Rules and Regulations for Facilities

Module 1:
The Child Care Professional and the Law
Icons

This icon represents a new topic in the text. This is a visual cue for you to answer any questions about the previous section before moving along to the next one.

This icon is used to identify an exercise that involves in-class practice and feedback.

This icon is used to identify a section that is accompanied by a video.
Icons

This icon is used to identify a section where the participants should add items to their “Do’s and Don’ts” list.

This icon is used to identify an exercise that involves a role-playing scenario.

This icon is used to identify the use of a transparency related to the material in this section.

This icon is used to identify a key point in the material.
Ways that child care laws protect children, families, and child care providers:

• 1. Child care centers are required to know and follow the laws to protect children under their care.

• 2. Child Care providers are protected by the laws, as well as, trained to do the “right things” in regard to children.
Key Terms

- **Florida Law** means a bill passed by the Florida legislature that is signed by the governor of Florida. The permanent collection of these state laws is found in the Florida Statutes.

- In general, **rules** implement, interpret, and/or describe laws found in the Florida Statutes. The permanent collection of these rules is found in the Florida Administration Code.
Key Terms

• An **ordinance** is a local law enacted by a county or municipality and only applies within the jurisdiction of the particular county or city.

• A **regulation** is a law, rule, ordinance, or other order prescribed by authority, especially to regulate conduct.
Florida Statutes (FS) is a permanent collection of the state’s laws. They are updated annually by the laws that create, amend, transfer, or repeal statutory material. Florida Laws related to child care are found in several chapters of the Florida Statutes, including:

- Chapter 39, F.S. – Procedures Relating to Children
- Chapter 119, F.S. – Public Records
- Chapter 316, F.S. – Transportation Safety
- Chapter 381, F.S. – Public Health

Chapter 402, F.S. – Health and Human Services
- Chapter 409, F.S. – Social and Economic Assistance
- Chapter 435, F.S. – Employment Screening

This course will focus on s. 402.301 - 402.319, F.S. which establishes the statewide minimum standards for the care and protection of children in child care facilities.
Florida Administration Code (FAC)
The __________________________ is the official compilation of administrative rules for the state of Florida. Per statute, the Florida Department of Children and Families is directed to establish licensing standards.

The Florida Administrative Code contains several chapters that have rules related to child care, including:

- Chapter 65C-_________, F.A.C. (Family Day Care Homes, Large Family Child Care Homes)
- Chapter 65C-_________, F.A.C. (Child Care Facilities)
- Chapter 65C-25, F.A.C. (Care of Mildly Ill Children)
- Chapter 64D-3, F.A.C. (Communicable Disease)
- Chapter 64E-6, F.A.C. (Sewage)
- Chapter 64E-8, F.A.C. (Drinking Water)
- Chapter 64E-9, F.A.C. (Public Swimming Pools)
- Chapter 64E-10, F.A.C. (Sanitation Facilities)

DCF Office of Child Care Regulations and Background Screening

The Department of Children and Families, ________________________________ is the licensing authority and currently regulates licensed child care facilities, licensed family day care homes, licensed large family child care homes, and licensed mildly ill facilities in most counties in Florida. In addition, the Office of Child Care Regulation and Background Screening administers the registration of family day care homes not required to be licensed. The office also provides consultation services, technical assistance, and in-service training to child care programs.
The Florida Department of Children and Families Office of Child Care Regulation and Background Screening’s mission to “ensure the health, safety, and well-being of the children of the state while in care through licensing and regulatory activities. The purpose of this program is to ensure that children are well cared for in a safe, healthy, positive, and educational environment by trained, qualified child care staff.”
It is very important for all child care providers to know, understand, and follow the laws that govern child care in the State of Florida. Child care laws, rules, and regulations are in place to protect children, families, and child care professionals.
Answers - Page 4

Activity: Roles of Other Organizations in Child Care Regulations

1. Florida Department of Children and Families
2. Local Fire Departments / Certified Fire Safety Inspectors
3. County Agencies
4. Local Licensing Agencies

1. This agency determines state rules pertaining to child care and enforces these rules by licensing and inspecting child care facilities.

2. This organization conducts the annual fire safety inspection and educates child care providers about minimizing fires and other threats to safety.

3. Governmental organizations that ensure compliance with building and zoning codes including septic capacity.

4. These organizations, found in some counties, regulate and enforce rules and local ordinances which must meet or exceed state standards.
Activity: Roles of Other Organizations in Child Care Regulations

The Florida Department of Children and Families, local licensing agencies, county fire departments and many other agencies, organizations, and entities work together to establish laws, rules, and ordinances which benefit the children of Florida. The Florida Department of Children and Families’ role is to put into place rules and regulations which uphold the Florida Statutes and the legislative intent of those statutes. They also enforce laws, rules, and regulations. They do all of this to protect Florida’s children.
 Laws, rules, and ordinances relating to child care exist in Florida to protect children from abuse, neglect, injury and exploitation.
U.S. Statutes and Code of Law govern some important issues related to child care, such as the:

- **Americans with Disabilities Act**
- Individuals with Disabilities Education Improvement Act of 2004 (IDEA)
- Child Care Food Program
- School Readiness/Head Start Programs
- Occupational Safety and Health Act of 1970 (OSHA)
- Health Insurance Portability and Accountability Act of 1996 (HIPAA)
Important Information

The Americans with Disabilities Act, a federal law passed in 1990, prohibits discrimination of people who are handicapped or disabled. It calls for “reasonable accommodation” of the needs of people who are handicapped or disabled. Its goals are to promote community integration by prohibiting discrimination based on disability; to create early intervention services for infants and toddlers (ages birth to 3 years) with special needs and their families; and to provide non-discriminatory, multidisciplinary evaluation by qualified professionals.
Activity: Piece the Puzzle

