal Regulations. No double or multi-deck cribs, cots or beds may be used. When napping or sleeping, young infants that are not capable of rolling over on their own should be positioned on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome (SIDS), unless an alternate position is authorized in writing by a physician. The documentation shall be maintained in the child's record. Crib sides must be raised and secured while an infant is in the crib. Cribs must meet the construction regulations as outlined in Title 16, Parts 1508 & 1509, Code of Federal Regulations.

(g) When napping or sleeping, young infants that are not capable of rolling over on their own should be positioned on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome (SIDS) unless an alternate position is authorized in writing by a physician. The documentation shall be maintained in the child's record. No double or multi-deck cribs, cots or beds may be used.

(6) Toilet and Bath Facilities.

(a) Each child care facility shall provide and maintain toilet and bath facilities ~~that, which~~ are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed and easily cleaned and sanitized.

(b) For facilities having from one (1) to ~~15~~ fifteen children, there shall be one (1) toilet and one (1) wash basin. There shall be one (1) additional toilet and basin for every 30

~~thirty~~ children thereafter. For design and construction of a new child care facility or modification to an existing facility, paragraph 65C-22.002(1)(h)(j), F.A.C., shall apply.

1. If only diapered infants are cared for in the facility, ~~then there need be only one (1) toilet plus two (2) basins per for each 30~~ thirty infants is required.

2. No change.

(c) through (d) No change.

(e) At least one (1) portable or permanent bath facility shall be provided and be available for bathing children.

(f) Running water, soap, trash receptacles, toilet paper, and disposable towels or hand drying machines that are properly installed and maintained, ~~soap and trash receptacles~~ shall be available and within reach of children using the toileting facility.

(g) No change.

(7) Fire Safety.

(a) No change.

(b) There shall be at least one (1) corded telephone in the child care facility ~~that which~~ is neither locked nor located at a pay station and is available to all staff during the hours of operation.

(c) Fire drills shall be conducted monthly at various times and shall be conducted when children are in care. A current attendance record must accompany staff out of the building during a drill or actual evacuation and be used to account for all children.

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

(8) Health and Sanitation.

(a) General Requirements.

1. No change.

2. Following personal hygiene procedures for themselves or when assisting others, and immediately after outdoor play, Employees, volunteers, and children shall wash their hands with soap and running water, drying thoroughly and follow personal hygiene procedures for themselves, or while assisting others, and immediately after outdoor play.

3. No change.

4. If ~~the~~ children are sleeping overnight in the facility, child care staff must ensure accepted bedtime routines are practiced, such as brushing teeth and face and hand washing. Toothbrushes, towels and wash cloths may not be shared.

(b) Diapering Requirements.

1. Hand washing facilities ~~that which~~ include a basin with running water, soap, trash receptacle, and disposable towels or hand drying machines that are properly installed and maintained, ~~soap, and trash receptacle~~ shall be provided maintained in the infant room or in an adjoining room which

opens into the room where infants or children with special needs in diapers are in care. Hands shall be washed and dried thoroughly after each diapering or toileting procedure. Handwashing sinks shall not be used for food service preparation or food clean up.

2. When children in diapers are in care, there shall be a diaper changing area with an impermeable surface ~~that~~ which is cleaned with a sanitizing solution after each use. Children must be attended at all times when being diapered or when changing clothes.

3. ~~The~~ Diaper changing area shall be located in a separate area from the ~~feeding or food preparation, service and feeding~~ area. In addition, items unrelated to diaper changing shall not be stored in the diaper changing area nor shall they be placed on the diaper changing table.

4. There shall be a supply of clean diapers, clothing and linens at all times. When diapers, clothing or linens that are in use become soiled or wet, they shall be changed immediately or removed and properly disposed of, ~~which shall be changed or removed promptly when soiled or wet.~~

5. Soiled disposable diapers shall be disposed of in a plastic lined, securely covered container ~~that, which~~ is not accessible to children. The container shall be emptied and sanitized, at least, daily.

6. Soiled cloth diapers shall be emptied of feces in the toilet and placed in a securely covered container ~~that~~ which is not accessible to children. The container shall be emptied and sanitized, at least, daily.

(9) Equipment and Furnishings.

(a) Indoor Equipment.

1. through 2. No change.

(b) Outdoor Equipment.

1. A child care facility shall provide and and maintain equipment and play activities suitable to each child's age and development.

2. All playground equipment shall be securely anchored, unless portable or stationary 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 or stationary playground equipment must have a ground cover or other protective surface under the equipment ~~that~~ which provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls.

4. All equipment, fences, and objects on the facility's premises shall be free from of sharp, broken and jagged edges and properly placed to prevent overcrowding or safety hazards in any one (1) area.

5. No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-13-03, 9-12-04, 6-30-05,\_\_\_\_\_.

65C-22.003 Training.

(1) Definitions.

(a) "Active" refers to the status of a candidate's awarded credential or certification in which requirements have been successfully met. ~~"CDA" Child Development Associate is a national credential, recognized throughout the United States and the world, issued by the Council for Early Childhood Professional Recognition in Washington, DC.~~

(b) "Before-school and after-school site" refers to a program, regardless of location, that provides child care for children who are at least five (5) years old and are enrolled in and attend a kindergarten program or grades one (1) and above during a school district's calendar year. This is limited to programs that provide care only before and after the recognized hours of a district's school day and on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year. ~~"State Approved CDA Equivalency" is 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.~~

(c) "Begin training for child care personnel" refers to a candidate's commencement of at least one (1) of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance, acquiring an educational exemption from training, beginning a department-approved online child care training course, or by completion of a department-approved competency examination within the first 90 days of employment in the child care industry. The child care facility is responsible for obtaining documentation from child care personnel.

~~(d)(e)~~ "Director," pursuant to for the purpose of this section and consistent with the statutory definition of "operator," in Section 402.302(11), F.S., is refers to the onsite administrator or individual of a child care facility who has the primary responsibility for the day-to-day operation, supervision and administration of a the child care facility.

~~(e)(d)~~ "Director Credential" is means a department-approved comprehensive credentialing program that consisting of two levels of education and experiential requirements as referenced outlined in paragraph subsection 65C-22.003(8)(a), F.A.C.

~~(e)~~ "Before school and after school sites" for the purposes of this section means, programs, no matter their location, providing child care for children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one and above, during the school district's calendar year. This is limited to programs providing care before and after the school day, only, teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.

~~(f)~~ "Begin training for child care personnel" means to commence coursework by attendance, by educational exemption, or by completing a competency examination for

one of the statutorily mandated child care training modules. The begin date for training is the initial date an individual commences training in the child care field.

(f) “Early childhood education” refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).

(g) “Expired” refers to the status of a candidate’s awarded credential or certification that is not eligible for renewal.

(h) “Florida Child Care Professional Credential (FCCPC),” pursuant to Section 402.305(3)(b), F.S., is a department-approved training program that consists of a minimum of 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification: “Birth Through Five (formerly the department approved CDA Equivalency training programs)” and “School-Age (formerly the Florida School-Age Certification).” A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(i) “Florida Department of Education Child Care Apprenticeship Certificate (CCAC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(j) “Florida Department of Education Early Childhood Professional Certificate (ECPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(k) “Florida Department of Education School-Age Professional Certificate (SAPC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with school-age children and meets or exceeds the requirements outlined in Section 402.305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(l) “Inactive” refers to the status of a candidate’s awarded credential or certification that remains eligible for renewal.

(m) “National Early Childhood Credential (NECC)” pursuant to Section 402.305(3)(c), F.S., is an early childhood credential approved by the department and recognized by licensing authorities in at least five (5) states that incorporates

120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and includes at least two (2) methods of formal assessment. This includes the Child Development Associate (CDA) credential issued by the Council for Professional Recognition in Washington, DC. A list of approved and recognized NECC programs may be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(n)(g) “Training Transcript” is the official electronic documentation of ~~for~~ statutorily mandated training and staff credentialing qualifications requirements for ~~of all~~ child care personnel. Training transcripts may ~~can~~ be obtained on the Department of Children and Family Services’ website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare), downloaded and printed by the individual if desired or will be issued to the individual if requested.

(o) “Weighted score” means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

(2) Training Requirements.

(a) Child care personnel hired on or after October 1, 1992 must successfully complete the Department of Children and Family Services’ 40 hour Introductory Child Care Training, as evidenced by successful completion of competency based examinations offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better. Child care personnel who successfully completed the mandatory 40 hour Introductory Child Care Training prior to January 1, 2004 are not required to fulfill the competency examination requirement.

1. All child care personnel must complete training within 12 months from the date training begins and may not exceed 15 months from the date of employment in the child care industry.

2.(a) The 40 hour Introductory Child Care Training requirement is divided into two (2) parts. Part I is comprised of 30 hours of training that, consisting of the Department of Children and Family Services’ training courses modules, developed by the department, identified below:

a.1- Child Care Facility State & Local Rules and Regulations;

b.2- Health, Safety, and Nutrition;

c.3- Identifying and Reporting Child Abuse and Neglect;

d.4- Child Growth and Development; and

e.5- Behavioral Observation and Screening.

3.(b) Part II is comprised of 10 hours of training that, consisting of a selection from the Department of Children and Family Services’ specialized training courses modules, developed by the department, identified below:

a.1- Infant and Toddler Appropriate Practices (10 hours);

b.2- Preschool Appropriate Practices (10 hours);

- c.3. School-Age Appropriate Practices (10 hours);
- d.4. Special Needs Appropriate Practices (10 hours);
- e.5. Basic Guidance and Discipline (5 hours online web based);
- f.6. Computer Technology for Child Care Professionals (5 hours online web based); and
- g.7. Early Literacy for Children Age Birth to Three (5 hours online web based);
- h. Early Childhood Computer Learning Centers (5 hours online), or
- i. Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online).

~~(c) Child care personnel hired on or after October 1, 1992, must successfully complete Part I and Part II of the Department of Children and Family Services' 40 hour Introductory Child Care Training requirement. Successful completion of the 40 hour training requirement is evidenced by passage of competency examinations with a score of seventy (70) or better. Child care personnel who have completed the mandatory 40 hour Introductory Child Care Training prior to the availability of the competency examinations will not be required to complete the competency based testing.~~

~~(b)(4) Pursuant to Section 402.305(2)(d)5., F.S., all child care personnel must complete a single course 5 clock hours or 5 continuing education units (CEU's) of training in early literacy and language development of children ages birth through to five (5) years of age. Literacy training must be a single class or course that is a minimum of no less than five (5) clock-hours or 5 CEUs in duration and focuses on early literacy and language development of children from birth to 5 years of age.~~

~~1. All child care personnel employed on or before December 31, 2004, shall complete 5 clock hours or 5 documented continuing education units (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 June 30, 2005.~~

~~1.2. All child care personnel must hired on or after January 1, 2005, shall complete early literacy training within 12 months of date of employment in the child care industry. Proof of completion will be documented on the certificate of course completion, classroom transcript, or diploma.~~

~~2.3. In order to meet the literacy training this requirement, child care personnel must complete one (1) of the following:~~

~~a. One (1) of tThe department's online literacy courses available on the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training); or:~~

~~b. One (1) of the department's approved literacy training courses. A training course from the Department of Children and Family Services' list of these courses may approved literacy training programs, which can be obtained from accessed by contacting the licensing authority or on by going~~

~~to the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training). The Department of Children and Family Services will continue to approve literacy courses through May 31, 2005. After this date, no additional courses will be approved by the department added to the list; or~~

~~c. One (1) college level early literacy course (for credit or non-credit) if taken (for credit or non credit) within the last five (5) years.~~

~~4. Literacy training that was taken between July 1, 1999 and July 1, 2004, will be accepted by the licensing authority if it meets all the required components stated above.~~

~~(c) Training transcripts are updated upon the successful completion of training, as evidenced by the passage of a competency examination. Competency examinations will be offered by the Department of Children and Family Services or its designated representative.~~

~~1. The successful completion of Part I and Part II modules will be documented on either CF FSP Form 5267, May 2003, or the Department of Children and Family Services' child care training transcript.~~

~~2. A copy of the certificate or training transcript must be included in the child care personnel record and maintained at each facility.~~

~~3. A copy of the certificate or training transcript for the director and owner must be included in the department's official licensing file.~~

~~(3) Exemptions from the Introductory Child Care Training.~~

~~(a) Competency Examination Exemptions. Prior to attending the training, Cchild care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more any of the department's 40 hour Introductory Child Care Training courses modules prior to attending training by successfully completing of corresponding competency examinations with a weighted score of seventy (70) or better. Examination Exemptions examinations are not available for the dDepartment's online of Children and Family Services' web-based Part II specialized training courses modules.~~

~~(b) Educational Exemptions.~~

~~1. The Department of Children and Family Services or its designated representative shall exempt child care personnel with one of the following educational qualifications, from the Health, Safety and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses Modules who meet one (1) of the following educational qualifications:~~

~~a. Associate's Two year degree or higher with six (6) college credit hours in early childhood/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade.~~

b. An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC). Child Development Associate credential, state-approved Florida CDA Equivalency course.

2. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course module and Preschool Appropriate Practices course module.

3. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Elementary Education from the School-Age Appropriate Practices course module.

4. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Exceptional Student Education from the Special Needs Appropriate Practices course module.

5. There are no educational exemptions from the Child Care Facility Rules and Regulations and the Identifying and Reporting Child Abuse and Neglect courses or from the department's online training courses.

(4) Documentation of Training. Training successfully completed successfully after July 1, 2004 will be documented on the child care training transcript only. Training completed prior to July 1, 2004 may be documented either on the child care training transcript or on CF-FSP 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference. CF-FSP 5267 may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) by clicking on the training link.

(a) A copy of the CF-FSP Form 5267 or training transcript must be included in each staff member's child care personnel record and maintained at each child care facility.

(b) A copy of the CF-FSP Form 5267 or training transcript for the director of a child care facility must be included in the department's official licensing file.

(5) Child Care Trainer Qualifications. Qualified Child care professionals approved to teach the Department of Children and Family Services' Child Care Training courses must meet, modules at a minimum, must meet the following qualifications:

(a) Be At least 21 years of age old.

(b) Have completed the department's six (6) clock-hour Train-the-Trainer course developed by the Department of Children and Family Services.

(c) Meet one (1) of the following educational and experiential credentials verified by the Department of Children and Family Services or its designated representative:

1. Four (4) year college degree or higher with six (6) college credit hours in early childhood education/child growth and development and, plus, 480 hours experience in a child care setting serving children ages birth through eight (8), years of age or a professional educator teaching certificate.

2. Associate's, S. or A.A. degree in Early Childhood Education or Child Development and, plus 480 hours experience in a child care setting serving children ages birth through eight (8) years of age.

3. Associate's degree with six (6) college credit hours in early childhood/child growth and development and, plus 960 hours experience in a child care setting serving children ages birth through eight (8) years of age.

4. Four (4) year college degree with a professional educator certificate and employed by a school district in the state of Florida to teach Early Childhood Education in the Family and Consumer Sciences Program.

5. ~~(4)~~ Family child care trainers may meet the qualifications referenced listed above in paragraphs 65C-22.003(5)(c), F.A.C., or the following qualifications: a high school diploma or GED, a National Early Childhood Credential CDA or a department state approved Birth Through Five FCCPC Florida CDA equivalent, and three (3) years of full-time experience in licensed family child care within the past five (5) years, and completion of the 6 clock hour Train the Trainer course developed by the department.

(d)(e) The Department of Children and Family Services or its designated representative may require a trainer to attend a specific child care training course module prior to being approved.

(6) Annual In-Service Training.

(a) All child care facility personnel; must complete a minimum of 10 clock-hours or one (1) CEU of in-service training or 1 CEU, annually during the state's fiscal year beginning July 1 and ending June 30.

(b) The annual 10 clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12 or 1 CEU, must be completed in one (1) or more of the following areas (college level courses will be accepted):

1. Health and safety; including universal precautions;

2. No change.

3. First Aid (this training may only be taken to meet the in-service requirement once every three (3) years);

4. through 13. No change.

14. SPlayground safety in outdoor play;

15. through 19. No change.

20. Homework assistance for school-age care;

21. through 22. No change.

(c) Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268, April 2006 Feb. 04, Child Care In-Service Training Record, which is incorporated by reference, and included in the child care facilities' personnel

records. CF-FSP 5268 may be obtained from the licensing authority or on by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training). A new in-service training record is required each fiscal year. ~~In addition to maintaining the training record for the current fiscal year, T~~he in-service training records for the previous two (2) fiscal years must also be maintained at the child care facility for review by the licensing authority. College level courses that cover the topics above may also be counted to meet the annual in-service training requirement.

(7) Staff Credentials.

(a) Staff Credential Requirement. Pursuant to Section 402.305(3), F.S., ~~a~~Every licensed child care facility must have one (1) credentialed staff member of its child care personnel for every 20 children, with one of the following qualifications:

1. A credentialed staff member is defined as a child care professional who has been issued a CF-FSP Form 5206, April 2006, Staff Credential Verification, which is incorporated by reference, by the department.

2. To apply for a CF-FSP Form 5206, a candidate must complete CF-FSP Form 5211, April 2006, Staff Credential Application, which is incorporated by reference, copies of which may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare), and meet one (1) of the following six (6) qualifications as cited on CF-FSP Form 5211:

~~a.1.~~ An active National Early Childhood Development Associate (CDA) Credential (NECC).

~~b.2.~~ Formal Educational Qualifications. Procedures for individuals with an associate level (2 year) degree or higher seeking the credentialing requirement are outlined on CF-FSP Form 5211, April 05, Child Care Personnel Education/Employment History Verification Form, which is incorporated by reference. CF-FSP Form 5211 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training).

~~c.3.~~ An active Birth Through Five state approved Florida Child Care Professional CDA Equivalency (CDAE) Credential awarded by successful completion of a Birth Through Five FCCPC Training Program as documented on CF-FSP Form 5270, April 2006, Florida Child Care Professional Credential Certificate, which is incorporated by reference. A list of approved programs is maintained on the Department of Children and Family Service's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

d. An active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC) (formerly CDA Equivalent), or School-Age Professional Certificate (SAPC) (formerly School-Age Certification Training).

~~a.~~ Early Childhood Education Training Programs seeking equivalency to the CDA should submit a completed CF-FSP Form 5191, April 05, Application for Child Development

Associate (CDA) Equivalency for Training Programs, which is incorporated by reference, to the Department of Children and Family Services for approval. CF-FSP Form 5191 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training).

~~b.~~ The criterion for programs wishing to be recognized as a state approved CDA Equivalency is determined by the Department of Children and Family Services and is outlined on the Application for Child Development Associate (CDA) Equivalency Training Programs, CF-FSP 5191.

~~e.~~ The Department of Children and Family Services will only approve CDA Equivalency programs that are accredited by one of the national or regional accreditation organizations recognized by the United States Department of Education or licensed by the Florida Commission for Independent Education.

4. Employment History Recognition Exemption.

~~a.~~ In addition to the requirements and time frames established in statute (a person employed in a child care facility on July 1, 1995, who has a high school diploma or its equivalent and has at least 10 years of documented experience, as determined by the department, in child care between July 1, 1980 and July 1, 1995, or 10 years of teaching experience in early childhood education through grade 3 in a public or private school since July 1, 1980, meets the minimum staff credential requirement), employment history experience must include a minimum of 15 hours per week per year or 540 hours per year working with children in a licensed, registered or exempt child care program as defined in Section 402.301, F.S., or teaching experience in a public or private school.

~~b.~~ Documentation of employment history recognition must include notarized letters indicating previous employment or other forms of documentation such as W-2 forms, licensing records, or income tax return forms for each place of employment.

~~e.5.~~ An active Florida School-Age Florida Child Care Professional Credential Certification awarded by successful completion of a School-Age FCCPC Training Program as documented on CF-FSP Form 5270. A list of approved programs is maintained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Graduates who successfully complete a school-age training program offered by a branch of the U.S. Military will be recognized as having met the School-Age FCCPC requirement. A School-Age FCCPC will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK).

f. Employment History Recognition Exemption. An Employment History Recognition Exemption will not be accepted to meet the minimum staff credential requirements for Voluntary Pre-Kindergarten (VPK) or towards a Director Credential. Applications for Employment History Recognition Exemption will not be accepted after July 1, 2006.

a. Training providers seeking to offer the Florida School Age Certification Training Program must utilize the Florida School Age Certification Training Program as approved by the Department of Children and Family Services and must apply for approval on CF-FSP Form 5257, April 05, Application to Provide the Florida School Age Certification Training Program, which is incorporated by reference. The application may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training). Effective July 1, 2005, The Department of Children and Family Services will only approve Florida School Age Certification Training Programs that are accredited by one of the national or regional accreditation organizations recognized by the United States Department of Education or licensed by the Florida Commission for Independent Education.

b. In order to receive the Florida School Age Certification, a candidate must have completed the Department of Children and Family Services, Florida School Age Certification Training Program, which consists of the following:

(I) A total of 120 hours of training consisting of successful completion of Part I of the training for School Age Child Care Personnel identified in paragraphs 65C-22.008(4)(a) and (b), F.A.C.; and a minimum of 80 clock hours of training using the Department of Children and Family Services approved curriculum, which focuses on the following six competency areas:

(A) Establishment and maintenance of a safe and healthy learning environment.

(B) The advancement of physical and intellectual competence.

(C) The support of social and emotional development and provision of positive guidance.

(D) The establishment of positive and productive relationships with families.

(E) Ensuring a well run, purposeful program responsive to participant's needs.

(F) The maintenance of a commitment to professionalism.

(H) A portfolio containing an autobiographical statement, written examples demonstrating mastery of each of the school age competency subject areas, and a collection of resource materials as identified in the Department of Children and Family Services, Florida School Age Certification Training Portfolio and Resource Materials Checklist, CF-FSP Form 5258, Oct. 01, which is incorporated by reference.

(III) Formal observation working with children in a school age setting during the course of the program by a qualified observer.

(IV) 480 hours of direct contact with children in a school age setting within the past five years.

e. Individuals who are enrolled in an existing school age certification training program in Florida, prior to January 1, 2002, and who graduate from this training program by January 1, 2003, will be recognized as having met the Florida School Age Certification requirement.

d. Individuals who successfully complete a school age training program offered by one of the branches of the U.S. Military will be recognized as having met the Florida School Age Certification requirement.

e. Early Childhood Education Training providers that offer the Florida School Age Certification Training Program must complete CF-FSP Form 5259, Oct. 01, Confirmation of Completion of the Florida School Age Certification Training Program, which is incorporated by reference, for each graduate. Training providers must submit the completed CF-FSP Form 5259 for each graduate, to the Department of Children and Family Services or its designated representative for processing upon completion of all components of the Florida School Age Certification Training Program.

f. The Department of Children and Family Services or its designated representative will update the child care training transcript to document the successful completion of the Florida School Age Certification Training Program.

g. To maintain a valid Florida School Age Certification, candidates must complete and document the satisfactory completion of 4.5 Continuing Education Units (CEUs) or one three hour college credit course in any school age child care curriculum area, every five years. Coursework completed to renew a State of Florida Teaching Certificate satisfies the coursework requirement for renewal of the Florida School Age Certification. This documentation must be submitted to the Department of Children and Family Services or its designated representative to verify completion of the required coursework. The Department of Children and Family Services or its designated representative will issue a new Florida School Age Certification Training Program Certificate upon verification of the documentation.

(b) Periods of Transition. Child care personnel meeting the staff credentialing requirement in subparagraph (a)1. 5. of this section, must work at the facility a minimum of 20 hours per week. Nap time and lunch times are excluded from this calculation. A credentialed staff person must be on site on a full time basis for those facilities that operate 20 hours or less per week.

(b)(e) Calculation of Number of Personnel Necessary. The required number of credentialed staff for a facility shall be calculated as follows:

1. Child care facilities with 19 or fewer children or that operate less than eight (8) hours per week are not subject to the staff credentialing requirement.

2. For every 20 children, a child care facility must have one (1) child care staff member personnel who meets the staff credentialing requirement. Based on this formula, child care

facilities with 20-39 children must have one (1) credentialed staff member, facilities with 40-59 children must have two (2) credentialed staff members, and so on. The licensing authority will calculate the number of credentialed personnel required based on daily attendance.

3. Child care personnel meeting the staff credentialing requirement in paragraph 65C-22.003(7)(a), F.A.C., must work at the facility a minimum of 20 hours per week. A credentialed staff person must be on-site during all operational hours for those facilities that operate 20 hours or less per week.

4. Nap time and lunch times are excluded from this calculation.

5.3. Volunteers who meet the credentialing requirement will be included in calculating the credentialing ratio.

6. Children who are five (5) years old and who are enrolled in and attend a kindergarten program or grades one (1) and above are excluded from the credential ratio.

7. An individual with an expired or inactive credential is ineligible to be counted as a credentialed staff member pursuant to subparagraph 65C-22.003(7)(a)1., F.A.C., until the credential is renewed or the individual meets one (1) of the qualifications listed in paragraph 65C-22.003(7)(a), F.A.C.

4. The licensing authority will calculate the number of credentialed personnel required based on daily attendance.

(c)5. On-Site Documentation. A copy of the CF-FSP Form 5206 for each credentialed staff member must be maintained on-site at the child care facility, in the employee personnel file, for review by child care licensing staff. In addition to CF-FSP Form 5206, April 05, Child Care Personnel Professional Development Confirmation Form, child care facilities must maintain have available written documentation of credentialed personnel's work schedules. Examples of written documentation are employee time sheets, personnel work schedules, and employment records.

6. Children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one and above, are excluded from the calculation for purposes of determining the number of personnel necessary to meet the credentialing ratio.

(d) Staff Credential Renewal.-

1. A National Early Childhood Credential must be renewed through the agency that awarded the credential. Prior to December 31, 2008, a National Early Childhood Credential may comply with the Birth Through Five Florida Child Care Professional Credential renewal process referenced in subparagraph 65C-22.003(7)(d)3., F.A.C., if the credential was issued prior to December 31, 2003.

2. A staff credential awarded for formal education qualifications does not need to be renewed to remain active.

(d) CDA or CDAE Renewal. A CDA or CDAE must be renewed as specified in subparagraphs 1.- 6. below for the purpose of meeting the staff credentialing requirement for every 20 children in care, as mandated in Section 402.305(3), F.S.,

3.4. Florida CDAE Renewals. To maintain an active Birth Through Five FCCPC Florida CDAE, every five (5) years a candidate must renew their Birth Through Five FCCPC Florida CDAE by completing the Florida CDAE Renewal Application, CF-FSP 5273, April 200605, Birth Through Five Florida Child Care Professional Credential Renewal Application, which is incorporated by reference, CF-FSP Form 5273 and may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare/training](http://www.myflorida.com/childcare/training). The Florida CDAE Renewal will be documented on CF FSP 5270, April 05, Florida CDA Equivalency Certificate of Renewal, which is incorporated by reference. Renewal applications may be submitted no earlier than one year prior to the expiration date of the active CDAE certificate. The completed renewal application must be submitted to the Department of Children and Family Services and include documentation of the following criteria:

a. A Birth Through Five FCCPC renewal will be documented on CF-FSP Form 5270. Renewal applications may be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Birth Through Five FCCPC.

b. Individuals with a Birth Through Five FCCPC issued before December 31, 2003 may renew the credential by submitting a CF-FSP 5273 with the required documentation by December 31, 2008. A Birth Through Five FCCPC issued after December 31, 2003 will have a renewal date of five (5) years from the date of issuance.

c. An individual with an inactive Birth Through Five FCCPC may submit a renewal application for a period of up to three (3) years from the end of the Birth Through Five FCCPC active period. The application will be reviewed, and if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5273 is processed.

d. For purposes of participation in the Voluntary Pre-Kindergarten (VPK) Program, child care personnel must ensure an active credential by July 1, 2006.

4. To maintain an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC), every five (5) years a candidate must renew their Florida Department of Education CCAC, ECPC by completing CF-FSP Form 5309, April 2006, Florida Department of Education Child Care Apprenticeship Certificate (CCAC) and Early Childhood Professional Certificate (ECPC) Renewal Application, which is incorporated by reference. To maintain an active Florida Department of Education School-Age Professional Certificate



(SAPC), every five (5) years a candidate must renew their SAPC by completing CF-FSP Form 5308, April 2006, Florida Department of Education School-Age Professional Certificate (SAPC) Renewal Application, which is incorporated by reference. CF-FSP Forms 5308 and 5309 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

a. A Florida Department of Education CCAC, ECPC or SAPC renewal will be documented on CF-FSP Form 5310, April 2006, Certificate for Florida Department of Education Child Care Apprenticeship Certificate (CCAC)/Early Childhood Professional Certificate (ECPC)/School-Age Professional Certificate (SAPC) Program Renewal, which is incorporated by reference. CF-FSP Forms 5308 and 5309, as applicable, may be submitted by the candidate no earlier than one (1) year prior to the end of the active period of the Florida Department of Education CCAC, ECPC or SAPC.

b. An individual with an inactive Florida Department of Education CCAC, ECPC or SAPC may submit a renewal application for a period of up to three (3) years from the end of the Florida Department of Education CCAC, ECPC or SAPC active period. CF-FSP Form 5308 or 5309, as applicable, will be reviewed and, if approved, a CF-FSP Form 5310 will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5308 or 5309 is processed.

5. To maintain an active School-Age FCCPC, every five (5) years a candidate must renew their School-Age FCCPC by completing CF-FSP Form 5307, April 2006, the School-Age Florida Child Care Professional Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5307 may be obtained on the Department of Children and Family Service's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

a. A School-Age FCCPC renewal will be documented on CF-FSP Form 5270. Renewal applications may be submitted no earlier than one (1) year prior to the end of the active date of the School-Age FCCPC.

b. An individual with an inactive School-Age FCCPC may submit a renewal application for a period of up to three (3) years from the end of the School-Age FCCPC active period. The application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed CF-FSP Form 5270 is processed.

6. A staff credential awarded for Employment History Recognition Exemption does not require renewal to remain active.

(e) Florida Child Care Professional Credential Training Program Providers.

#### 1. Birth Through Five FCCPC Training Providers.

a. Training providers seeking to offer the Birth Through Five FCCPC training must utilize the criteria approved by the department referenced on CF-FSP Form 5191, April 2006, Birth Through Five Florida Child Care Professional Credential (FCCPC) Training Program Application, which is incorporated

by reference. CF-FSP Form 5191 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Training providers must submit a completed CF-FSP Form 5191 to the department for approval.

b. Training providers that offer the Birth Through Five FCCPC shall submit FCCPC training student completion documentation in the format referenced on CF-FSP Form 5191 to the department for issuance of the Birth Through Five FCCPC and to update the graduate's child care training transcript.

c. Training providers approved to offer the Birth Through Five FCCPC must annually complete, sign, date and submit the attestation page of CF-FSP 5191 to the Department of Children and Family Services for review and approval based on the provider's anniversary date listed on CF-FSP 5191.

#### 2. School-Age FCCPC Training Providers.

a. Training providers seeking to offer the School-Age FCCPC training must utilize the criteria approved by the department referenced on CF-FSP Form 5257, April 2006, School-Age Florida Child Care Professional Credential (FCCPC) Training Program Application, which is incorporated by reference. CF-FSP Form 5257 may be obtained on the Department of Children and Family Services website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Training providers must submit a completed CF-FSP Form 5257 to the department for approval.

b. Training providers that offer the School-Age FCCPC training shall submit FCCPC training student completion documentation in the format referenced on CF-FSP Form 5191 to the department for issuance of the School-Age FCCPC and to update the graduate's child care training transcript.

a. Proof of a current First Aid Certificate;

b. Proof of 45 hours of professional education obtained within the past five years by meeting one of the following:

(I) At least 4.5 Continuing Education Units (CEUs);

(II) Three college credits in early childhood education/child development;

(III) Forty five (45) clock hours of early childhood education/child development training completed at a Florida Career Education Center (public vocational or technical school), Florida Community Colleges, or an institution licensed by the Florida Commission for Independent Education.

(IV) Any combination of the professional education outlined in subparagraphs 65C-22.003(7)(d)1.b.(I)-(III), F.A.C., listed above.

c. Proof of recent (within current year) work experience with young children or families of young children (a minimum of 80 hours);

d. Proof of recent (within current year) membership in a national, state or local early childhood professional organization;

e. A letter of recommendation regarding competency in working with young children, provided by an Early Childhood Education Professional such as the Child Care Facility Director, Assistant Director, Observer, or Lead Teacher; and

f. Copy of a CDA or CDAE credential.

g. The fee for processing the Florida CDAE renewal application shall be \$25.00. Payment must be via a business check or a money order. No personal checks will be accepted.

2. Individuals with a Florida CDAE credential obtained before December 31, 2003 will have the opportunity to renew this credential by submitting a completed Florida CDAE Renewal Application, CF-FSP 5273, with the required documentation, by December 31, 2008. A Florida CDAE issued after December 31, 2003 will have a renewal date of 5 years from the date of issuance.

3. If a CDAE credential is not renewed prior to the expiration date, an individual with an expired CDAE credential may submit a renewal application for a period up to three (3) years after the CDAE credential expiration date. The application will be reviewed, and if approved, a certificate issued with a five year expiration date based on the date the completed renewal application is processed.

4. National CDA Renewals. To renew a National CDA, individuals may contact the Council for Early Childhood Professional Recognition, located in Washington, DC, at 1(800)424-4310, or follow the Florida CDAE renewal process outlined in subparagraphs 65C-22.003(7)(b)1.-4., F.A.C.

5. An individual with an expired CDA or CDAE is ineligible to be counted as a credentialed staff person pursuant to paragraph 65C-22.003(7)(a), F.A.C., until the CDA or CDAE credential is renewed or the individual meets one of the other qualifications listed in subparagraph 65C-22.003(7)(a)1.-4., F.A.C.

(e) Verification of Education and Employment History.

1. Child care personnel seeking satisfaction of the staff credentialing requirement, in subparagraphs 65C-20.003(7)(a)1.-5. of this section, are responsible for completing and submitting to the Department of Children and Family Services or its designated representative CF-FSP Form 5211, April 05, Child Care Personnel Education and Employment History Verification Form, including education and employment history documentation.

2. Upon receipt and approval of the completed forms, the individual's training transcripts will be updated to reflect the staff credential verification. From the individual's child care training transcript, they may print CF-FSP Form 5206, Feb. 04, Child Care Personnel Professional Development Confirmation Form, which is incorporated by reference, for the individual's records. The individual may also request a copy of CF-FSP Form 5206, from the Department of Children and Family Services or its designated representative, for a nominal fee determined by the Department of Children and Family Services.

3. A copy of the Child Care Personnel Professional Development Confirmation Form must be maintained on-site at the facility, in the employee personnel file, for review by child care licensing staff. The original is the property of the child care personnel.

(8) Director Credential.

(a) Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., every child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential or Advanced Director Credential must meet the requirements referenced in CF-FSP Form 5290, April 2006, Florida Child Care Director Credential Verification and Application, which is incorporated by reference. CF-FSP Form 5290 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). All applications and documentation will be verified and the credential issued by the Department of Children and Family Services on CF-FSP Form 5252, April 2006, Florida Director Credential Certificate, incorporated by reference, credential by January 1, 2004, which consists of the foundational level or the advanced level. As of January 1, 2004, every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has a director credential prior to issuance of the license to operate the facility.

1. Child care facility owners must notify the licensing authority within five (5) working days of when the facility loses a credentialed director or when there is a change of director. The licensing authority will then issue a provisional license for a period not to exceed six (6) months. The provisional license will have an effective date of the first day the facility was without a credentialed director.

1.2. An individual may not be the director of child care facilities that has an overlap in the hours of operation.

2.3. Each child care facility must have a credentialed director that is on-site a majority of hours per day that the facility is in operation.

3. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.

4. Child care facility owners must notify the licensing authority within five (5) working days of when the facility loses a credentialed director or when there is a change of director. The licensing authority will then issue a provisional license for a period not to exceed six (6) months. The provisional license will have an effective date of the first day the facility was without a credentialed director.

5.4. CF-FSP Form 5252 must be maintained. The director credential must be posted in a conspicuous location at the facility for review by the licensing authority.

(b) ~~As it relates to the director credential, the following exceptions to the Director Credential apply:~~

1. ~~No change.~~

2. ~~Pursuant to Section 402.305(1)(c), F.S., a credentialed director holding a foundational or advanced level Florida director credential may supervise multiple before-school and after-school sites as outlined in paragraph 65C-22.003(8)(c), F.A.C. within the same organization. As of January 1, 2004, every applicant for a license to operate a child care facility must document that the facility director has a director credential prior to issuance of the license to operate the facility.~~

(c) Director Credential Requirement for before-school and after-school sites.

1. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:

a. Three (3) sites regardless of the number of children enrolled, or

b. More than three (3) sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before- and after-school program shall be calculated and viewed as separate programs.

c. In counties where the public school district has included four (4) year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts which serve four (4) year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in paragraphs 65C-22.003(7)(a), F.A.C., in order to accommodate the four (4) year-old children.

2. When a credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet the following requirements:

a. At least 21 years of age;

b. Have completed the approved 40 clock-hour Introductory Child Care Training approved by the Department of Children and Family Services; and

c. Have completed the Department of Children and Family Services' Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight (8) hours of in-service training in serving children with disabilities; or

d. Have completed the Department of Children and Family Services' School-Age Appropriate Practices specialized training module.