Rules
Regulations
Legislators
Florida Statutes
Ordinance
Legislation
Minimum Standards
Regulatory Agency
State Law
Florida Administrative Code

Rules
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Rules - Implement, interpret, and describe laws found in Florida statute.
Regulations - A law, rule, or other order prescribed by authority, especially to regulate conduct.
Legislators - A body of people whose job is to enact laws.
Ordinance - The permanent collection of Florida state laws.
Legislation - A piece of legislation that is passed at the local level.
Ordinance - A document that is discussed or voted on by the State Legislature or Federal House and Senate.
Minimum Standards - These are the basic requirements permitted by law or authority to operate a child care program.
Regulatory Agency - A government body responsible for directing and enforcing activities according to rule or statute.
State Law - A bill that has been passed by the State House and Senate and approved by the Governor.
Florida Administrative Code - This is the official compilation of administrative rules for the State of Florida.
In addition to going on the Internet, some other ways to track changes in laws, rules, and ordinances are by:

- Communicating
- Joining a professional association
- Reading the newspaper
- Taking continuing education courses
- Taking training offered by employers
- Going to the public library
• Remember: The child care professional is a trained individual who has the responsibility for knowing, understanding, and applying the laws that govern the provision of child care in the state.
Rules and Regulations for Facilities

Module 2:
The Florida Statutes in Child Care Facilities
Introduction to the Florida Statutes... page 9

• The Florida Statutes contain 48 titles, or topic areas. The statutes that govern child care are found in Title XXIX (14), **Public Health**.

• These titles are divided into chapters. The statutes we are interested in are found in Chapter **402**, which is related to Health and Human Services.

• All chapters are divided into Sections, and each Section may have several Subsections. Sub-sections may have sub-sub-sections. The sections we are interested in are found in Chapter 402, Section **26** through **319**.
Introduction to the Florida Statutes... page 9

- As laws governing child care may change, in the future, when reviewing a law in the Florida statutes, where should you refer?
  - Florida Legislative Website
  - DCF Website
  - Public Library
Notes:

- Parents working outside home need quality child care
- Protect health and welfare of our children
- Develop a regulatory framework and promoting the development of child care options
402.26 Child care; legislative intent.— page 9

The primary role of the child care professional is to:

- Keep children **safe**.
- Provide good **nutrition** and a healthy environment.
- Create an environment for **learning**.
Key Point

The child care provider supplements and enhances the role of parents and guardians and is the Department of Children and Families' partner in its mission to “ensure the health, safety and well-being of the children of the state while in care through licensing and regulatory activities.”
402.302(3) – To ensure that individuals who want to provide licensed child care understand training requirements and the need for background checks and screening
• 402.302(13)
  - Director is considered the operator
Why do you feel this distinction is made in the statutes?
  - Statutes have legal impacts. They assist in setting roles and responsibilities.

402.302 (15) provides a definition of “screening”. What agencies work with the department of Children and Families to assist in assessing the background of child care personnel?

  FDLE (Federal Dep. Law Enforcement)
  FBI
402.302 (15) Definitions

What kinds of records are checked during screening?

- Employment History
- Statewide Criminal Records checks
- Federal Criminal Records checks - FBI
- The current Secretary of the Department of Children and Family is Mike Carroll
402.305: Licensing standards

Where can we find information about the Staff Credential and other opportunities for trainings?

On the Department of Children and Families Child Care Website:
www.myflorida.com/childcare/training

What do we notice about the ratio of staff-to-children regarding the age of the child? Why?

- Older the children = less staff needed
- Younger children = need more supervision
What is confidentiality?

Protecting private information by making sure the public does not have access to it.
Are the following forms of discipline allowed by Florida Statute, and thus, by Florida Administrative Code?

- Withholding food during snack-time. **No**
- Saying, “Don’t be like Jimmy. He’s being a bad boy.” **No**
- Denying repeated requests to use the restroom. **No**
402.3055 Child care personnel requirements (page 12)

- The licensing agency notifies the applicant, in writing, that the license has been denied, and states why that decision was reached.
- If the Department of Children and Families rejected the applicant, the applicant may request a hearing process outlined by another statute.
- If a local licensing agency denied the application, the applicant has 15 days to file a written request for a hearing.
- The local licensing agency must hold that hearing within 30 days of the applicant’s request.
- If the denial stands, the applicant may appeal to the Department of Children and Families. The Department of Children and Families’ hearing must be held as described by statute.
• Notes: Child care workers are the most important aspect of a child care program.
402.307 Approval of licensing agency (p.13)

- Each county in Florida has to provide the Department of Children and Families with a copy of its own minimum standards if they are different from the state’s and has to tell DCF how it plans to license programs.

- The Department of Children and Families will review local minimum standards. If they meet or exceed the Department of Children and Families’ standards, the Department of Children and Families will approve a local licensing agency; approval is renewed every year.
Local licensing agencies must provide the Department of Children and Family with data about child care in its county **every year.**
Child care programs in Florida are licensed **annually**.

- If there is a **change of ownership**, a new license is required.
- Programs undergo an **on-site review** to determine that the State’s minimum standards are being met.
- The licensing authority must **coordinate** inspections, and if there are conflicts between inspectors, it must resolve them.
- If a **licensing fee** has been submitted and **all standards** are met, a license will be issued.
402.308 Issuance of license p.14

• A license will not be issued to any facility that has a staff member who has failed the screening process.