~~(e) The foundational level applicants must meet the following educational and experiential requirements:~~

~~1. High school diploma or GED; and~~

~~2. The Department of Children and Family Services' 30-clock-hour Introductory Child Care Training (Part I); and~~

~~3. The Department of Children and Family Services' Special Needs Appropriate Practices module or a minimum of 8 hours of in-service training in serving children with disabilities; and~~

~~4. One of the following staff credentials: a Child Development Associate (CDA) Credential; a state approved Florida CDA Equivalency; the Florida School Age Certification; a formal education exemption qualification; or a documented employment history recognition exemption; and~~

~~5. One course in the curriculum content area "Overview of Child Care Center Management," which must be met by one approved three-hour college-level course, offered for credit or 4.5 Continuing Education Units (CEUs) through continuing education or one approved Post-Secondary Adult Vocational course offered through a vocational-technical institution in Florida; and~~

~~6. One year experience on-site as a child care director. For those candidates who have met the educational requirements of this level but have not completed the one year experiential requirement a temporary credential will be granted.~~

~~(d) The advanced level applicants must meet the following educational and experiential requirements:~~

~~1. High school diploma or GED; and~~

~~2. The Department of Children and Family Services 30-clock-hour Introductory Child Care Training (Part I); and~~

~~3. The department's Special Needs Appropriate Practices module or a minimum of 8 hours in-service training or course in serving children with disabilities; and~~

~~4. One of the following staff credentials: a Child Development Associate (CDA) Credential; a state approved Florida CDA Equivalency; the approved Florida School Age Certification; a formal education exemption qualification; or a documented employment history recognition exemption; and~~

~~5. Three approved courses in child care education program administration. The coursework requirement must be taken for college credit and must be from the following curriculum areas: Overview of Child Care Center Management, Child Care and Education Organizational Leadership and Management, Child Care and Education Financial and Legal Issues, Child Care and Education Programming; and~~

~~6. Two years of experience on-site as a child care director. For those candidates who have met all the educational requirements of this level but have not completed the two year experiential requirement a temporary credential will be granted.~~

~~(e) All applications and documentation will be verified and credentials issued by the Department of Children and Family Services.~~

~~(f) Exceptions: For the foundational level, Directors who have attained another state's approved Director Credential shall receive credit towards the, "Overview of Child Care Management", educational component of the credential. For~~

the advanced level credential only, an educational exception will be granted to individuals who meet subparagraphs 65C 22.003(8)(e)1, 4, and 6., F.A.C., and any of the following:

1. An A.S. degree in child care center management, or
2. An A.S., B.A., B.S. or advanced degree in early childhood education/child development, family and consumer sciences (formerly home economics/child development), school-age child care or elementary education with at least three credit hours in child care management/administration, business administration or educational administration, or
3. A B.A., B.S. or advanced degree other than those degree areas in number 2. above, with three credit hours in early childhood/child development or school-age child care and three credit hours in child care management/administration, business administration or educational administration, or
4. Five or more years of experience as an administrator or director in a licensed child care facility, or a facility that is legally exempt pursuant to Sections 402.3025 and 402.316, F.S., and with three college credit hours in early childhood/child development or school-age child care and three college credit hours in child care management/administration, business administration or educational administration. All coursework for this exception must have been completed within the last ten years.

(g) Testing. For the advanced level credential only, individuals who meet the requirements for the educational exception but do not have coursework in early childhood education or administration may opt to take a competency-based test to meet the three credit hour course requirement in early childhood education/child development or the three credit hour course requirement in administration, or both. This process will require the candidate to complete a written test, developed and approved by the Department of Children and Family Services with a minimum score of 70 percent.

(d)(h) Director Credential Renewal.

1. To maintain an active temporary Director Credential or Director Credential at either level, every 5 years, candidates must meet the requirements referenced on CF-FSP Form 5306, April 2006, Florida Director Credential Renewal Application, which is incorporated by reference. CF-FSP Form 5306 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). have an active staff credential documented on CF-FSP 5206, Child Care Personnel Professional Development Confirmation Form, and 4.5 Continuing Education Units (CEUs), or three college credit hours in any one of the curriculum areas listed in subparagraph 65C 22.003(8)(e)5., F.A.C. Coursework must be in addition to the original coursework required for the credential. Coursework completed to renew a State of Florida Teaching Certificate also satisfies this coursework requirement

for renewal of a Director Credential. Candidates must also demonstrate professional contributions in the field through any one of the following:

- a. Serve as an officer or committee member in a professional organization related to the field of early childhood or school-age programs;
- b. Make presentation or provide training in the field of early childhood or school-age programs;
- c. Serve as a validator or advisor for a Florida-recognized accreditation program, as a CDA advisor, or as a school-age certification representative for the Florida School Age Certification Training Program;
- d. Advocate for an issue in the field of early childhood or school-age programs;
- e. Publish an item related to the field of early childhood or school-age program;
- f. Document program improvements by completing a Florida-recognized accreditation program;
- g. Serve as a consultant or mentor to another early childhood or school-age program;
- h. Participate in an educational research or innovation project related to early childhood or school-age programs; or
- i. Participate in a creative activity, outside of the candidate's child care program, relating to the field of early childhood or school-age programs.

2. A Director Credential issued prior to January 1, 2004, will have an initial renewal, as documented on CF-FSP Form 5252, is active for five (date of January 1, 2009, and every 5) years from the date of issuance thereafter. A Director Credential issued after January 1, 2004, will have an initial renewal date after 5 years and every 5 years thereafter. The completed renewal application, including all required documentation, must be submitted to the Department of Children and Family Services for review and issuance of a Director Credential Renewal Certificate no earlier than one (1) year prior to the end expiration date of the active period of the Director Credential. The Director Credential renewal date is will be determined by the end date of the active period Director Credential expiration date.

3. If a renewal application is received after the end of the active period for the Director Credential expiration date, the Director Credential Renewal Application will be reviewed, and, if approved, a certificate will be issued with a renewal date of five (5) years from the expiration date based on the date the completed renewal application was is processed.

4. An individual with an inactive Director Credential is ineligible to be the director of a child care facility.

(e)(i) Director Credential Training Providers Coursework Recognition and Approval.

1. The Department of Children and Family Services is responsible for reviewing existing and approving developing "Overview of Child Care Management" courses work, offered through vocational-technical schools, community colleges and

universities; to determine if ~~the requirements for it meets the requirements for the Director Credential coursework are met.~~ Vocational technical schools, community colleges and universities shall submit CF/FSP Form 5247 for course review and approval, hereby incorporated by reference. Applications for new coursework will no longer be accepted by the department. A list of approved "Overview of Child Care Management" courses may must be obtained on and will be available through the Department of Children and Family Services' website at www.myflorida.com/childcare.

2. All college level coursework pertaining to the following content areas will be accepted as approved coursework towards the Advanced Level Director Credential requirements:

a. Child Care and Education Organizational Leadership and Management.

b. Child Care and Education Financial and Legal Issues.

c. Child Care and Education Programming.

(j) Before school and after school sites:

~~1. A director holding a foundational or advanced Director Credential may supervise multiple before school and after school sites for a single organization as follows:~~

~~a. Three sites regardless of the number of children enrolled, or~~

~~b. More than three sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before and after school program shall be calculated and viewed as separate programs.~~

~~e. In counties where the public school district has included 4 year old children in public before school and after school programs, the school district may participate in the multi-site supervision option. Public school districts which serve 4 year old children in the before school and after school programs are required to have a credentialed staff person pursuant to the credentialing requirements in subparagraphs 65C-22.003(7)(a)1.-5., F.A.C., in order to accommodate the 4 year old children.~~

~~2. When a credentialed director is supervising multiple sites, the person left in charge of the site during the director's absence must meet the following requirements:~~

~~a. Be at least 21 years of age;~~

~~b. Have completed the approved 40 clock hour Introductory Child Care Training (Parts I and II), approved by the Department of Children and Family Services; and~~

~~c. Have completed the Department of Children and Family Services basic training in serving children with special needs, by completing the Part II, specialized training module, Special Needs Appropriate Practices, or through completion of a minimum of 8 hours of in-service training in serving children with disabilities; or~~

~~d. Have completed the Department of Children and Family Services School Age Appropriate Practices specialized training module.~~

Specific Authority 402.305 FS. Law Implemented 402.302, 402.305, 402.309 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 10-10-01, 4-2-02, 7-13-03, 9-12-04, 6-30-05, \_\_\_\_\_.

65C-22.004 Health Related Requirements.

(1) Communicable Disease Control.

(a) Children in care shall be observed on a daily basis for signs of communicable disease. Any child, child care personnel or other person in the child care facility suspected of having a communicable disease shall be removed from the facility or placed in an isolation area until removed. Such person may not return without medical authorization, or until the signs and symptoms of the disease are no longer present. With a child, the condition shall be reported to the custodial parent or legal guardian. Signs and symptoms of a suspected communicable disease include the following:

1. Severe coughing, causing the child to become red or blue in the face or to make a whooping sound;
2. Difficult or rapid breathing;
3. Stiff neck;
4. Diarrhea (more than one abnormally loose stool within a 24 hour period);
5. Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness;
6. Pink Eye;
7. Exposed, open skin lesions;
8. Unusually dark urine and/or gray or white stool;
9. Yellowish skin or eyes; or
10. No change.

(b) A child identified who has having head lice shall not be permitted to return until treatment has occurred. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred.

(c) Isolation Area. Each facility shall have a designated isolation area for a child who becomes ill at the facility. Such space shall be adequately ventilated, heated, and equipped with a bed, mat, or cot and materials that can be sanitized easily. Linens and disposables shall be changed after each use and-Until cleaned or disposed, the used linens and disposables shall be kept in a closed container in the isolation area until cleaned or disposed. The isolated child must be within sight and hearing of a staff person at all times. The child must be carefully observed for worsening conditions.

(d) Outbreaks. Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease in accordance with Chapter 64D-3, F.A.C., Communicable Disease Control. A suspected outbreak occurs when two (2) or more children or employees have the onset of similar signs or symptoms, as outlined in subparagraphs (1)(2)(a)1.-10., F.A.C., above, within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected on a child or employee.

(2) First Aid, Cardiopulmonary Resuscitation and Emergency Procedures.

(a) Each child care facility must have at least one (1) staff member with current and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures. One (1) staff member satisfying these training requirements shall be present at all times that children are in the care of the facility, both on-site and on field trips. A field trip includes all activities away from the facility excluding regular transportation to and from the facility, i.e., pick-up and drop-off.

(b) Certificate(s) of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three (3) years. On-line CPR courses are not acceptable to meet this standard. CPR training must be done by classroom instruction. Documentation that identifies staff members who have met the first aid and infant and child cardiopulmonary resuscitation (CPR) training requirement shall be kept on file at the child care facility.

(c) At least one (1) first aid kit ~~containing materials to administer first aid~~ must be maintained on the premises of ~~the~~ all child care facilities at all times. A first aid kit must also accompany child care staff when children are participating on field trips. Each kit shall be in a closed container and labeled "First Aid." The kits shall be accessible to the child care staff at all times and kept out of the reach of children. Each kit must, at a minimum, include:

1. through 2. No change.
3. Disposable non-porous latex gloves,
4. through 11. No change.

(d) Emergency Procedures and Notification.

1. Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit, and the address of and directions to the facility, including major intersections and local landmarks, must be posted on or near all facility telephones and shall be used ~~as necessary~~ to protect the health, safety and well-being of any child in day care.

2. No change.

3. All accidents and incidents which occur at a facility or while a child is in the care of facility staff must be documented ~~and shared with the custodial parent or legal guardian~~ on the day they occur. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of facility staff and custodial parent or legal guardian and maintained for one (1) year.

4. After a fire or natural disaster, the operator must notify the licensing agency within 24 hours as to their status of operation in order for the licensing authority to ensure health standards are being met for continued operation.

5. The operator shall prepare an emergency evacuation plan including a diagram of safe routes by which the personnel and children may exit the facility in the event of fire or other emergency requiring evacuation of the facility and post a copy of the plan in each room of the facility.

(3) Medication. Child care facilities are not required to give medication; however, if a facility they chooses to do so, the following shall apply:

(a) The facility must have written authorization from the custodial parent or legal guardian to dispense prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and contain the child's name; the name of the medication to be dispensed; and date, time and amount of dosage to be given. This record shall be initialed or signed by the facility personnel who gave the medication.

(b) Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, shared with staff and posted with stored medication.

~~(c)(a) Prescription and non-prescription medication brought to the child care facility 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. For purposes of dispensing non-prescription medication that is not brought in by the parent, in the event of an emergency, non-prescription medication can only be dispensed if the facility has written authorization from the parent or legal guardian to do so. Any medication dispensed under these conditions must be documented in the child's file and the parent or legal guardian must be notified on the day of occurrence. If the parent or legal guardian notifies the child care facility 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.~~

(d) In the event of an emergency, non-prescription medication that is not brought in by the custodial parent or legal guardian can be dispensed only if the facility has written authorization from the custodial parent or legal guardian to do so.

(e) Any medication dispensed under these conditions must be documented in the child's file and the custodial parent or legal guardian must be notified on the day of occurrence.

(f) The facility must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was dispensed, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of four (4) months after the last day the child received the dosage.

(g)(b) All medicines must have child resistant caps and shall be stored separately and locked or placed out of a child's reach.

(h)(e) Medication which has expired or is no longer being administered shall be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled in care at the facility.

Specific Authority 402.302, 402.305 FS. Law Implemented 402.302, 402.305 FS. History--New 6-1-97, Amended 3-17-99, 7-26-00, 4-2-02, 7-13-03, 9-12-04, \_\_\_\_\_.

65C-22.005 Food and Nutrition.

(1) Nutrition.

(a) If a facility chooses to supply food, ~~it they~~ shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA My Food Guide Pyramid for Young Children, April 2005 March 1999, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ~~one year of~~ ages two (2) and older. The ~~fats and sweets categories~~ "oils" and "discretionary calories" within the USDA Food Guide Pyramid for Young Children may cannot be considered counted as a food groups. Copies of the USDA My Food Guide Pyramid for Young Children may be obtained from the licensing authority, ~~or~~ the local county health department or from the USDA website at www.mypyramid.gov. Using the USDA My Food Guide Pyramid for Young Children; breakfast shall consist of at least three (3) different food groups; lunch and dinner shall consist of at least four (4) different food groups and snacks shall consist of at least two (2) different food groups.

(b) No change.

(c) If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's facility file. If the custodial parent or legal guardian notifies the child care facility of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

(d) Meal and snack menus shall be planned, written, and posted at the beginning of each week. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Any menu substitution shall be noted on the menu. Daily meal and snack menus shall be maintained for a minimum of one (1) month.

(2) Food Preparation Area. All licensed child care facilities approved by the Environmental Health Section; to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.

(3) Food Service.

(a) No change.

(b) Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles, and sippy cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.

(c)(b) There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding. There shall be no automatic feeding devices unless medically prescribed. Formula shall be refrigerated and handled in a sanitary manner at all times before and after use. All bottles and sippy cups brought from home shall be individually labeled with the child's first and last name and returned to the custodial parent or legal guardian daily.

(d)(e) Heated foods and bottles must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.

(e)(d) Facilities shall provide sufficient age appropriate seating so that children are seated at tables for meals.

~~(e) Single service paper or plastic plates, utensils, and cups shall not be reused.~~

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, \_\_\_\_\_.

65C-22.006 Record Keeping.

(1) General Requirements.

(a) ~~All R~~ Records required to document compliance with Section 402.305, F.S., and rules adopted thereunder, shall be maintained at the facility and available during the hours of operation for review by the licensing authority.

(b) A copy of all background screening documents for the director and owner must be included in the department's official licensing file.

(c)(b) Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information.

(2) Children's Health Requirements.

(a) The child care facility is responsible for obtaining for each child in care a current, and completed and properly executed DH Form 3040, June 2002, Student Health Examination form DH 3040 (June 2002), which is incorporated herein by reference, from the parent or legal guardian or for each child in care, within 30 days of enrollment and maintaining a current copy on file while the child is enrolled at the facility. DH Form 3040, which is incorporated by reference, can be obtained from the local county health department. Certification that a health examination has been completed may be documented on the State of Florida, Department of Health, DH Form 3040, OR a signed statement by authorized professionals that indicates the results of the components of the Student Health Examination form are

included in the health examination. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations.

(b) The Student Health Examination or the signed statement is valid for two (2) years from the date the physical was performed. An up-to-date version must be on file for as long as the child is enrolled at the facility.

(c) The child care facility, if responsible for obtaining for each child in care a current, and completed and properly executed DH Form 680, Florida Certification of Immunization form Part A-1, B, or C, DH 680 (July 2001), or the DH Form 681, Religious Exemption from Immunization form, DH 681 (May 1999), which are incorporated herein by reference, from the custodial parent or legal guardian. DH Form 680 and DH Form 681 may be obtained from the local county health department. for each child in care, within 30 days of enrollment, and maintaining a current copy on file while the child is enrolled at the facility. DH forms 680 and 681, which are incorporated by reference in subsection 65D-3.011(9), F.A.C., can be obtained from the local county health department. The DH Form 680, Florida Certification of Immunization Parts A-1, Certificate of Immunization for K-12 Excluding 7th Grade Requirements or Part B Temporary Medical Exemption, shall be signed by a physician or authorized personnel licensed under the provisions of Chapter 458, 459, or 460, F.S., and shall document vaccination for the prevention of diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and Haemophilus influenzae type B (HIB), and effective July 1, 2001, completion of the varicella vaccination. The DH Form 680, Florida Certification of Immunization Part C, Permanent Medical Exemption, shall be dated and signed by a physician licensed under the provisions of Chapter 458 or 459, F.S. Immunizations received out-of-state are acceptable; however immunizations must be documented on the Florida Certification of Immunization form and must be DH Form 680 and signed by a physician practicing in the State of Florida. Specific immunization requirements are included and detailed in the most current edition of the "Immunization Guidelines-Florida Schools, Child Care Facilities and Family Day Care Homes" as promulgated by the Florida Department of Health.

(d) If the custodial parents or legal guardians fail to provide the documentation required in subparagraphs (a) or (c) above within 30 days of enrollment, the facility shall not allow the child to remain in the program.

(e)(d) School-aged children attending public or non-public schools are not required to have student health examination and immunization records on file at the child care facility as such records are on file at the school where the child is enrolled.

(f) If the custodial parents or legal guardians need assistance concerning these requirements, the facility shall refer them to the Department of Health or to the child's physician.

(g)(e) Medical records in this section are the property of the custodial parent or legal guardian and must be returned to them when the child withdraws from the facility. The medical records and are transferable if the child attends another facility.

~~(3) Medication Records:~~

(a) ~~A written record documenting the child's name, the name of the medication, date, time and amount of dosage to be given, and signature of the custodial parent or legal guardian shall be maintained by the facility. This record shall be initialed or signed by the facility personnel who gave the medication.~~

(b) ~~This record shall be maintained for a minimum of four months after the last day the child received the medication.~~

(3)(4) Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian; prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, July 2005 Dec. 02, Child Care Application for Enrollment, which is incorporated by reference, or an equivalent form that contains all the information required by the Department of Children and Family Services on CF-FSP Form 5219. CF-FSP Form 5219 may be obtained from the licensing authority or on by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/information](http://www.myflorida.com/childcare/information).

(a) No change.

(b) The child 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 guardians.

(c) There shall be signed statements from the custodial parents or legal guardian that the child care facility has provided them with the following information ~~to parents:~~

1. The Department of Children and Family Services child care facility brochure, CF/PI 175-24, July 2005 March 2002, Know Your Child Care Facility Center, which is incorporated by reference. This brochure may be obtained from the licensing authority or on by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/information](http://www.myflorida.com/childcare/information). Local licensing agencies may use an equivalent brochure approved by the Department of Children and Family Services, ~~containing all the information required by the Department of Children and Family Services.~~

2. The child care facility's written disciplinary policy practices.

(4)(5) Personnel Records. Records shall be maintained and kept current on all child care personnel, as defined by Section 402.302(3), F.S., and household members if the facility is located in a private residence. These shall include:

(a) through (c) No change.



(d) Level 2 screening information documented on CF-FSP Form 5131, Feb. 2004, Background Screening and Personnel File Requirements, which is incorporated by reference. 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. In addition, Child care personnel must be re-screened following a break in employment in the child care industry which exceeds 90 days. A person in this category must undergo the same level of screening which was required upon initial employment. If child care personnel takes a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five (5) year re-screening has come due during the leave of absence. An employment history check for the previous two years at a minimum, which must include at least the last three jobs, is required as part of background screening. An employment history check conducted under this rule, shall include not only confirmation of employment dates from previous job(s), but may also include position held and job performance. Additionally, an Affidavit of Good Moral Character, CF-FSP 1649, Aug. 04, must be completed annually for all child care personnel. CF-FSP 1649 may be obtained from the licensing authority or by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare/information](http://www.myflorida.com/childcare/information).~~

1. A person in this five (5) year re-screen category must undergo, at a minimum:

a. Statewide criminal records checks through the Florida Department of Law Enforcement and a local criminal records check.

b. An employment history check that includes the previous two (2) years. An employment history check conducted under this rule shall include the applicant's position description, confirmation of employment dates from previous job(s), and level of job performance.

c. CF 1649A, January 2007, A Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed annually for all child care personnel. CF 1649A may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

2. A copy of all background screening documents for the director and owner must be included in the department's official licensing file or in accordance with the appropriate local licensing agency requirements.

(e) Copies of training information and credentials as described in subsections 65C-22.003(4), (6) and (7), F.A.C., as applicable.

(f) Driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification, or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures must also be maintained in the driver's personnel file.

(5)(6) Summary of Other Records. In addition to the documentation outlined in subsections 65C-22.006(1)-(4), F.A.C., the following is a list of records that shall be maintained at the facility and that shall be available during the hours of operation for review by the licensing authority:

(a) Driver's log. Must be retained for a minimum of four (4) months as referenced in subparagraph 65C-22.001(6)(f)1., F.A.C.

(b) Documentation of parental permission for field trips. Must be retained for a minimum of four (4) months as referenced in paragraph 65C-22.001(7)(b), F.A.C.

(c) Facility's written disciplinary policies as referenced in paragraph 65C-22.001(8)(c), F.A.C.

(d)(a) Daily attendance of children records. Must shall be taken and recorded by the child care facility personnel, documenting when each child enters and departs a child care facility or program. Such records shall be maintained for a minimum of four (4) months as referenced in subsection 65C-22.001(10), F.A.C.

(b) Record of accidents and incidents shall be documented daily and maintained for one year. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of facility staff and custodial parent or legal guardian.

(c) The operator shall prepare an emergency evacuation plan including a diagram of safe routes by which the personnel and children may exit each area of the facility in the event of fire or other emergency requiring evacuation of the facility and post a copy of the plan in each room of the facility.

(e)(d) The operator shall maintain a Wwritten record of monthly fire drills. Must showing the date, number of children in attendance, and time taken to evacuate the premises. Each monthly record shall be maintained for a minimum of four (4) months as referenced in paragraph 65C-22.002(7)(d), F.A.C from the date of the fire drill.

(f)(e) Documentation of that identified staff members that have met the first aid and infant and child cardiopulmonary resuscitation (CPR) training requirement as referenced in paragraph 65C-22.004(2)(b), F.A.C. shall be kept on file at the child care facility.

(f) Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.

(g) Posted emergency telephone numbers and the address of and directions to the facility as referenced in subparagraph 65C-22.004(2)(d)1., F.A.C.

(h) Documentation of accidents/incidents. Must be maintained for one (1) year as referenced in subparagraph 65C-22.004(2)(d)3., F.A.C.

(i) Emergency evacuation plan as referenced in subparagraph 65C-22.004(2)(d)5., F.A.C.

(j) Record for each child receiving medication. Must be maintained for a minimum of four (4) months after the last day the child received the dosage as referenced in paragraph 65C-22.004(3)(f), F.A.C.

(k) Sample meal plan for special diet (if applicable). A copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in paragraph 65C-22.005(1)(c), F.A.C.

(l) Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in paragraph 65C-22.005(1)(c), F.A.C.

~~(m)(g)~~ Daily meal and snack menus, including meal substitutions. Must shall be maintained for one (1) year as referenced in paragraph 65C-22.005(1)(d), F.A.C a minimum of one month.

~~(h) Current specialized diet documentation shall be retained for each child requiring such specialized diet for as long as such child is in care.~~

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History–New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04,\_\_\_\_\_.

65C-22.007 Evening Child Care.

(1) Hours of Care. Evening Child Care, as defined in Section 402.302(6), F.S., means child care provided during the evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m.

(2) Supervision. No change.

(3) Exemptions. No change.

(a) No change.

(b) ~~Child Development Associate or~~ eredentialed staff, pursuant to Section 402.305(3), F.S., are is not required for Evening Child Care staff.

(c) No change.

Specific Authority 402.302, 402.305 FS. Law Implemented 402.302, 402.305 FS. History–New 7-2-98, Amended 9-12-04,\_\_\_\_\_.

65C-22.008 School-Age Child Care.

(1) Definitions.

(a) “School-Age Child” means a child who is at least five (5) years of age by September 1st of the beginning of the school year and who is attendsing kindergarten through grade five (5).

(b) “School-Age Child Care Program” means any licensed child care facility serving school-aged children as defined in paragraph 65C-22.008(1)(a), F.A.C., or any before and after school programs that are licensed as a child care facility defined in Section 402.302, F.S., and serve only school-aged children as defined in paragraph 65C-22.008(1)(a), F.A.C.

~~(c) “An After School Program Serving School Age Children” 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 or through a written or formal agreement between the school and a provider to serve school age children attending the 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. Programs that provide activities to all children, regardless of age, that are strictly instructional or tutorial/academic in nature. These programs cannot extend beyond the instructional, and tutorial/academic activities of that program and do not serve or prepare 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. Some examples of these programs include, but are not limited to computer class, ballet, karate, gymnastics, baseball, and other sports; or~~

~~3. After school programs that meet all the following criteria:~~

~~a. Operate for a period not to exceed a total of 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~~

~~e. Do not provide any transportation, directly or through a contract or agreement with an outside entity, for the purpose of field trips, during the hours of operation; 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~~

~~4. Programs providing after school care exclusively for children in grades 6 and above.~~

(2) Licensure Requirements.