402.309 Issuance of license p.14

• A provisional license may be issued to a facility which does not meet licensing standards but can take corrective action within six months.
Key Point

The Florida Statutes determine elements the Department of Children and Families must use in writing rules that regard licensing child care facilities, personnel, and local licensing agencies in Florida.
402.310 Disciplinary actions; hearings upon denial, suspension, or revocation of license; administrative fines. (page 15)

- **Fines** can be levied against a licensee that is out of compliance.
- Disciplinary actions are **consistent** across the state and **progressively more severe** according to the nature of the violation.
- Disciplinary actions must follow procedures outlined in Chapter 120 of the Florida State Statutes and Florida Administrative Code.
- Licensees have the right to **appeal** the action of Department or local licensing authority.
Where can you find out what kinds of things the Department of Children and Families might look for during an inspection?

The Florida Administrative Code/Standard
What is an injunction?

An injunction is a court order that stops someone from continuing an activity.

If the person does not stop doing the activity named in the injunction, they are in contempt of court and will face further discipline.
Know Your Child Care Facility

Brochure which must be provided to the parents.

May be obtained from: www.myflorida.com/childcare/

Available in English and Spanish

Conozca Su Instalación De Cuidado Infantil
We see that Child Care programs pay license fees, and that if the fees are collected by DCF, they are held in a trust fund and given to the dept. the following year. The DCF has to spend the money on certain activity.

What is it?

Licensing
What jobs might demand that a person work a 24 hour shift?

**Firefighter, hospital staff, law enforcement**

Child care facilities may provide 24 hour care for a child for up to 72 hours in one 7 day period.
A person commits a misdemeanor if he or she doesn’t include a license number on an advertisement for a child care facility.
That person has committed a **misdemeanor** in the first degree.

If a person:

- Lies about a child care program on an application
- Operates, or attempts to operate, without a license
- Operates, or attempts to operate, with a suspended, revoked, or terminated license
- Lies about being licensed
- If a person lies to a parent or guardian, a licensing authority, or law enforcement about:
  - The number of children in care
  - The part of the home used for child care
  - Credentials
  - Screening
  - Training
Key Point

The Florida Statutes determine the elements the Department of Children and Families must use in writing rules that govern penalties against child care providers and child care workers.
Rules and Regulations for Facilities

Module 3: The Florida Administrative Code
Chapter 65C-22, Child Care Standards for Child Care Facilities (page 21)

- 65C-22.001: General Information
- 65C-22.0011: Definitions
- 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
- 65C-22.009: Goal Seal Quality Care Program
- 65C-22.010: Enforcement
(1) Application

What kind of application is being described in 65C-22-001(1). Application, a license for a child care provider or for a child care facility?

• **A Child Care Facility**
65C-22.001:
General Information (page 22)

(1) Application

License - facility covers:

• Where to get the licenses,
• How to apply
• Impact of criminal offenses
• Renewal applications
• Urban Child Care facilities
• Outdoor Play Areas
65C-22.001: General Information (page 22)

(2) License

• 65C-22.001(2) covers general license information. What Florida statute calls for parents and guardians to be notified if a facility changes ownership?

• It is 402.305(18) F.S. Remember all the rules found in the Florida Administrative Code are based on the Florida Statutes.
65C-22.001: General Information (page 22)

(3) Minimum Age Requirements:

• 65C-22.001(3) Minimum Age Requirements provide minimum age standards. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the child care facility and on the premises at all times.
65C-22.001: General Information (page 23)

(4) Ratios:

- Which Florida statute establishes staff-to-children ratios?

402.305(4)
65C-22.001: General Information (page 23)

(4) Ratios

- See Next Slide
Determining Ratios  p.23

There must be **ONE** child care personnel for every:

<table>
<thead>
<tr>
<th># of Children</th>
<th>Ages</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Infants (Birth to 1 year)</td>
</tr>
<tr>
<td>6</td>
<td>1 year olds</td>
</tr>
<tr>
<td>11</td>
<td>2 year olds</td>
</tr>
<tr>
<td>15</td>
<td>3 year olds</td>
</tr>
<tr>
<td>20</td>
<td>4 year olds</td>
</tr>
<tr>
<td>25</td>
<td>5+ year olds</td>
</tr>
</tbody>
</table>

**Ratio of Age Group of Youngest Child**

**Ratio of Age Group of the Majority of Children in the Group**

**Mixed Age Groups**

(if group includes child under 2 years of age)

**Mixed Age Groups**

(if group includes child 2 years of age or older)
Mixed Ratios (page 23)

In groups of mixed aged ranges, where children under 1 year of age are included, one staff member shall be responsible for no more than 4 children of any age.
Mixed Ratios (page 23)

In groups of mixed aged ranges, where children 1 year of age but under 2 years of age are included, one staff member shall be responsible for no more than 6 children of any age group.
Mixed Ratios (page 23)

When children 2 years of age and older are in care, the staff-to-children ratio shall be based on the age group of the largest number of children of within the group.

**For every 20 children, a child care facility must have one staff member.**
(5) Supervision

- **Direct supervision** is defined
- **Nap supervision** is defined
- **Feeding** supervision is defined
- Drug or alcohol use is not permitted.
- **There are additional requirements during **field trips and water activities**.**
(6) Transportation

- **Driver**: must hold valid Florida driver’s license
- **annual medical exam**
- **First aid and CPR training**
- **Insure their vehicle**
- **Vehicles have to inspected every year**.
65C-22.001: General Information (page 24)

(6) Transportation

- # of people in care = # of seatbelts
- Staff to children ratio in vehicle
- A second staff member must conduct a physical and visual sweep of the vehicle.
- The transportation log must be kept and verified by the driver a second person.
Why are transportation logs so prominently mentioned?