(a) An after school program exempted under subparagraph 65C-22.008(2)(c)1. or 3., F.A.C., may become licensed if they choose to meet all of the applicable licensing standards in subsection 65C-22.008(3), F.A.C.

~~(a) A program that meets the definition of "An After School Program Serving School Age Children" is not required to be licensed.~~

~~(b) An after school program exempted under subparagraph 65C-22.008(1)(e)1. or 3., F.A.C., may become licensed if they choose to meet all of the applicable licensing standards in subsection 65C-22.008(3), F.A.C.~~

~~(b)(e)~~ After school programs that choose to expand their program beyond the parameters in subparagraphs ~~65C-22.008(2)(+)(c)1.~~ through 4., F.A.C. ~~above,~~ must be assessed to determine if licensure is required. Any of the after school programs accepting children under the age of the school-age child as defined in paragraph 65C-22.008(1)(a), F.A.C., ~~above,~~ must be licensed.

(c) An "After School Program" serving school-age children is not required to be licensed if the program meets one of the following criteria:

1. Program is located on public/nonpublic school sites, operated and staffed directly by that school or through a written or formal agreement between the school and a provider to serve school-age children attending the 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. Program provides activities that are strictly instructional or tutorial/academic in nature. These programs cannot extend beyond the instructional and tutorial/academic activities of that program and do not serve or prepare 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. Some examples of these programs include, but are not limited to, computer class; ballet; karate; gymnastics; baseball, and other sports; or

3. Program meets all of the following criteria:

a. Operate for a period not to exceed a total of four (4) hours in any one (1) 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, directly or through a contract or agreement with an outside entity, for the purpose of field trips, during the hours of operation; 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

4. Program provides after school care exclusively for children in grades six (6) and above.

(d) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form 5272, Feb. 2004, Application for a License to Operate a School-Age Child Care Program, which is incorporated by reference. CF-FSP Form 5272 may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

1. Each completed CF-FSP Form 5272 must be submitted with the licensure fee.

2. The completed CF-FSP Form 5272 must be signed by the individual owner, or prospective owner, or the designated representative of a partnership, association, or corporation.

3. For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

4. A completed CF-FSP Form 5272 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur.

(e) License. A school-age child care license is issued in the name of the owner, partnership, association, or corporation, and must be posted in a conspicuous location where the school-age child care program is operating.

(3) School Age Child Care Standards. No change.

(a) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the school-age child care program and on the premises at all times. Application. Application must be made on CF FSP Form 5272, Feb. 2004, Application for a License to Operate a School Age Child Care Program, which is incorporated by reference.

~~(b) License. A school age child care license is issued in the name of the owner, partnership, association, or corporation, and must be posted in a conspicuous location where the school age child care program is operating.~~

~~(e) All provisions under subsections 65C-22.001(1)(b) through (e), (3), (5)(e) through (d), (6), (8), and (9), F.A.C.~~

~~(b)(4) Ratios. For children five (5) years of age and older, there must be one (1) child care personnel for every 25 children.~~

(c)(e) Supervision. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for children at all times, which includes when children are separated from their groups. At all times lighting must be sufficient to visually observe and supervise children while in care.

1. No person shall be an operator, owner, or employee in a school-age child care program while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.

2. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one (1) additional adult must be present on all field trips away from the school-age child care program to assist in providing direct supervision.

3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

4. If a school-age child care program uses a swimming pool that exceeds three (3) feet in depth or uses beach or lake areas for water activities, the school-age child care program must provide one (1) person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the school-age child care program provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (c)2., above.

(d) Access. A school-age child care program must provide the custodial parent or legal guardian access, in person and by telephone, to the program during the program's normal hours of operation or during the time the child is in care.

(e) General Requirements.

1. All school-age child care program facilities must be clean, in good repair, and free from health and safety hazards and from vermin infestation. During the hours that the program is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children.

2. All areas and surfaces accessible to children shall be free from toxic substances and hazardous materials.

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

4. 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.

5. No narcotics, alcohol, or other impairing drugs shall be present on the premises.

6. Animals must be properly immunized, free from disease, and clean. Parents must be informed in writing of all animals on the premises. Such information may be provided by way of a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form.

7. Pursuant to Chapter 386, F.S., smoking is prohibited within the school-age child care program, all outdoor play areas, and in vehicles when being used to transport children.

8. Design and construction of a new child care facility or modifications to an existing facility must meet the minimum requirements of the applicable local governing body.

(f) Rooms Occupied by Children.

1. An inside temperature of 65 to 82 degrees Fahrenheit must be maintained at all times.

2. All rooms shall be kept clean, adequately ventilated and in good repair. Cleaning shall not take place while rooms are occupied by children except for general clean-up activities which are a part of the daily routine.

3. Rodents and vermin shall be exterminated. Pest control shall not take place while rooms are occupied by children.

(g) Napping and Sleeping Space. For the purposes of this standard, sleeping refers to the normal night time sleep cycle while napping refers to a brief period of rest during daylight or early evening hours. Each school-age child care program must include a designated area where each child can sit quietly or lie down to rest or nap. When not in use, napping space and usable indoor floor space may be used interchangeably as described in paragraph 65C-22.008(3)(i), F.A.C.

(h) Toilet and Bath Facilities.

1. Each school-age child care program shall provide and maintain toilet and bath facilities that are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed and easily cleaned and sanitized.

2. For facilities having from one (1) to 15 children, there shall be at least one (1) toilet and one wash basin. There shall be one (1) additional toilet and basin for every 30 children thereafter. For design and construction of a new child care facility or modification to an existing facility, subparagraph 65C-22.008(3)(e)8., F.A.C., shall apply.

3. Toilet facilities shall not open directly into an area where food is prepared. A toilet facility may open directly into an area used by children where food is served.

4. Running water, soap, trash receptacles, toilet paper, and disposable towels or hand drying machines that are properly installed and maintained shall be available and within reach of children using the toileting facility.

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

(f) All provisions under paragraphs 65C-22.002(1), (2)(b) through (d), (5)(a), (6)(a), (b), (c), (f), and (g), F.A.C., are required of school age child care programs, except a bath facility.

~~(i)(g) Indoor Floor Space and Outdoor Play Area. School age child care programs must meet all provisions under paragraphs 65C-22.002(3)(a) through (e) and 65C-22.002(4)(a) through (e), F.A.C. However, the program may choose to request in writing, permission from the licensing authority, to operate under an exception to either usable indoor floor space as specified in subsection 65C-22.002(3), F.A.C., or outdoor play area as specified in subsection 65C-22.002(4), F.A.C. The written request must include an explanation of why the exception is necessary as well as an alternate plan to accommodate instances of inclement weather for those programs requesting an exception to the usable indoor floor space and a plan for inclusion of fine and gross motor skills opportunities for those programs requesting an exception to the outdoor play area.~~

1. A school-age child care program that held a valid license on October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child. A school-age child care program that did not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a school-age child care program, must have a minimum of 35 square feet of usable indoor floor space for each child.

2. Usable indoor floor space refers to that space available for indoor play, classroom, work area, or nap space. 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-movable furniture. Kitchens, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space.

3. In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times.

4. Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.

5. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to usable indoor floor space as specified in paragraph 65C-22.008(3)(i), F.A.C. The written request must include an explanation of why the exception is necessary as well as an alternate plan to accommodate instances of inclement weather.

(j) Outdoor Play Area.

1. There shall be a minimum of 45 square feet of usable, safe and sanitary outdoor play area per child, one (1) year of age and older. A minimum outside play area shall be provided for one-half (1/2) of this identified population.

2. The outdoor play area shall be calculated at the rate of 45 square feet per child in any group using the play area at one (1) time.

3. The outdoor play area shall be clean and free from litter, nails, glass and other hazards.

4. The outdoor play area shall provide shade.

5. During outdoor play, personnel must situate themselves in the outdoor play area so that all children can be observed and direct supervision can be provided.

6. The facility's outdoor play area shall be fenced in accordance with accepted safety practices and local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention and fish ponds.

7. The outdoor play area shall have and maintain safe and adequate fencing or walls a minimum of four (4) feet in height. Fencing, including gates, must be 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 and be free from erosion or build-up to prevent inside or outside access by children or animals.

8. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to outdoor floor space as specified in paragraph 65C-22.008(3)(j), F.A.C. The written request must include an explanation of why the exception is necessary as well as an alternate plan for inclusion of fine and gross motor skills opportunities. If not requesting an exemption to the outdoor play area, the school-age child care program may operate without a fence if all the following provisions are met:

a. The children using the outdoor play area are in five (5) year old kindergarten and grades one (1) or above;

b. In addition to the established staff-to-child ratios, for the purpose of safety, an additional staff member is present at all times during outdoor activities, to assist in providing direct supervision;

c. The outdoor play area is bordered by a road or street open to travel by the public with a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and

d. The licensing authority has provided written authorization to the program to operate without a fence.

(k) Health and Sanitation.

1. All buildings, when the windows or doors are open, must have and maintain screens to prevent entrance of any insect or rodent. Screens are not required for open air classrooms and picnic areas.

2. Employees, volunteers, and children shall wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves, or while assisting others, and immediately after outdoor play.

3. Safe drinking water shall be available to all children. If disposable cups are used, they must be discarded after each use.

4. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards.

(l) Equipment and Furnishings.

1. Indoor Equipment.

a. A school-age child care program shall make available toys, equipment and furnishings suitable to each child's age and development and of a quantity suitable for each child to be involved in activities.

b. Toys, equipment and furnishings must be safe and maintained in a sanitary condition.

2. Outdoor Equipment.

a. A school-age child care program shall provide and maintain equipment and play activities suitable to each child's age and development.

b. All playground equipment shall be securely anchored, unless portable or stationary 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.

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

d. All equipment, fences, and objects on the program's premises shall be free from sharp, broken and jagged edges and shall be properly placed to prevent overcrowding or safety hazards in any one (1) area.

e. All equipment used in the outdoor play area shall be constructed and maintained to allow for water drainage and shall be maintained in a safe and sanitary condition.

(m) Health Related Requirements.

1. Communicable Disease Control.

a. Children in care shall be observed on a daily basis for signs of communicable disease. Any child, child care personnel or other person in the school-age child care program suspected of having a communicable disease shall be removed from the program or placed in an isolation area until removed. Such person may not return without medical authorization, or until the signs and symptoms of the disease are no longer present. With a child, the condition shall be reported to the custodial parent or legal guardian. Signs and symptoms of a suspected communicable disease include the following:

(I) Severe coughing, causing the child to become red or blue in the face or to make a whooping sound;

(II) Difficult or rapid breathing;

(III) Stiff neck;

(IV) Diarrhea (more than one abnormally loose stool within a 24 hour period);

(V) Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness;

(VI) Pink Eye;

(VII) Exposed, open skin lesions;

(VIII) Unusually dark urine and/or gray or white stool;

(IX) Yellowish skin or eyes; or

(X) Any other unusual sign or symptom of illness.

b. A child identified as having head lice shall not be permitted to return until treatment has occurred. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred.

c. Isolation Area. Each school-age child care program shall have a designated isolation area for a child who becomes ill while in care of the program. Such space shall be adequately ventilated, heated, and equipped with a bed, mat, or cot and materials that can be sanitized easily. Linens and disposables shall be changed after each use and used linens and disposables shall be kept in a closed container in the isolation area until cleaned or disposed. The isolated child must be within sight and hearing of a staff person at all times. The child must be carefully observed for worsening conditions.

d. Outbreaks. Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease in accordance with Chapter 64D-3, F.A.C., Communicable Disease Control. A suspected outbreak occurs when two (2) or more children or employees have the onset of similar signs or symptoms, as outlined in sub-subparagraphs 65C-22.008(3)(m)1.a., F.A.C., above, within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected on a child or employee.

2. First Aid, Cardiopulmonary Resuscitation and Emergency Procedures.

a. Each school-age child care program must have at least one (1) staff member with current and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures. One (1) staff member satisfying these training requirements shall be present at all times that children are in the care of the program, both on-site and on field trips. A field trip includes all activities away from the program excluding regular transportation to and from the program, i.e., pick-up and drop-off.

b. Certificate(s) of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three (3) years. Online CPR courses are not acceptable to meet this standard. CPR training must be

done by classroom instruction. Documentation that identifies staff members have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement shall be kept on file at the school-age child care program facility.

c. At least one (1) first aid kit must be maintained on the premises of the school-age child care program at all times. A first aid kit must also accompany child care staff when children are participating on field trips. Each kit shall be in a closed container and labeled "First Aid". The kits shall be accessible to the child care staff at all times and kept out of the reach of children. Each kit must at a minimum include:

- (I) Soap,
- (II) Band-aids or equivalent,
- (III) Disposable non-porous gloves,
- (IV) Cotton balls or applicators,
- (V) Sterile gauze pads and rolls,
- (VI) Adhesive tape,
- (VII) Thermometer,
- (VIII) Tweezers,
- (IX) Pre-moistened wipes,
- (X) Scissors, and
- (XI) A current resource guide on first aid and CPR procedures.

### 3. Emergency Procedures and Notification.

a. Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit and the address of and directions to the facility, including major intersections and local landmarks, must be posted on or near all school-age child care program telephones and shall be used to protect the health, safety and well-being of any child in day care.

b. Custodial parents or legal guardians shall be notified immediately in the event of any serious illness, accident, injury or emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, the school-age child care program owner will contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

c. All accidents and incidents which occur at a school-age child care program or while a child is in the care of program staff must be documented on the day they occur. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of program staff and custodial parent or legal guardian and maintained for one (1) year.

d. After a fire or natural disaster, the operator must notify the licensing agency within 24 hours as to their status of operation in order for the licensing authority to ensure health standards are being met for continued operation.

e. The operator shall prepare an emergency evacuation plan including a diagram of safe routes by which the personnel and children may exit the school-age child care program site in the event of fire or other emergency requiring evacuation of the program and post a copy of the plan in each room of the program site.

4. Medication. School-age child care programs are not required to give medication; however, if a program chooses to do so, the following shall apply:

a. The school-age child care program must have written authorization from the custodial parent or legal guardian to dispense prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and contain the child's name; the name of the medication to be dispensed; and date, time and amount of dosage to be given. This record shall be initialed or signed by the program personnel who gave the medication.

b. Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, shared with staff and posted with stored medication.

c. Prescription and non-prescription medication brought to the school-age child care program 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.

d. In the event of an emergency, non-prescription medication that is not brought in by the parent or legal guardian can be dispensed only if the program has written authorization from the parent or legal guardian to do so.

e. Any medication dispensed under these conditions must be documented in the child's file and the custodial parent or legal guardian must be notified on the day of occurrence.

f. The facility must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was dispensed, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of four (4) months after the last day the child received the dosage.

h. Medication that has expired or that is no longer being dispensed shall be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled in the school-age child care program.g. All medicine must have child resistant caps and shall be stored separately and locked or out of a child's reach.

(n) Child Discipline.

1. Verification that the school-age child care program has provided, in writing, the disciplinary policy used by the program shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.

2. All child care personnel must comply with the school-age child care program's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited by all child care personnel.

3. A copy of the school-age child care program's current written disciplinary policies must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

(o) Nutrition.

1. If a school-age child care program chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA My Pyramid shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two (2) and older. Using the USDA My Pyramid, breakfast shall consist of at least three (3) different food groups, lunch and dinner shall consist of at least four (4) different food groups, and snacks shall consist of at least two (2) different food groups. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA My Pyramid may be obtained from the licensing authority, the local county health department or from the USDA website at [www.mypyramid.gov](http://www.mypyramid.gov).

2. If a school-age child care program chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

3. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file. If the parent or legal guardian notifies the school-age child care program of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

4. Meal and snack menus shall be planned, written, and posted at the beginning of each week. Any menu substitution shall be noted on the menu. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Daily meal and snack menus shall be maintained for a minimum of one (1) month.

(p) Food Preparation Area.

1. All licensed school-age child care programs approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.

2. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards, specified in 64E-11, F.A.C., Food Hygiene, as it pertains to the food preparation area specified in subparagraph 65C-22.008(3)(p)1., F.A.C.

(q) Food Service.

1. School-age child care programs shall provide sufficient age appropriate seating so that children are seated at tables for meals.

2. Children shall be supervised during all meals and snacks and offered foods appropriate for their ages.

3. Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils and cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.

~~(h) If not requesting an exemption to the outdoor play area, the school age child care program may operate without a fence if all the following provisions are met:~~

~~1. The children using the outdoor play area are in five year old kindergarten and grades one or above;~~

~~2. In addition to the established staff to children ratios, for the purpose of safety, an additional staff member is present, at all times during outdoor activities, to assist in providing direct supervision;~~

~~3. The outdoor play area is bordered by a road or street open to travel by the public with a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and~~

~~4. The licensing authority has provided written authorization to the program to operate without a fence.~~

~~(r)(i) Fire Safety. School age child care programs must meet all provisions under subsection 65C-22.002(7), F.A.C. However the program may seek an exemption to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities. The written exemption request, which must include a plan for ensuring the safety of children in care, must be made to the local fire inspection office and if granted, the exemption must be documented and maintained on file at the program.~~

1. Unless statutorily exempted, all school-age child care programs shall conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities, which is incorporated herein by reference, and shall be inspected



annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the licensing authority. However, a school-age child care program may seek an exemption to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities. The written exemption request, which must include a plan for ensuring the safety of children in care, must be made to the local fire inspection office and, if granted, the exemption must be documented and maintained on file at the program.

2. There shall be at least one (1) corded telephone in the school-age child care program facility that is neither locked nor located at a pay station and is available to all staff during the hours of operation.

3. Fire drills shall be conducted monthly at various times when children are in care. A current attendance record must accompany staff out of the building during a drill or actual evacuation and be used to account for all children.

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

(s) Transportation. For the purpose of this section, vehicles refer to those owned/operated or regularly used by the school-age child care program, and vehicles that provide transportation through a contract or agreement with an outside entity.

1. When any vehicle is regularly used by a school-age child care program to provide transportation, the driver shall have a current Florida driver's license, an annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.

2. All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.

3. All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic shall be maintained in the vehicle.

4. The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.

5. Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint unless the vehicle is excluded from this requirement by Florida Statute.

6. When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio.

7. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four (4) months. The log shall include each child's name, date, time of departure and time of arrival, signature of driver and signature of second staff member to verify driver's log and the fact that all children have left the vehicle.

8. Prior to transporting children, the driver's log must be recorded, signed, and dated immediately, verifying that all children were accounted for and that the log is complete.

9. Upon arrival at the destination, the driver of the vehicle shall:

a. Mark each child off the log as the children depart the vehicle.

b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and

c. Record, sign, and date the driver's log immediately, verifying that all children were accounted for and that the visual sweep was conducted.

10. Upon arrival at the destination, a second staff member shall:

a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle, and

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the log is complete.

(t) Record Keeping.

1. General Requirements.

a. Each of the records described in this section shall be maintained at the school-age child care program and available during the hours of operation for review by the licensing authority.

b. A copy of all background screening documents for the director and owner must be included in the department's official licensing file.

c. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information.

2. Health Records. School-aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the school-age child care program as such records are on file at the school where the child is enrolled.

3. Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, Child Care Application for Enrollment, or an equivalent form that contains all the information required by the Department of Children and Family Services on CF-FSP Form 5219. CF-FSP Form 5219 may be obtained from the licensing authority or by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

a. Enrollment information shall be kept current and on file.  
b. The child 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 guardians.

c. There shall be signed statements from the custodial parents or legal guardian that the school-age child care program has provided them with the following information:

(I) The Department of Children and Family Services child care facility brochure, CF/PI 175-24, Know Your Child Care Facility. This brochure may be obtained from the licensing authority or by going to the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Local licensing agencies may use an equivalent brochure approved by the Department of Children and Family Services.

(II) The school-age child care program's written disciplinary practices.

4. Personnel Records. Records shall be maintained and kept current on all child care personnel, as defined by Section 402.302(3), F.S., and household members if the facility is located in a private residence. These shall include:

a. An employment application with the required statement pursuant to Section 402.3055(1)(b), F.S.

b. Position and date of employment.

c. Signed statement that the employee understands the statutory requirements for professionals' reporting of child abuse and neglect.

d. Level 2 screening information documented on CF-FSP Form 5131, Background Screening and Personnel File Requirements. A screening conducted under this rule is valid for five (5) years, at which time a statewide re-screen must be conducted. Child care personnel must be re-screened following a break in employment in the child care industry which exceeds 90 days. If child care personnel takes a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five (5) year re-screen has come due during the leave of absence.

(I) A person in this five (5) year re-screen category must undergo the same level of screening which was required upon initial employment and must include, at a minimum:

(A) Statewide criminal records checks through the Florida Department of Law Enforcement and a local criminal records check.

(B) An employment history check that includes the previous two (2) years. An employment history check conducted under this rule shall include the applicant's position description, confirmation of employment dates from previous job(s), and level of job performance.

(C) CF 1649A, A Child Care Attestation of Good Moral Character, must be completed annually for all child care personnel. CF 1649A may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(II) A copy of all background screening documents for the director and owner must be included in the department's official licensing file or in accordance with the appropriate to local licensing agency requirements.

e. Copies of training information and credentials as described in subsection 65C-22.008(4), F.A.C.

f. Driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle, and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures must also be maintained in the driver's personnel file.

2. Summary of Records. In addition to the documentation outlined in sub-subparagraphs 65C-22.008(3)(t)1., 2., and 3., F.A.C., the following is a list of records that shall be maintained at the school-age child care program and available during the hours of operation for review by the licensing authority:

a. Driver's log. Must be retained for the previous four (4) months as referenced in subparagraph 65C-22.008(3)(s)7., F.A.C.

b. Facility's written disciplinary policies as referenced in subparagraph 65C-22.008(3)(n)3., F.A.C.

c. Written record of monthly fire drills. Must be maintained for a minimum of four (4) months as referenced in subparagraph 65C-22.008(3)(r)4., F.A.C.

d. Documentation of staff members that have met the first aid and infant and child cardiopulmonary resuscitation (CPR) training requirement as referenced in sub-subparagraph 65C-22.008(3)(m)2.b., F.A.C.

e. Posted emergency telephone numbers and the address of and directions to the facility as referenced in sub-subparagraph 65C-22.008(3)(m)3.a., F.A.C.

f. Documentation of accidents/incidents. Must be maintained for one (1) year as referenced in sub-subparagraph 65C-22.008(3)(m)3.c., F.A.C.

g. Emergency evacuation plan as referenced in sub-subparagraph 65C-22.008(3)(m)3.e., F.A.C.

h. Record for each child receiving medication. Must be maintained for a minimum of four (4) months after the last day the child received the dosage as referenced in sub-subparagraph 65C-22.008(3)(m)3.f., F.A.C.

i. Sample meal plan for special diet (if applicable). A copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in subparagraph 65C-22.008(3)(o)3., F.A.C.

j. Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in subparagraph 65C-22.008(3)(o)3., F.A.C.

k. Daily meal and snack menus, including meal substitutions. Must be maintained for one (1) year as referenced in subparagraph 65C-22.008(3)(o)4., F.A.C.

~~(j) Health and Sanitation. All provisions under subparagraphs 65C-22.002(8)(a)1. through 3., F.A.C., must be met. In addition, school age child care programs may seek an exemption to environmental health standards. The written exemption request, which must include a plan to ensure the health safety of children in care, must be made to the local Environmental Health Unit and if granted, the exemption must be documented and maintained on file at the program.~~

~~(k) Equipment and Furnishings. All provisions as applicable, under subsection 65C-22.002(9), F.A.C., must be met.~~

~~(l) All provisions under subsections 65C-22.004(1), (2), and (3), F.A.C., must be met.~~

~~(m) All provisions under subsections 65C-22.005(1), (2), (3)(a) and (c), F.A.C., as it pertains to age appropriate food and heated food only, and paragraph 65C-22.005(3)(e), F.A.C. School age child care programs may seek an exemption from the environmental health standards as it pertains to the food preparation area specified in subsection 65C-22.005(2), F.A.C. The written exemption request, which must include a plan to ensure safe and sanitary food preparation for children in care, must be made to the local Environmental Health Unit and if granted, the exemption must be documented and maintained on file at the program.~~

~~(n) All provisions under subsections 65C-22.006(1), (3), (4), (5) and (6), F.A.C., must be met. School aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the school age child care program as such records are on file at the school where the child is enrolled.~~

(4) School-Age Child Care Personnel Training Requirements.

(a) Definitions

1. "Active" refers to the status of a candidate's awarded credential or certification in which requirements have been successfully met.

2. "Before-school and after-school site" refers to a program, regardless of location, that provides child care for children who are at least five (5) years old and are enrolled in and attend a kindergarten program or grades one (1) and above during a school district's calendar year. This is limited to programs that provide care only before and after the recognized hours of a district's school day and on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.

3. "Begin training for child care personnel" refers to a candidate's commencement of at least one (1) of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance, acquiring an educational exemption from training, beginning a

department-approved online child care training course, or by completion of a department-approved competency examination within the first 90 days of employment in the child care industry. The child care facility is responsible for obtaining documentation from child care personnel.

4. "Director" means "operator" as defined in Section 402.302(11), F.S., is the onsite administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.

5. "Director Credential" is a department-approved comprehensive credential that consists of educational and experiential requirements as referenced in paragraph 65C-22.008(4)(i), F.A.C.

6. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training transcripts may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

7. "Weighted score" means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

(b) All child care personnel must complete training within 12 months from the date training begins and may not exceed 15 months from the date of employment in the child care industry.