To make sure no child is ever left behind in a vehicle or at a location other than the facility.

What could happen if a child is left behind in a vehicle?

Heat exhaustion, heat stroke or death

A child could leave the vehicle to look for a caregiver and become lost or abducted.
(7) Planned Activities:

Must meet the needs of 3 categories:

- **Emotional, social, intellectual, and physical growth**
- **Need for quiet and active play**
- **Need for meals, snacks, and nap time**
(8) Child Discipline:

In Module 1, we discussed the best way to determine appropriate methods of discipline and how to use them in a child care facility. What was that?

• To read, understand, and follow the facilities written discipline policies.
(8) Child Discipline:

- **Accepted methods of discipline include:** Redirection, Modeling, and Reminding
(8) Child Discipline:

- Severe humiliation, frightening, or associated with food, rest, or toileting, spanking, or any other forms of physical punishment are prohibited methods of discipline.
65C-22.001: General Info. (page 26) - Notes

(9) Access:

Eases anxiety for parent and child, ensures quality care of children, assists busy parents in seeing their children during the day, accommodates parent’s need to check on their children, and accommodates child’s need to see his or her parents.
65C-22.001: General Info. (page 26) - Notes

(10) Attendance:

Child care personnel will take attendance daily and record when each child arrives and departs the facility.
(11) Child Safety:

Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39 of the Florida Statutes constitutes a violation of the standards. Failure to perform the duties of a mandatory reporter pursuant to Section 39.201 F.S. constitutes a violation of the standards.
65C-22.002: Physical Environment (page 28)

(1) General Requirements

• Facility must be clean, in good repair, and free from health and safety hazards.

(2) Rooms Occupied by Children

**Requires 20 foot candles at 3 feet from the floor. A foot candle measures the amount of light that actually falls on a surface, such as a floor or table.

• At all times lighting must be sufficient to visually observe and supervise children, including during naptime to ensure their safety and well being.
65C-22.002: Physical Environment (page 28)

(1) General Requirements to know...

• Facility clear and safe
• No unsafe activities when children present
• Toxic materials out of reach
• Animals – immunization
• No weapons, sharp knives out of reach
• Building meets codes
65C-22.002:
Physical Environment (page 28)

(2) **Rooms Occupied by Children**
*(information to know)*

- Rooms occupied by children must have and maintain the equivalent of 20 foot candles at 3 feet from the floor. A foot candle measure the amount of light that actually falls on the surface such as a floor or table.
65C-22.002: Physical Environment (page 28)

(2) Rooms Occupied by Children

• At all times, lighting must be sufficient to visually observe and supervise children including during naptime to ensure their safety and well being.
(3) Main point made by this subsection:

The Department of Children and Families requires either 20 or 35 square feet of usable floor space per child, depending on when the facility was first licensed. Capacity must be posted, square footage may be suspended during specific times.
65C-22.002: Physical Environment page 29

Indoor Space Requirements:

• A child care facility that held a licensed prior to October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child.

• A child care facility that did not hold a licensed prior to October 1, 1992, must have a minimum of 35 square feet of usable indoor floor space for each child.
65C-22.002: Physical Environment (page 29)

(4) Outdoor Play Area

- DCF requires 45 square feet of safe outdoor play area per child for $\frac{1}{2}$ of the facilities population over 1 year of age.

**Urban facilities are given permission to substitute indoor play space for outdoor play space under certain conditions.**
65C-22.002: Physical Environment (page 29)

(4) Outdoor Play Area

• Notes:

Under certain conditions, a fence is not required around an outdoor play area.

1. Children are school aged

2. The staff to child ratio is exceeded by at least 1 member

3. Certain traffic conditions are met or/and approval granted by the licensing authority
Sudden Infant Death Syndrome or SIDS is mentioned in this code.

There is a short phrase to help us remember how to reduce the risk of SIDS. What is it? What does the phrase mean?

• **Back To Sleep** - Babies that cannot roll over on their own must be placed on their backs to sleep.
65C-22.002: Physical Environment (page 30)  
Additional Information

(5) Napping and Sleeping Space

• Children have a safe, clean, comfortable

• 18” minimum distance around individual mapping spaces
(6) **Restrooms**

- DCF requires that children have **access** to sanitary toilet facilities in a sufficient amount **based** on the number of children under care.
- Potty chairs not considered
- There has to be at least **1** bath facility
65C-22.002: Physical Environment (p.30)

(7) Fire and Emergency Safety.

The main points of this subsection are:

• Facilities have to conform to standards set by the State Fire Marshal

• Facilities must be inspected **annually** and report must be on file with the licensing authority.
65C-22.002: Physical Environment (p.30)

(7) Fire and Emergency Safety.

The main points of this subsection are:

• Facilities must conduct fire and emergency preparedness **drills**.

• A **current** attendance record must accompany staff out of the building during a drill or actual evacuation.
65C-22.002: Physical Environment (p.30)

(7) Fire and Emergency Safety.

During the facility’s operating year, fire drills shall be conducted monthly at various dates and times when children are in care.
(8) Food Preparation Area.

In accordance with 65C-22.002(8), Food Preparation Areas must include the following:

- ventilation
- smooth, nonabsorbent food contact surfaces
- properly maintained and stored food equipment
- shielded lighting
- nonabsorbent/easily cleaned floor covering
- easily cleanable/replaceable ceiling
- as specified in the rule
- leak proof, nonabsorbent containers with tight-fitting lids for food waste

This rule also covers:

- Sanitation requirements for staff working in food preparation areas
  - child safety aspects
  - cleanliness

A separate hand washing station
(9) Food Storage.

In accordance with 65C-22.002(9), facilities that prepare food must have a designated space for food storage and adhere to the following:

- Food containers must be stored above the floor on clean surfaces and protected from splash contamination.
- Hazardous products must be stored separately from food.
- Open packages of perishable food and leftovers must be covered/sealed, labeled with date, properly stored and discarded within 7 days.
- Open packages of dry goods must be covered/sealed, properly stored and discarded according to the manufacturer’s recommended date or when quality is compromised.

Refrigerators and freezers that store food must have accurate thermometers to verify cold storage temperatures.

Refrigerators must be maintained at or below 41°F and freezers at 0°F

- Food may be frozen prior to the expiration date, but when thawed must be labeled with date and used or discarded within 7 days.
- Food has a limited amount of time that it can be frozen. Food that is frozen too long will experience degradation in quality and may pose health risks. Food must be labeled with type and date frozen.
- Be sure that you thoroughly understand all licensing standards on food safety if you serve food at your facility.
65C-22.002: Physical Environment (p.31)

(10) Health and Sanitation

Notes:

- All buildings must have screens on windows
- Caregivers must wash hands - if cannot-cannot serve food
- Children should have access to safe drinking water
- If children stay overnight need to brush teeth and wash face and hands. Children cannot share toothbrushes and towels.
65C-22.002: Physical Environment (p.32)

(11) Equipment and Furnishings

The main points of this subsection are:

- Toys, equipment, and furnishings must be provided by the facility
- They must be safe and sanitary
- Sufficient age-appropriate seating must be provided during meals

There are specific regulations for outdoor equipment, and these are in place to maintain safe conditions for play.

When inspecting a playground for safety you should make sure:

- Equipment is anchored securely
- Equipment is clean and free of rust
- Equipment is free of insects, such as wasp nests underneath and ant hills near legs

- Equipment is Free of broken parts or jagged edges
- Soft surface under equipment is in good condition

- There are No hazardous objects nearby, such as nails, broken glass, or empty cans
65C-22.003: Training (p.33)

(1) Definitions

- Registration for courses does NOT constitute beginning training.

- No. “Beginning training” means starting a course.

- Note: All child care personnel must begin training within 90 days of employment in the child care industry.
(2) Training Requirements

Course Requirements for Child Care personnel

- All Part I courses (30 hours) and 10 hours of any Part II course and an early literacy and language development course.
- 1. Rules and Regs
- 2. Health and Safety
- 3. Child Dev.
- 4. Child Abuse and Neglect
- 5. Observation
- 6. Specialty Area Preschool
- 7. Dev. Appropriate Practices (DAP)
- 8. Literacy (online)
65C-22.003: Training (p.34)

(3) Exemptions from the Introductory Child Care Training

- Exam
- Educational exemptions
65C-22.003: Training (p.34)

(4) Documentation of Training

- The Department of Children and Families Training Transcript is the only acceptable verification of successful completion of the department’s training.
65C-22.003: Training (p.34)

(5) Training Qualifications

- Requirements - in service training to ensure that introductory trainers have a minimal level of education and experiences in early childhood education.
(6) **Annual In-service Training**

In-service training is training that is completed on an **annual basis to improve knowledge** about the child care profession.

Upon completion of Parts I and II introductory training requirements, all child personnel must complete **10 hours**.
65C-22.003: Training (p.34)

(6) Annual In-service Training

In-service training must be completed within the state’s fiscal year, which is July 1-June 30.
65C-22.003: Training (p.34)

(7) **Staff Credentials**

- 29 children = 1 credentialed staff
- 39 children = 1 credentialed staff
- 42 children = 2 credentialed staff
- 59 children = 2 credentialed staff
65C-22.003: Training (p.35)

(8) Director Credentials

2 components of the Director Credential: Education and Experience

Does the Director Credential have to be renewed. Yes
65C-22.004: Health Related Requirements (p.36)

(1) Communicable Disease Control.

What are the main points of 65C-22.004(1), Communicable Disease Control?

- Children need to have daily health checks to notice signs of disease
- Sick children or personnel should be first isolated then removed from the facility
- The code describes signs of communicable disease
- An isolation area needs to be furnished so it may be sanitized easily

- Isolated children must be within sight and hearing of caregivers
- The health department needs to be notified of any outbreak

What is a communicable disease?
One that can be transmitted from one person to another through direct or indirect contact

For more information on communicable disease, take the Department of Children and Families’ online course, *Health, Safety, and Nutrition.*
65C-22.004: Health Related Requirements (p.36)

Practice and Feedback:

Notes:

Hepatitis  Chicken Pox
Measles  Mumps
Meningitis  Flu
AIDS  Colds  Whooping Cough
65C-22.004: Health Related Requirements (p.37)

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

What accidents are to reported to the parent or guardian? **All of them**

What do facilities have in place to help document an accident or injury? **A written accident/incident report and policies**
65C-22.004: Health Related Requirements (p.37)

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

**Facilities do not have to dispense medication.

**If a facility chooses to dispense medication **specific conditions** must be met.
(1) Nutrition.

What is the USDA MyPlate?

It is used to determine what food groups to serve and serving sizes for children ages 3 and older.
(1) Nutrition.

If a facility chooses not to supply food, who is responsible for making certain the child receives nutritious food while at the facility?

Arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.
65C-22.005: Food and Nutrition page 38

If a facility supplies food, the food must be in good condition and free from spoilage. Additionally:

- Meat, poultry, fish, dairy products, and processed foods shall have been inspected under the USDA requirements.
- No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian.
- No home-canned food or home-grown eggs may be served.
- No recalled food products may be served.
- All raw fruits/vegetables shall be washed thoroughly before being served or cooked.
- Hot foods shall be maintained at a temperature of 135°F or above, and cold foods shall be maintained at a temperature of 40°F or below.
- Minimum internal temperatures of cooked/reheated food specified.
- Food quality and safety must also be ensured if outsourced.

If a facility makes food available from an outside source, it must ensure the food is free from spoilage and contamination, and safe for human consumption. A “Food Acceptance Log” must be maintained and retained for a minimum of 4 months.
(2) Breastmilk, Infant Formula and Food.

65C-22.005(2) provides regulations on the safe use of breast milk, formula and feeding infants, which include:

- Heated bottles or food must be **tested before feeding** to ensure heat is evenly distributed and to prevent injury to children.
- Bottled breast milk, infant bottles, and formula shall not be heated in a microwave oven.
- A bottle may be warmed only once; a warmed bottle may not be returned to the refrigerator or re-warmed.
Key Point

The Florida Administrative Code describes the Department of Children and Families’ rules relating to meeting the health and nutrition needs of children.
65C-22.006: Record Keeping (p.40)

(1) General Requirements:

- **Notes:**
  - All documents must be maintained at the facility and available **during hours of operation** for review by licensed authorities.
  - Are copies of records acceptable for documentation? **YES**
(2) Children’s Health Requirements:

- What children are not required to have these records on file at the facility?

  - School-age children who are enrolled in public school
65C-22.006: Record Keeping (p.41)

(3) Enrollment Information:

The main points of this subsection are:

- Facilities must use an enrollment form provided by the Department of Children and Families or one that contains all of the information requirements contained by the DCF form.
- Enrollment forms must be kept current and on file.
- No child
- ______________________ can be released to any one other than a custodial parent, guardian, or other person authorized in writing by the custodial parent.
- Parents must receive a copy of the Department of Children and Families’ brochure, *Know Your Child Care Center*, or an equivalent.
- Parents must receive a copy of the facility’s ______________________ disciplinary practices and food and nutrition policies.

written
65C-22.006: Record Keeping (p.41)

(4) Personnel Records:

65C-22.006(4), states personnel records shall be maintained and kept current on all child care personnel. “Child Care Personnel” is defined in Section 402.302(3), F.S., Definitions.

What child care personnel records are required to be maintained at a facility?

- Employment application with employee statement
- Record of position and date of employment
- Child Abuse & Neglect Reporting Requirements, CF-FSP 5337
- Background Screening and Personnel File Requirements, CF-FSP Form 5131
- Employment history
65C-22.006: Record Keeping (p.41)

(4) Personnel Records:

- Affidavit of Good Moral character, CF-FSP 1649A
- Training transcripts that documents statutorily mandated training
- Director/Staff credentials
- Child Care In-service training Record, CF-FSP 5268
- Certifications including first aid, and infant and child cardiopulmonary resuscitation
- Driver’s license (Driver Only)
- Driver’s physical exam record (Driver Only)
65C-22.006: Record Keeping (p.42)

- David started in the child care industry and completed the background screening requirements 3 years ago and has remained employed.
  **David does not need to be screened until his 5 year re-screening**

- Lisa is employed in a child care facility and completed the background screening requirements 2 years ago. She takes four months for maternity leave. She has now returned to work.
  **Lisa does not have to be re-screened**

- Maria worked in the child care industry in 1999 for six months. She left the industry.
  **Maria must be screened**

- Samantha has never worked in the child care industry.
  **Samantha must be screened**
65C-22.006: Record Keeping (p.42)

(5) Summary of Records.

Other than medical, enrollment, and personnel records, what records should you find on file at a child care facility?

- Driver’s logs
- Parental Permission
- Disciplinary forms for field trips and food activities/special occasions
- Daily attendance
- Record of fire and emergency preparedness
- Record of Fire and emergency drills
- Documentation of First Aid and CPR training
- Posted emergency telephone numbers
- Record of Accidents and incidents
- Emergency evacuation and emergency preparedness plans
- Sample meal plan and daily menus
- Documentation of known food allergies
Key Point
page 43

The Florida Administrative Code describes the Department of Children and Families' rules regarding the written documentation child care programs and providers must retain.
65C-22.007: Evening Child Care (p.44)

(1) Hours of Care.

65C-22.007(1), provides the hours that are considered “Evening Child Care.”

Evening Care, as defined by statute, means child care provided during evening hours that may encompass the hours of 6:00 PM to 7:00 AM

(2) Supervision.

As specified in 65C-22.007(2), Supervision, is it a requirement that staff remain awake at all times during evening child care? yes

(3) Exemptions.

In accordance with 65C-22.007(3), what exemptions are in place for facilities that only provide evening child care?

- Outdoor space is not required; however, an open area within the existing indoor floor space designated for play that promotes the development of gross motor skills must be available.
The Florida Administrative Code describes the Department of Children and Families’ rules regarding the provision of evening child care.
65C-22.008: School Age Child Care (p.46)

(1) Definitions:

- School Age Child – a child at least 5 years of age by Sept. 1 and who is attending grades K-5

(2) Licensure Requirement

- Programs that meet one of the criteria listed in 65C-22.008(2)(C) are not required to be licensed.
65C-22.008: School Age Child Care (p.46)

(3) School-Age Child Care Standards.

65C-22.008(3) provides differences between child care facilities and school-age programs. What are the requirements for an outdoor play space not to be fenced?

• The children using the outdoor play area are in Kindergarten or above

• The staff-to-child ratio is exceeded by at least 1 staff member;

• Certain traffic conditions are met;

• or have written authorization by the licensing authority.

What are other differences between child care facilities and school age programs?

Student health records not required to be maintained on file by the facility for school age children.
(4) School-Age Child Care Personnel Training Requirements.

65C-22.008(4) provides child care personnel training requirements for school-age child care programs.

In lieu of Child Growth and Development and Behavioral Observation and Screening, child care personnel may complete DCF's online courses - Standards for Quality Afterschool Programs and Quality Self-Assessment and Improvement for Afterschool Programs or specialized school-age training provided by a National organization that includes evidence of competency or any of the other Part II training courses developed by the Department of Children and Families.
65C-22.008: School Age Child Care (p.47)

(2) Provider Requirements:
Where can you get a listing of approved Gold Seal Quality Care Program accrediting associations?

From the Department of Children and Families website
www.myflorida.com/childcare
65C-22.008: School Age Child Care (p.47)

(3) Accrediting Association Requirements: Can child care programs receive Gold Seal Quality Care designation from an inactive association? No

Notes: Active Gold Seal Quality Care Associations must re-apply every five years. If an association fails to reapply it is placed in inactive state.
65C-22.010: Enforcement (p.48)

65C-22.010(1) provides Enforcement definitions:

“Standards”

______________________________ are requirements that must be met for licensure as a Child Care Facility and that are identified on the CF-FSP Form 5316, Child Care Facility Standards Classification Summary.

“Violations”

______________________________ are findings of noncompliance by the department or local licensing agency with a licensed standard; violations are classified based on their potential to cause harm to children

- Class I violation - most serious
- Class II violation
- Class III violation - less serious
(2) Disciplinary Sanctions.

65C-22.010(2) provides disciplinary sanctions, or actions, that DCF may take for a violation or violations of licensing standards. Enforcement of disciplinary sanctions is applied progressively for each standard violation.

Depending on the severity and nature of the violation, disciplinary sanctions can include:

- **Fines** up to $500 per day for each violation
- Issuance of a formal **Warning letter** to take administrative action
- Suspension, denial, or **revocation** of the license
Rules and Regulations for Facilities

Module 4: The Americans With Disabilities Act
The Americans with Disabilities Act (page 53)

The American with Disability Act prohibits discriminating against people who have a disability. **What is a disability?**

- **Physical or mental impairment**
- **Illness or disease**
According to the EEOC Web site at [http://www.eeoc.gov/types/ada.html](http://www.eeoc.gov/types/ada.html), the ADA defines a disability as:

An individual with a disability is a person who:

- Has a **physical** or **mental** impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.
Key Point p.53

The ADA is a law that prohibits discrimination against people who have a physical or mental impairment.
The Americans with Disabilities Act (page 54)

- Prohibits **discrimination** in employment, public services, public accommodations and transportation.

- Promotes **community integration** by prohibiting discrimination based on disability.
The Americans with Disabilities Act (page 54)

• Provides related services, including transportation and such supportive services that are required to assist a child to benefit from special education.

• Assures confidentiality of records.
Key Point

The ADA benefits children with disabilities by helping them get the assistance they need.
The Americans with Disabilities Act (p.55)

• If I hire a nurse or aide for child w/disabilities, is that a reasonable accommodation?

• 1 on 1 could cause “undue burden” on a program. However, there may be supports available through other means and they must be explored.

• Must I accept any child who applies for my program?

• You need to consider any child that applies. Be sure you don’t base decision on a stereotypical idea.
The Americans with Disabilities Act (p. 55)

- What is “reasonable accommodations”?
- Involves making physical facilities, toys, and equipment readily accessible to and usable by a child with disabilities, so that he or she may participate.

- Can I charge higher tuition for a child who is likely to require more attention than other children?
- **NO**, you may not charge more nor serve the child separately from other children. May need additional training.
The Americans with Disabilities Act (p.55)

- What sort of accommodations may be required of my program?

  Possibly far less than you could anticipate. (diaper area in preschool area, large knobs for puzzles)

- You need to consider every child on an individual basis.

- Using stereotypes to form ideas about people is not a good decision-making process. (You should consider the difficulty of meeting a need when making an enrollment decision. It may be easier than you think.)
The Americans with Disabilities Act (p. 55-56)

- **Negotiate** in good faith.
- Determine what **community resources** are available to help you accommodate a child with special needs.
- You **may not** charge more for services provided to a child with a disability.
- If you need to make **adjustments** to your building, seek community assistance.
Parents/Guardians

- Provide physical and emotional relief.
- Allows time for self
- Makes time for errands
- Supplies expert care
- Adds much needed resources
Children

- Social interaction
- Helps all children form bonds with children who are different than themselves
- "Real World" experiences
- Dispels stereotypes
- Myths a child might have about different-abled
Activity: Caring for the Child with Special Needs (p.56)

Program

- Create new relationships with community
- Provides learning experiences for staff
- Fulfills State, Federal, and local legislation intent
Including a child with a disability in your program allows every person in your facility to increase their skills in forming relationships with people who are different from themselves.
Key Point  p.56

When you include a child with special needs in your program, you make a positive impact on the lives of many people.
Activity: Caring for the Child with Special Needs (p.56)

Where can you find out more about serving populations with special needs?

• **Special Needs Appropriate Practices** and Supporting Children with Developmental Disabilities.
Rules and Regulations for Facilities

Module 5: Professionalism
Introduction to Professionalism (p.59)

When people in a certain job are required to follow a given set of laws, must have specific training, and adhere to certain codes of conduct, what are these people called?

Professionals
Professionalism (p.59)

People who work with children in a child care setting are professionals. They:

- Are **bound** by laws found in Chapter 402 of the Florida Statutes.
- Must **adhere** to Chapters 65C-20 or 65C-22 in the Florida Administrative Code.
- Must **take** training as written in rule by the Florida Department of Children and Families.
- **Gain** professional status through program accreditation and credentialing.
- Must **follow** a certain code of conduct. The Florida Statutes say they must be of good moral character and must see to the emotional and physical well-being of the children in their care.
Who expects you to meet and even exceed these standards?

- **Parents and guardians**
- Employers
- Inspectors
- Local licensing agencies
- FDC
- Florida Legislation
- And most importantly **Children**
Key Point

Professionalism means maintaining a set of standards that are widely viewed as essential to your chosen career.
People in the child care industry are professionals. They have careers, not jobs. The differences between a career and a job are:

- **Professional standards**
  - Better pay
  - Recognition of achievement by community and peers

- **Credibility and respect**
  - Job Security
  - Pride in work
Key Point

Maintaining professionalism has many benefits that enhance one’s economic, social, and psychological wellness.
Professionals (p. 61)

- **Track** changes in laws that affect their profession.
- **Read** and submit information to professional journals, periodicals, and Web sites.
- **Join** and are active in professional associations.
- **Attend** and teach at conferences, seminars, workshops, and continuing education courses.
- **Maintain** training requirements mandated by law.
- **Mentor** newcomers to the profession.
- **Accept** work assignments that are progressively more responsible.
- **Sustain** one-on-one interaction with peers and colleagues (networking).
Key Point  p.61

All professionals perform certain activities in order to remain professionals. When a professional stops doing these activities, his or her professionalism falls into decline.
• What is the website address?

http://www.myflorida.com/childcare

The public library offers internet access at no charge. You may also contact local community agencies for availability of internet access.
Maintaining Professionalism Using Professional Associations (p.64)

Professional associations also offer several ways for you to maintain and improve your professional knowledge and skills.

- They present opportunities for networking.
- They usually publish a newsletter, magazine, website, or have some other way of conveying news and information.
- They offer chances to improve knowledge, skills and ability through training, workshops, seminars, and conferences.
- They often recognize excellence in the field through awards and other honors.

Several of the websites listed on the previous pages belong to professional organizations. Which ones are they?

- National Association for the Education of Young Children
  - National Association for Family Child Care
  - National Association for Regulatory Administration
  - The Children’s Forum
Maintaining Professionalism Using Professional Associations (p.65)

If you do not have internet access at home or work, where can you access it?

• Visit the library and ask to see the Encyclopedia of Associations, a reference book that lists thousands of associations.

• Use an internet search engine, such as Google (www.google.com), Yahoo (www.yahoo.com), or Ask.com (www.ask.com).

• Ask your colleagues. This includes your local licensing agency, local child care trainers, and the Department of Children and Families.
The Department of Children and Families offers many opportunities for training and professional development, as we have seen throughout this course.

You can review the latest information about the Department of Children and Families’ minimum training standards for certification for child care professionals and licensing for child care programs by visiting the Department of Children and Families’ website and selecting either “Training and credentialing” or “Laws and Requirements”.
Key Point

Knowing what you need to achieve your professional goals will help you choose training for either annual in-service training or child care credentials and renewals.
Maintaining Professionalism through a Professional Development Plan (p.68)

All professional development plans contain the following elements. Together, the elements will require you to accept more responsibilities, but it will also offer you rewards for your achievements.

The elements of a Professional Development Plan are:

1. A ___________________________. What is your “dream job”? Be as specific as possible. Don’t write, “To work in child care.” Instead, write something like this: “To become a facility director in a program that has 10 employees.”

2. A list of the ___________________________ for that job. If you want to be a director, you will write down all the credentials a director needs to have, and any other skills and abilities you will need to excel at that work.

3. A list of the knowledge, skills, and abilities ___________________________. Carefully evaluate your current ability to achieve your goal.

4. A list of the knowledge, skills, and abilities you need but do not currently have.
   
   This list becomes ___________________________ for achieving your goal.

5. A ___________________________ for achieving each of your objectives. Include the start date and end date for every course you will take.

6. A ___________________________ to achieving your objectives, and your plan for ___________________________ these barriers.
We know that the Florida Statutes demand that child care professionals are of "good moral character."

How do we know if we meet the standard of possessing "good moral character" as the term applies to our profession?

Moral character is an evaluation of a person's __moral and mental qualities__.

Examples of how a child care professional exhibits good moral character is by being honest and trustworthy, showing mature judgement and a fair approach to discipline, and acting in the best interest of children.
Maintaining Professionalism by Following Ethical Standards (p. 71)

Preamble

NAEYC recognizes that those who work with young children face many daily decisions that have moral and ethical implications. The NAEYC Code of Ethical Conduct offers guidelines for responsible behavior and sets forth a common basis for resolving the principal ethical dilemmas encountered in early childhood care and education.

The primary focus of the Code is on daily practice with children and their families in programs for children from birth through 8 years of age, such as infant/toddler programs, preschool and prekindergarten programs, child care centers, hospital and child life settings, family child care homes, kindergartens, and primary classrooms. When the issues involve young children, then these provisions also apply to specialists who do not work directly with children, including program administrators, parent educators, early childhood adult educators, and officials with responsibility for program monitoring and licensing.

NAEYC includes people who do not work directly with children in the Code’s provisions. Why?

They are included because they are responsible for program monitoring, licensing, and holding programs accountable.
Activity: The Many Hats of Child Care Professionals

Firefighter: Puts out fires
Police: Keeps peace and maintains order
Sailor: Sets a course and navigates to safety
Nurse: Helps maintain the health of children
Rain bonnet: Ready for story times
Sherlock Holmes: Detecting a child’s wants and needs