(c)(a) Child care personnel hired on or after October 1, 1992 must successfully complete 40 hours of child care training by completing the following 20 hours of the Department of Children and Family Services' training as evidenced by successful completion passage of a competency examinations offered by the Department of Children and Family Services or its designated representative with a weighted score of seventy (70) or better. Child care personnel who successfully completed the following training prior to January 1, 2004 are not required to fulfill the competency examination requirement:

1. Child Care Facilities State and Local Rules and Regulation;
2. Health, Safety, and Nutrition;
3. Identifying and Reporting Child Abuse and Neglect; and
4. School Age-Appropriate Practices.

(d)(b) The remaining 20 hours must be met by successfully completing a combination of other Department of Children and Family Services' training identified below as evidenced by successful completion of competency examinations offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better: in paragraphs 65C-22.003(2)(a) and (b), F.A.C., or by completing 20 hours of specialized school age training, provided by a national organization or its affiliates that requires demonstration of competencies through

passage of examination(s) or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency):

1. Child Growth and Development (10 hours).
2. Behavioral Observation and Screening (10 hours).
3. Infant and Toddler Appropriate Practices (10 hours).
4. Preschool Appropriate Practices (10 hours).
5. Special Needs Appropriate Practices (10 hours).
6. Basic Guidance and Discipline (5 hours online).
7. Computer Technology for Child Care Professionals (5 hours online).
8. Early Literacy for Children Ages Birth Through Three (5 hours online).
9. Early Childhood Computer Learning Centers (5 hours online).
10. Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online), or
11. Completion of 20 hours of specialized school-age training, provided by a national organization or its affiliates, that requires demonstration of competencies through passage of examination(s) or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

(e)(e) School-age child care personnel are exempt from the training requirement of five (5) clock-hour early literacy and language development of children from birth to five (5) years of age, under paragraph 65C-22.003(2)(b)(d), F.A.C.

(d) Child care personnel may choose to meet the training exemptions under subsection 65C-22.003(3), F.A.C.

(e) All provisions under subsection 65C-22.003(6), F.A.C., must be met.

(f) School-age child care programs are exempt from the staff credentialing requirement as outlined in subsection 65C-22.003(7), F.A.C.

(g) Exemptions from the Introductory Child Care Training.

1. Competency Examination Exemptions. Child care personnel have one (1) opportunity, if they choose, to exempt from one (1) or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. Exemption examinations are not available for the department's online Part II specialized training courses.

#### 2. Educational Exemptions.

a. The Department of Children and Family Services or its designated representative shall exempt child care personnel from the Health, Safety and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one (1) of the following educational qualifications:

(I) Associate's degree or higher with six (6) college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade.

(II) An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).

b. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.

c. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Elementary Education from the School Age Appropriate Practices course.

d. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a B.A., B.S. or advanced degree in Exceptional Student Education from the Special Needs Appropriate Practices course.

e. There are no educational exemptions from the Child Care Facility Rules and Regulations and the Identifying and Reporting Child Abuse and Neglect courses or from the department's online training courses.

#### (h) Annual In-Service Training.

1. All child care facility personnel must complete a minimum of 10 clock-hours or one (1) CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.

2. The annual 10 clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12 must be completed in one (1) or more of the following areas (college level courses will be accepted):

a. Health and safety, including universal precautions;

b. CPR;

c. First Aid (may only be taken to meet the in-service requirement once every three (3) years);

d. Nutrition;

e. Child development – typical and atypical;

f. Child transportation and safety;

g. Behavior management;

h. Working with families;

i. Design and use of child oriented space;

j. Community, health and social service resources;

k. Child abuse;

l. Child care for multilingual children;

m. Working with children with disabilities in child care;

n. Safety in outdoor play;

o. Literacy;

p. Guidance and discipline;

- q. Computer technology;
- r. Leadership development/program management and staff supervision;
- s. Age appropriate lesson planning;
- t. Homework assistance for school-age care;
- u. Developing special interest centers/spaces and environments; or
- v. Other course areas relating to child care or child care management.

3. Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268, Child Care In-Service Training Record, and included in the child care facilities' personnel records. CF-FSP 5268 may be obtained from the licensing authority or on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). A new in-service training record is required each fiscal year. The in-service training records for the previous two (2) fiscal years must also be maintained at the child care facility for review by the licensing authority.

(i) Director Credential.

1. Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., a child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential or Advanced Director Credential must meet the requirements referenced in CF-FSP Form 5290, Florida Child Care Director Credential Verification and Application. CF-FSP Form 5290 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). All applications and documentation will be verified and credential issued by the Department of Children and Family Services on CF-FSP Form 5252, Florida Director Credential Certificate.

a. An individual may not be the director of child care facilities that overlap in the hours of operation.

b. Each child care facility must have a credentialed director that is on-site a majority of hours that the facility is in operation.

c. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.

d. Child care facility owners must notify the licensing authority within five (5) working days of when the facility loses a credentialed director or when there is a change of director. The licensing authority will then issue a provisional license for a period not to exceed six (6) months. The provisional license will have an effective date of the first day the facility was without a credentialed director.

e. CF-FSP Form 5252 must be posted in a conspicuous location at the facility.

2. The following exceptions to the Director Credential apply only to before and after school programs that are licensed as child care facilities defined in Section 402.302, F.S., and serve only school-aged children:

a. A credentialed director is not required during evening hours as defined in Section 402.302(6), F.S.

b. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:

(I) Three (3) sites regardless of the number of children enrolled, or

(II) More than three (3) sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before- and after-school program shall be calculated and viewed as separate programs.

(III) In counties where the public school district has included four (4) year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts that serve four (4) year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in paragraphs 65C-22.003(7)(a), F.A.C., in order to accommodate the four (4)-year-old children.

(IV) When a credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet the following requirements:

(A) At least 21 years of age;

(B) Have completed the approved 40 clock-hour Introductory Child Care Training approved by the Department of Children and Family Services; and

(C) Have completed the Department of Children and Family Services' Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight (8) hours of in-service training in serving children with disabilities; or

(D) Have completed the Department of Children and Family Services' School-Age Appropriate Practices specialized training module.

3. Director Credential Renewal.

a. To maintain an active Director Credential at either level, candidates must meet the requirements referenced on CF-FSP Form 5306, Florida Director Credential Renewal Application. CF-FSP Form 5306 may be obtained on the Department of Children and Family Services' website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

b. A Director Credential renewal, as documented on CF-FSP Form 5252, is active for five (5) years from the date of issuance. The completed renewal application, including all required documentation, must be submitted to the Department of Children and Family Services for review and issuance of a Director Credential Renewal Certificate no earlier than one (1)

year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.

c. If a renewal application is received after the end of the active period for the Director Credential, the Director Credential Renewal Application will be reviewed and, if approved, a certificate will be issued with a renewal date of five (5) years from the date the completed renewal application was processed.

4. Director Credential Training Providers.

a. The Department of Children and Family Services is responsible for reviewing and approving "Overview of Child Care Management" courses offered through vocational-technical schools, community colleges and universities to determine if the requirements for the Director Credential coursework are met. Coursework will be reviewed and approved according to the guidelines found in "Florida Child Care and Education Program Director Credential Curriculum Areas;" copies of which may be obtained from the Department of Children and Family Services.

(I) Vocational-technical schools, community colleges and universities seeking to offer the Director Credential training shall submit CF-FSP Form 5247, Florida Child Care and Education Program Director Credential Course Approval Application to the department for course review and approval. CF-FSP Form 5247 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.

(II) A list of approved "Overview of Child Care Management" courses may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare.

b. All college level coursework pertaining to the following content areas will be accepted as approved coursework towards the Advanced Level Director Credential requirements:

(I) Child Care and Education Organizational Leadership and Management

(II) Child Care and Education Financial and Legal Issues

(III) Child Care and Education Programming.

(g) All provisions as applicable under subsection 65C 22.003(8), F.A.C., must be met. A director holding a foundational or advanced Director Credential may supervise multiple sites as specified in paragraph 65C 22.003(8)(j), F.A.C.

Specific Authority 402.302, 402.305 FS. Law implemented 402.302, 402.305 FS. History--New 9-12-04, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Carrie Pafford, Government Operations Consultant II  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Winstead, Deputy Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 13, 2006

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-170.005	Use of Filed Rates
69O-170.013	Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms
69O-170.0142	Ratemaking and Rate Filing Procedures for Commercial Residential Insurance and All Other Lines
69O-170.0155	Forms

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 26, July 1, 2005 issue of the Florida Administrative Weekly.

A Notice of Change was also published in Volume 32. No. 6, February 10, 2006, of the *Florida Administrative Weekly*. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

Rule 69O-170.005(6)(b) has been revised to read as follows:

(b) Notwithstanding the above and following the approval of the filing by the Office, pursuant to Section 627.062 or 627.0651, F.S., the filer may amend the effective date for a "file and use" filing to be shorter than the 90 or 60 days indicated in Section 627.062 or 627.0651, F.S., as long as the amended effective date is subsequent to the approval of the Office and provides the required statutory policyholder notice.

Rule 69O-170.013(6)(c) has been revised to read as follows:

(c) Unless the date is extended by the Office, failure to adequately address the issues by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

Rule 69O-170.0142(4)(a) has been revised to read as follows:

(4)(7)(a) If the filing adopts a rating organization's prospective loss costs, the filing shall include Form OIR-B1-583 (pages 1 and 2), "Florida Expense Supplement Calculation of ~~Insurer Company~~ Loss Cost Multiplier" as adopted in Rule 69O-170.0155, F.A.C.

Rule 69O-170.0155 has been revised to read as follows:

The following forms are hereby adopted and incorporated by reference:

(1)(a) OIR-B1-582, "Universal Standardized Data Letter," (Rev. ~~10/04 07/03~~).

(b) ~~Form~~ OIR-B1-583, "Florida Expense Supplement Calculation of Insurer Company Loss Cost Multiplier," (Rev. 04/04 ~~07/03~~).

(c) OIR-B1-584, "Florida Property and Casualty – Annual Rate Filing-Exemption," (Rev. 07/03).

(d) OIR-B1-586, "Florida Property and Casualty – Annual Rate Filing Certification," (Rev. 07/03).

~~(e)~~ ~~Form~~ OIR-B1-595, "Florida Expense Supplement for Independent Rate Filings," (Rev. 07/03).

(f) OIR-B1-HRCS, "Homeowners' Rate Collection System (HRCS)," (07/03).

(g) OIR-B1-DRCS, "Dwelling Rate Collection System (DRCS)," (07/03).

(h) OIR-B1-ARCS, "Automobile Rate Collection System (ARCS)," (07/03).

(i) OIR-B1-RIWBK, "Personal Lines Standardized Rate Indications Workbook," (07/04).

(j) OIR-B1-IFILE, "I-File," (11/04).

~~(d)~~ ~~Form~~ OIR B1 1102, "Florida Homeowners Rating Examples/Annual Rates," (Rev. 07/03).

~~(e)~~ ~~Form~~ OIR B1 1103, "Florida Statewide Rate Level Effect/Homeowners," with its instructions, (Rev. 07/03).

~~(f)~~ ~~Form~~ OIR B1 1104, "Florida Rate Level Effect by Type by Territory/ Homeowners," with its instructions, (Rev. 07/03).

~~(g)~~ ~~Form~~ OIR B1 1193, "Florida Dwelling Rating Examples/Annual Rates," (Rev. 07/03).

~~(h)~~ ~~Form~~ OIR B1 1194, "Florida Statewide Rate Level Effect/Dwelling," with its instructions, (Rev. 07/03).

~~(i)~~ ~~Form~~ OIR B1 1195, "Florida Rate Level Effect by Type by Territory/Dwellings," with its instructions, (Rev. 07/03).

~~(k)~~ ~~(j)~~ Effective March 1, 2007, OIR-B1-1655, "Notice of Premium Discounts for Hurricane Loss Mitigation," (Rev. 3/07) is adopted and incorporated herein by reference.

(2) All Office of Insurance Regulation forms may be obtained from:

(a) The ~~Office's~~ ~~Department of Financial Service's~~ web site located at ~~https://www.flair.com~~ ~~https://www.fldfs.com~~; or

(b) ~~The Bureau of~~ Property and Casualty ~~Product Review Forms and Rates~~, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0330, (850)413-3146.

Specific Authority 624.308(1), 627.711 FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS. History--New 6-19-03, Formerly 4-170.0155, Amended 2-23-06,\_\_\_\_\_.

The remainder of the rule reads as previously published.

## Section IV Emergency Rules

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

### DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-2  
RULE TITLE: Instant Game Number 670, POT LUCK

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 670, "POT LUCK," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-2 Instant Game Number 670, POT LUCK.

(1) Name of Game. Instant Game Number 670, "POT LUCK."

(2) Price. POT LUCK lottery tickets sell for \$1.00 per ticket.

(3) POT LUCK lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning POT LUCK lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	
ELEVN	TWELV	THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	HIN

(5) The "LUCKY NUMBERS" play symbols and play symbol captions are as follows: