

# School-Age Child Care Licensing Handbook

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February 2017

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*This handbook is incorporated by reference in rule 65C-22.008, Florida Administrative Code.*

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# 1 Introduction

To protect the health and welfare of children, it is the intent of the Legislature to develop a regulatory framework that promotes the growth and stability of the child care industry and facilitates the safe physical, intellectual, motor, and social development of the child. To that end, the Child Care Regulation Program is responsible for regulating programs that provide services that meet the statutory definition of “child care.” This is accomplished through the inspection of licensed child care programs to ensure the consistent statewide application of child care standards established in statute and rule, and the registration of child care providers not subject to inspection.

The Department regulates licensed child care facilities, licensed family day care homes, licensed large family child care homes, and licensed mildly ill facilities in 62 of the 67 counties in Florida. Five counties have decided - either by statute or by the adoption of a local ordinance or resolution - to designate a local licensing authority to regulate child care providers in their areas. The following counties have elected to exercise this option: Broward, Hillsborough, Palm Beach, Pinellas and Sarasota.

Local licensing agencies may use the same or different procedures to implement local licensing standards, which must have been determined by the state to meet or exceed the state’s minimum licensing standards. Three of the five local licensing agencies have designated the local County Health Department as the licensing authority. Broward and Hillsborough counties have designated other agencies as the local licensing authority.

## 1.1 Child Care Programs Subject to Regulation

“Child care” is defined as “the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.” If a child care program meets this statutory definition of “child care,” it is subject to regulation by the Department/local licensing agencies, unless specifically excluded or exempted from regulation by statute.

Every program determined to be subject to licensing must meet the applicable licensing standards established by subsection 402.301-.319, Florida Statutes, and rules.

## 1.2 Definitions

“**Active**” is the status of a candidate’s awarded credential or certification signifying requirements have been successfully met.

“**Age appropriate**” means of the right size, child sized or adapted so that a child can use safely. Suitable to the chronological age range and developmental characteristics of a specific age group of children or child. This means the materials/equipment should interest and challenge children in terms of their age and abilities. Any material/equipment with a specified age range by manufacturer must be followed when being used by children.

**“Before-School and After-School site”** refers to a program, regardless of location, that provides child care for children who are at least 5 years old and are enrolled in and attend a kindergarten program or grades one and above during a school district’s academic 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 academic calendar year.

**“Begin training for child care personnel”** refers to a candidate’s commencement of at least one of the child care training courses listed in section 402.305(2)(d), F.S., and found in section 4 of this handbook. This may be accomplished by classroom attendance in a Department-approved training course, acquiring an educational exemption from a Department-approved training course, beginning a Department-approved online child care training course, or by receiving results from a Department-approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida school-age child care program. The child care facility is responsible for obtaining training documentation from child care personnel.

**“Caterer”** means a duly-licensed food service business that provides ready-to-be-served meals to a provider. A copy of the license or permit must be in the child care facility and available for review by the licensing authority.

**“Classroom/Room/Designated Space”** means a learning space or room in which care is provided or classes are held and where learning can take place uninterrupted by outside distractions. The designation of space as a classroom must be reviewed and approved by the licensing authority prior to its use as such. If floor to ceiling walls are not present, the classroom walls must be a minimum of 4 feet in height, anchored to the floor, and constructed in such a manner as to be secure not pose a threat of falling over. The material for the walls must be stable, non-hazardous and not be made of materials such as transparent, plastic, curtains, stacked materials, fabric or mesh materials. An entrance and exit from the classroom that meets fire code requirements must be present.

**“Continuing Education Unit (CEU)”** is a standard unit of measure of coursework used for training and credentialing purposes. The Department will accept CEUs from educational institutions accredited and recognized by the U.S. Department of Education, or from member-based state professional organizations that have the following characteristics: they are chapters or officially affiliated with a national child care advocacy organization for over 20 years and provide members with opportunities to use and strengthen leadership skills that benefit children, families, providers and members at the local and state level, offer advocacy opportunities to raise awareness of the importance of child care education through a unified organization voice, and offer professional development for members through opportunities to access local and state resources and to network with child care and educational professionals. Examples of such organizations are the Florida Association for the Education of Young Children, Inc. and Florida Family Child Care Home Association, Inc. The term does not include an organization that provides primarily training opportunities.

**“Director”** means “operator” as defined in section 402.302(13), F.S., who is the on-site administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.

**“Director Credential”** is a Department-approved comprehensive credential that consists of educational and experiential requirements as referenced in section 4.8 of this handbook.

**“Disposable”** means an article intended by the manufacturers to be used once and then thrown away.

**“Early Childhood Education”** refers to coursework, certification, a credential or degree specific to children ages birth through eight years.

**“Food equipment”** means all stoves, ranges, crock pots, microwaves, hoods, tables, counters, cabinets, refrigerators, freezers, sinks, dishwashing machines, and other items used in the preparation, reheating, and serving of food, with the exception of utensils.

**“Foster Grandparents”** are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs and are not counted in the staff-to-child ratio. Foster grandparents are required to have 100% completion of the Department’s following training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. This requirement can be met by either instructor-led or online training. Foster grandparents must begin training within 30 days of working in the child care industry in any licensed Florida child care facility. Training must be completed within one (1) year from the date of working in the child care industry in any licensed Florida child care facility. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher’s aides, group leaders or other similar positions.

**“High School Diploma, GED and/or College Degree”** means a diploma or degree obtained from an institution accredited and recognized by the U.S. Department of Education. High school diplomas issued by private schools that are registered with the Florida Department of Education will be accepted. If a high school diploma is earned outside the U.S., it must be translated and evaluated by someone who is a member of the American Translators Association, a credential evaluation agency approved by the Bureau of Educators Certification, or an accredited college/university. If a college degree is earned outside the U.S., it must be evaluated by a credential evaluation agency approved by the Bureau of Educators Certification or an accredited college/university to be equivalent to a U.S. degree.

**“Inactive”** refers to the status of a candidate’s awarded credential or certification that is no longer active; however, the credential remains eligible for renewal.

**“Initial Screening”** means a full Level 2 screening which must include, at a minimum, Federal Bureau of Investigation (FBI) and Florida Department of Law Enforcement (FDLE) checks, a search of the criminal history records, sexual predator and sexual offender registry, and child abuse and neglect registry of any state in which the applicant is currently residing or has resided in during the preceding five years.

**“Potentially hazardous food”** means any food that requires time-temperature control (refrigeration or hot holding) and contains ingredients such as milk, milk products, eggs, meat, poultry, fish, shellfish, cooked plant food (rice, beans, vegetables, and baked potatoes), tofu, other soy-protein products, mushrooms, cut melon, cut tomatoes, raw sprouts, and untreated

garlic/oil mixtures.

**“Preparation of food”** includes the selection and portioning or combining of ingredients to create food (including bottle preparation) intended for consumption. This definition is not limited to cooking. Excluded from the definition are warming of pre-prepared bottles and pre-prepared food (such as catered food and food provided by a child’s parent or guardian), distributing individually pre-packaged snacks, and learning activities provided by a child care program that may include raw or prepared food. A learning activity may not replace a regularly scheduled meal.

**“Professional contribution,”** for the purpose of Director Credential renewal, demonstrates a dedication to early childhood or school-age education outside of the child care program responsibilities by engaging in activities that improve the field of early childhood or school-age education. Examples of such a contribution are: active participation in an appropriate membership organization, publishing an article related to early childhood or school-age education, or active participation in rule development workshops.

**“Re-screening”** is the background screening process that is conducted every five years after the date of the initial screening submission. Re-screening must include, at minimum, a search of the criminal history records, sexual predator and sexual offender registry and child abuse and neglect registry of any state in which the applicant resided during the preceding five years.

**“Sanitize”** means the process of destroying or reducing organisms to a safe level which includes properly cleaned equipment and surfaces, such as sinks and sleep mats. Sanitation shall be accomplished with the application of a chemical sanitizer or the use of hot water or steam. Sanitizing agents must be used according to the manufacturer label. Sanitizing agents used on food contact surfaces must be labeled by the manufacturer safe for use on food contact surfaces and have specific instructions designed for use on food contact surfaces. The manufacturer’s directions must be followed.

**“School-Age Child Care Credential”** is equivalent to a child development associate credential, pursuant to 402.035(3)(b), F.S., and offered through one of the following programs: Florida Child Care Professional Credential (FCCPC) or Florida Department of Education School-Age Professional Certificate (SAPC). Issuance of a School-Age Child Care Credential certifies successful completion of a department-approved training program that consists of a minimum of 120 hours of school-age/early childhood instruction, 480 contact hours with school-age children, and a formal observation. Credentials must be documented on CF-FSP Form 5270, April 2006, Florida Child Care Professional Credential Certificate, which is incorporated by reference in section 65C-22.008(6)(a), Florida Administrative Code (F.A.C.). A copy of CF-FSP 5270 may be obtained from the department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare). Active credentials are valid for five years from the date of issuance. A list of approved and recognized School-Age Child Care Credential programs may be obtained from the department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

**“Sedentary Activities,”** are those activities where the children are seated and working in one space.

**“Serious Injury,”** is any injury/incident resulting in death or serious physical or emotional harm to a child that prudently calls for medical attention, including medication errors that present a risk of ineffectiveness or adverse reaction.

**“School-Age Child”** means a child who is at least 5 years of age by September 1st of the beginning of the school year and who attends grades kindergarten or above.

**“School-Age Child Care Program”** means any child care facility serving only school-aged children in a before- and after-school or out-of-school time program.

**“Serving food,”** means the provision of meals and snacks to children.

**“Single-service articles”** means any cups, containers, plates, straws, place mats, napkins, doilies, spoons, stirrers, paddles, knives, forks, wrapping materials and all similar articles that are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic or other readily destructible materials, and which are intended by the manufacturers to be for one-time, one-person use, then to be discarded.

**“Tableware”** means utensils used for eating, drinking, and serving food including forks, knives, spoons, bowls, and cups and serving dishes. Tableware may be either multi-use or single service.

**“Training Transcript”** is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training Transcripts may be obtained from the Department’s website at [www.myflfamilies.com](http://www.myflfamilies.com).

**“Utensils”** means pots, pans, ladles, pitchers, cutting boards, knives, or food containers used in the preparation, storage, transportation, or serving of food.

**“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.

**“Year of experience”** as it relates to the Director Credential is equivalent to a minimum of 1,040 hours of paid and/or nonpaid documented work experience as a child care facility director, co-director, or lead teacher ~~in a Head Start Program~~.

## 2 General Requirements

### 2.1 License Application Process or Renewal

1. Applicants for a license or for renewal of a license to operate a school-age child care program must complete a CF-FSP Form 5272, February 2017, Application for a License to Operate a School-Age Child Care Facility. CF-FSP Form 5272 is incorporated by reference in 65C-22.008(1), F.A.C. and may be obtained from the Department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-03028>.
2. Each completed application must be submitted with the licensure fee as determined by s. 402.315, Florida Statutes.

3. All fines imposed through the administrative process or an administrative hearing against an applicant must be paid before a license can be issued. If, at the time of a license renewal application, there is a pending administrative hearing resulting only from a proposed fine, it shall not affect the renewal of the license. If, at the time of a license renewal application, there is a pending revocation proceeding a satisfactory inspection is required and the issuance of a license is dependent upon the final order.
4. The provider will not be issued a new license until the final order is entered. During the application determination, the provider will be able to continue to operate as long as provisions are in place to ensure the continued health and safety of the children in care. This option may be reversed if the provider continues to violate standards and there is a court-ordered injunction to cease operation until the final order is issued.
5. A school-age child care license is issued in the name of the owner and for the single physical location identified on the application. The license is non-transferable between owners and locations.
6. The child care facility must not be used for any business or purpose unrelated to providing child care that can interfere with compliance with child care standards or permit the unsupervised presence of individuals who do not meet screening and training requirements (with the exception of parents or legal guardians of children in care) when children are present. A child care facility that utilizes any area that is subject to use by persons outside of the program must have exclusive control of such area when used by the program and provide effective measures to exclude individuals who do not meet screening and training requirements from that area.
7. Every child care facility must hold a valid license prior to operation.
8. The facility must maintain and display the license in one central area within the facility where parents can view.

## 2.2 Minimum Age Requirements

A staff person at least 21 years of age must be in charge of the program and must be on the premises at all times during operating hours.

## 2.3 Ratios

When caring for children 5 years of age and older, the staff-to-child ratio must be at least one (1) child care personnel for every twenty-five (25) school-age children in care (1:25).

## 2.4 Supervision

When caring for school-age children, child care personnel will be responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for the children at all times, including when children are separated from their groups.

1. At all times, lighting within the facility must allow child care personnel to see and supervise all children while in care.

2. Supervision standards apply at all times away from the child care facility, including during field trips, outdoor play, and when picking up or dropping off children at designated locations, such as bus stops, schools or a child's home. Personnel must know where children are and what they are doing at all times.
3. Child care personnel respond appropriately to the individual needs and special interests, abilities and cultures of children.
4. The facility must have and communicate to staff and parents/guardians a plan for safe, supervised drop-off and pick-up points and pedestrian crosswalks in the vicinity of the facility. The plan must require the drop-off and pick-up are in a location protected from traffic.
5. Child care personnel are required to supervise drop-off and loading to assure that children are clear of the perimeter of all vehicles before the vehicle moves. The child care personnel supervising the children are required to stay with each child and remain responsible until the custody of the child has been accepted by the individual designated in advance to care for that child.
6. Child care personnel are responsible for picking up a child from a designated location agreed upon by the provider and the parent. The provider is responsible for the timely arrival of its child care personnel at the designated location and supervision of the child upon the child's arrival. If a child is not present at the time of pick-up, prior to leaving the designated location, child care personnel must verify the whereabouts of the child.
7. No person shall be an operator, owner or employee in a 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.
9. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the school-age child care program to assist in providing direct supervision. The individual could be a parent volunteer as long as that person is under direct and constant supervision of a screened and trained staff member of the school-age child care program. When a child care facility that utilizes an area away from the facility or on a field trip that is subject to use by persons outside of the program and does not allow the program to have exclusive control of such area, the children must be under direct supervision (within sight and sound) of a screened and trained staff member.
8. A telephone or other means of instant communication must 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.
9. If a school-age child care program uses a swimming pool that exceeds 3 feet in depth or uses beach or lake areas for water activities, the following requirement must be met:
  - a) There must be one person with a certified lifeguard certificate or equivalent present. This person can also serve as the additional adult to meet the requirement in No. 8 above, or
  - b) A certified lifeguard must be on duty and present when any children are in the

swimming area.

10. During meal/snack times, children must be individually fed and provided their own tableware and be supervised appropriately for their ages.
11. A program must not release a child to any unauthorized individual. All individuals authorized to pick up a child must be identified in writing by the custodial parent or legal guardian to the program, and the program must verify using picture identification. Identification is required on a continuous basis or until staff become familiar with the people picking up the children.

## 2.5 Transportation

It is necessary for the safety of children to require that the caregiver comply with minimum requirements for governing the transportation of children in care in the absence of the parent/guardian.<sup>1</sup>

### 2.5.1 Vehicles

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. Parents' personal vehicles used for transporting during field trips are excluded from meeting the requirements in this section.

1. All vehicles regularly used to transport children must be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic must be maintained in the vehicle.
2. 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.
3. Each child, when transported, must be seated in a back seat in an individual factory installed seat belt or federally approved child safety restraint. The child safety restraint must be installed, secured and used in accordance with the manufacturer's instructions and a copy of such instructions must be maintained on file with the program.
  - a) All children under age 5 must be in a car seat or booster seat.
  - b) All children age 5 and older must be in seat belts.
4. Contact information for the parent or custodian of each child being transported must be in the vehicle during transport. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication must be available in the vehicle. The responsible adult in the vehicle must be trained

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<sup>1</sup> Caring for Our Children: National Health and Safety Performance Standards, [cfoc.nrckids.org](http://cfoc.nrckids.org)

to recognize and respond appropriately to a medical emergency.

5. When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio if he or she meets screening and training requirements.
6. All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.

### **2.5.2 Driver Requirements**

The driver of any vehicle used by a school-age child care program to provide transportation must have the following:

1. A valid Florida driver's license;
2. 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; and
3. Transportation Log. A log must be maintained for all children being transported in the vehicle. The log must be retained on file at the facility for a minimum of 12 months and available for review by the licensing authority. The log must include each child's name, date, time of departure, time of arrival, the signature of the driver, and the signature of a second staff member or person(s) authorized by the parent to verify the driver's log and that all children have left the vehicle.
  - a. Prior to transporting children, the transportation log must be recorded, signed, and dated immediately, verifying that all children were accounted for and that the log is complete.
  - b. Upon arrival at the destination, the driver of the vehicle must:
    - ✓ Mark each child off the log as the child departs the vehicle;
    - ✓ Conduct a physical inspection and visual sweep of the vehicle interior to ensure that no child is left in the vehicle; and
    - ✓ Record, sign, and date the transportation log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.
    - ✓ Ensure that a second staff member signs and dates the Transportation Log verifying that all children were accounted for, and that the log is complete.
  - c. Upon arrival at the destination, a second and different staff member must:
    - ✓ Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and
    - ✓ Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the log is complete.

## 2.6 Planned Activities

Facilities should have a written, comprehensive and coordinated planned program of daily activities based on a statement of principles of the facility and each child's individual development, as well as appropriate activities for groups of children at each stage of development. A written description of the planned program of daily activities allows staff and parents/guardians to have a common understanding and gives them the ability to compare the program's actual performance to the stated intent.<sup>2</sup>

Each group or class must have a written and followed plan of scheduled activities posted in an easily seen location accessible to parents. The written plan must meet the needs of the children being served and must include alternate activities in case of bad weather. The written plan also must include scheduled activities that:

1. Promote emotional, social, intellectual and physical growth;
2. Promote daily recreation, sports or fitness activities;
3. Limit electronic media time (television, videos, movies, or computer games) to no more than 2 hours per day. Computer use should be limited to no more than 15-minute increments, unless used for scholastic tutoring purposes;
4. Include both indoor and outdoor play, if applicable; and
5. Include meals, snacks, and the times the children are in care.

An appropriate daily schedule provides flexibility and contains transition periods that help children move smoothly from one activity to another.

The program may allow children to choose their own activities from the daily schedule that offer both indoor and outdoor activities and a variety of social, recreational and educational opportunities.

The program must offer scheduled time in an appropriate environment for academic support or homework assistance.

## 2.7 Field Trip Activities

1. Parents must be advised in advance of each field trip activity.
2. The date, time, and location of the field trip must be posted in an easily seen location at least two working days prior to each field trip.
3. Written parental permission must be obtained in the form of a general or event-specific permission slip.
4. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip.
5. Documentation of parental permission for field trips must be maintained for a minimum

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<sup>2</sup> Caring for Our Children: National Health and Safety Performance Standards, Page 49, [cfo.nrckids.org](http://cfo.nrckids.org)

of 12 months.

## 2.8 Child Discipline

1. Each school-age child care program must have a written discipline policy in accordance with s. 402.305(12), F.S. A copy of the current policies must be available to the licensing authority to review.
2. Verification that the school-age child care program has provided the parent or guardian a written copy of the disciplinary policy used by the program must be documented on the enrollment form with the signature of the custodial parent or legal guardian.
  - a. All child care personnel must comply with the school-age child care program's written disciplinary policy. Such policies must 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 must not be administered by any child care personnel.
  - b. Active play must not be withheld from children who misbehave.
  - c. Rough or harsh handling of children is prohibited, including but not limited to: shaking; lifting or jerking by one or both arms; pushing; pulling; forcing or restricting movement; lifting or moving by grasping clothing; or covering a child's head, whether associated with discipline or not.
3. Positive techniques are used to guide the behavior of children by setting appropriate limits and encouraging children to choose positive behaviors.

## 3 Physical Environment

Children are much more vulnerable to exposures of contaminated environmental media materials than adults because their bodies are developing. They eat more, drink more, and breathe more in proportion to their body size; and their behavior. Both the design structure and a lack of maintenance can lead to exposure of children to physical injury, mold, dust, pests, and toxic materials.<sup>3</sup>

### 3.1 General Health and Safety Requirements

1. All school-age program facilities must be clean, in good repair, and free from health and safety hazards and vermin. During the hours that the program is in operation, no portion of the building can be used for any activity that presents a risk to the health and safety of the children.
2. It is the responsibility of the director/owner to ensure that all areas and equipment of the facility are free from fire hazards, such as lint and dust build-up in heating and air vents, filters, exhaust fans, ceiling fans and dryer vents. This includes grease build-up in ovens,

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<sup>3</sup> Caring for Our Children: National Health and Safety Performance Standards, Pages 200-201, [cfoc.nrckids.org](http://cfoc.nrckids.org)

stoves and food equipment.

3. Animals must be properly vaccinated, free from disease, and clean. Parents must be informed in writing of all animals on the premises. Notice may be provided by a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Current vaccinations records must be available for review by the licensing authority. No animal may freely roam the indoor/outdoor premises. Animals are prohibited in areas where food is prepared or served. If animals or birds are kept in classrooms, cages must be kept away from the food storage area and preparation or service area, and kept clean.
4. Pursuant to Chapter 386, F.S., smoking is prohibited within the school-age child care facility, all outdoor areas, during field trips, and in vehicles when being used to transport children. Owners/operators are to notify custodial parents and legal guardians, in writing, that smoking is prohibited on the premises of the child care facility.
5. Design and construction of a new child care facility or modifications to an existing facility must meet the requirements of the applicable local governing body. The facility must provide current written approval from the local governing body to verify compliance with building requirements.

## **3.2 Toxic/Hazardous Material/Firearms/Weapons**

1. All areas and surfaces accessible to children must be free from toxic substances, biocontaminants, and hazardous materials/equipment/tools, including power tools.
2. 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, must be stored in a locked area or must be inaccessible and out of a child's reach at all times.
3. Firearms and weapons, as defined in section 790.001, F.S., are prohibited within any building or upon any person located on the premises, excluding federal, state or local law enforcement officers.
4. Narcotics, alcohol or other impairing drugs must not be present on the premises.

## **3.3 Rooms Occupied by Children**

### **3.3.1 Lighting**

1. All areas of the facility must have lighting that provides adequate illumination and comfort for facility activities, a minimum of 20 foot-candles of lighting is required.
2. For reading, homework, painting and other close work areas, 50 foot-candles at the work surface is required.

### **3.3.2 Windows and Screens**

When the windows or doors are open, for more than entering/exiting purposes, all buildings must have and maintain screens to prevent entrance of any insects or rodents.

Screens are not required for open-air classrooms and picnic areas.

### **3.3.3 Temperature and Ventilation**

1. An inside temperature of 65 to 82 degrees Fahrenheit must be maintained at all times.
2. Adequate ventilation must be maintained in all areas of the facility, in particular in those areas where arts and crafts are conducted, and during any cleaning, sanitizing or disinfecting procedure, to prevent children and child care personnel from inhaling harmful or potentially toxic fumes.

## **3.4 Licensed Capacity**

### **3.4.1 Licensed Capacity**

1. The capacity, as calculated by the licensing authority for each room, must be posted in a conspicuous location within the room. The licensed capacity of a child care provider is determined by the following factors:
  - a. Indoor floor space
  - b. Outdoor square footage
  - c. Sewer/septic capacity (as determined by Environmental Health)
  - d. Number of toilets/wash basins
2. Licensed capacity is determined by the most restrictive of these factors.

### **3.4.2 Indoor Floor Space**

1. Usable indoor floor space refers to space that is at all times under the exclusive control of the program and available for indoor play, classroom, work area, or nap area.
2. To determine overall facility capacity, 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 and designated food preparation areas, offices, laundry rooms, storage areas, hallways, and other areas not normally used or accessible to the children in daily operations are not included when calculating usable indoor floor space to determine total facility capacity.
3. Each room routinely used as a classroom must provide the minimum 35 square footage of usable indoor floor space per child. 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. This standard applies as long as the child care facility remains licensed at the site occupied on October 1, 1992, and shall not be affected by any change in the ownership of the site.

4. Shelves or storage for toys and other materials will be considered as usable indoor floor space if accessible to children.
5. A school-age child care program may request permission from the licensing authority to operate under an exception to usable indoor floor space. The written request must include an explanation of why the exception is necessary (for example, the program has a large outdoor play area with pavillions and a court yard that is being used interchangeably with the limited classroom space indoors for homework and art center. Additionally, this space can be used during inclement weather).
6. Rooms that are set up and used for sedentary activities must have a minimum of 20 square feet of usable indoor floor space per child.
7. The program environment must provide dedicated, usable safe space for all activities during hours of operation.
8. The space must be arranged to be conducive for simultaneous social, recreational and educational activities.
9. There must be adequate and convenient storage space for equipment, materials and the personal possessions of children.

### **3.4.3 Multipurpose Rooms**

1. Space that is at all times under the exclusive control of the program and used as a common dining area or for large group assemblies/activities for the program is included in the usable indoor floor space for purposes of determining overall facility capacity.
2. Such common area (i.e., multiple purpose rooms or dining rooms) square footage may not be counted in such a manner as to expand the capacity of other individual rooms in the facility. Square footage per child and room capacity is determined on a room-by-room basis. While a common area is being used for dining or specific large group assemblies/activities (special events), the applicable 20- or 35-square-foot requirement of usable indoor floor space would not apply, although supervision and ratios must still be maintained. This means that for special events, the overall room capacity may be greater than it would be under normal use. Common area square footage may not be counted toward the facility's overall capacity unless the space is used regularly and other classroom capacity requirements are not exceeded.
3. Each room routinely used as a classroom must provide the minimum square footage of usable indoor floor space per child.

### **3.4.4 Outdoor Space**

Outdoor space refers to space that is at all times under the exclusive control of the program. The play area must be sufficient and safe to allow freedom of movement without collisions among active children. Children benefit from being outside as

much as possible, and it is important to provide sufficient outdoor space to accommodate them.<sup>4</sup>

1. There must be a minimum of 45 square feet of usable, safe and sanitary outdoor play area per each school-age child. At a minimum, the outside play area must be able to accommodate one-half of the licensed capacity of the program.
2. Based on the outdoor square footage, the total number of children using the play area may not exceed the outdoor capacity.
3. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to the minimum outdoor square footage requirement. 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 and an alternate plan to accommodate instances of bad weather. (for example a program is located in an industrial park where there is limited green space. However, indoors there is a gymnasium available for use by the children for gross motor activities. )

## Outdoor Play Area

1. The outdoor play area must be clean and free from litter, nails, glass and other hazards. The outdoor play area must be designed to allow personnel to clearly see children while playing on all equipment.
2. The outdoor play area must have a shaded area for children. Shading may be provided by trees, buildings or shade structures.
3. Metal and dark-colored equipment must be located out of direct sun rays and in a shaded area.
4. During outdoor play, child care personnel must also be in the outdoor play area so that all children can be observed and direct supervision can be provided. The outdoor play area should be arranged so all areas are visible to the personnel and easily supervised at all times.

### 3.5.1 Fencing

1. The facility's outdoor play area must be fenced as required by local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention ponds and fish ponds.
2. The outdoor play area must have adequate fencing or walls a minimum of 4 feet in height. Fencing, including gates, must be continuous and must 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.

The school-age child care program may operate without a fence if all of the

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<sup>4</sup> Caring for Our Children: National Health and Safety Performance Standards, [cfc.nrckids.org](http://cfc.nrckids.org)

following provisions are met:

- ✓ 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;
- ✓ The outdoor play area if bordered by a road or street open to travel by the public, shall have 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
- ✓ The licensing authority has provided written authorization to the program to operate without a fence.

### **3.6 Rest Area**

1. 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.
2. Nap bedding is not required for school-age children; however, each school-age child care program must include a designated area where each child can sit quietly or lie down to rest or nap for those children choosing to rest.
3. Sleep bedding is required if the school-age child care program provides evening overnight care for children. Sleep bedding must be a cot or mattress (excluding an air mattress or a foam mattress).

### **3.7 Restrooms and Bath Facilities**

1. Each school-age child care program must provide and maintain bathroom facilities that are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed, with impervious surfaces that can be easily cleaned and sanitized or disinfected.
2. Facilities must have a sufficient number of toilets and sinks for the number of children being served. For facilities having from one to 15 children, there must be at least one toilet and one sink. There shall be at least one additional toilet and sink for every 30 children thereafter. For design and construction of a new child care facility or modification to an existing facility, the program must submit copies of permits obtained to do the work or proof that the permit was satisfied according to the city/county local jurisdiction.
3. Bathrooms 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, such as into a classroom where tables/chairs have multiple uses.
4. Running water, soap, trash receptacles, toilet paper, and disposable towels or hand-drying machines that are properly installed and maintained must be available and within reach of children using the bathroom.
5. Each sink and toilet must be maintained in good operating condition, cleaned and sanitized or disinfected as needed, but at least once per day.

## 3.8 Fire Safety and Emergency Preparedness

Regular fire safety checks by trained officials (i.e., fire department inspector or building code inspector) will ensure that a child care facility continues to meet all applicable fire safety codes. Regular emergency and evacuation drills/exercises constitute an important safety practice in areas where these natural or human-generated disasters might occur. The routine practice of such drills fosters a calm, competent response to a natural or human-generated disaster when it occurs. Turnover of both staff and children, in addition to the changing developmental abilities of the children who participate in evacuation procedures in child care, necessitate frequent practice of the exercises. There must be a plan to account for all children and adults in a facility at the time of an evacuation. Practice accounting for children and adults during evacuation drills makes it easier to do in an emergency.<sup>5</sup>

### 3.6.1 Operable Phone

There must be at least one operable corded telephone that is neither locked nor located at a pay station that is available to all child care personnel at all times during the hours of operation.

### 3.6.2 Fire Safety

1. Unless statutorily exempted, all school-age child care programs must conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Fire Safety Standards for Nonresidential Child Care Facilities, and must 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. If the program is granted a fire inspection exemption by the local fire inspection office, the exemption must be documented and maintained on file at the program.
2. The school-age child care facility must properly maintain fire extinguishers with a minimum rating of 2A10BC at all times. All staff must be trained in the use and operation of a fire extinguisher within 30 days of their employment date. Documentation of such training must be maintained in the personnel file. Travel distance to the nearest extinguisher must not be more than 75 feet from rooms occupied by children. A fire extinguisher must be present in vehicles used to transport children and areas where food is prepared.
3. Automatic range-top fire suppression systems are required in the kitchen for facilities that deep fry food. Suppression hood systems must be maintained and inspected in accordance with the Florida Fire Prevention Code as adopted in Chapter 69A-60, F.A.C.

### 3.8.3 Exit Area

1. Exits should be clearly identified and visible at all times during operation of the child care facility.
2. The exits should be clearly marked, identifying the path to safety in case of an

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<sup>5</sup> Caring for Our Children: National Health and Safety Performance Standards, Pages 199, 370-371, [cfoc.nrckids.org](http://cfoc.nrckids.org)

emergency. The exits should not be blocked at any time.

#### **3.8.4 Fire Drills**

1. During the facility's licensure year, fire drills utilizing the approved alarm system must be conducted monthly at various dates and times when children are in care.
2. 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. When the facility's approved alarm system is activated, all adults and children must evacuate the facility. The operator must maintain a written record of the fire drills showing the date, number of children and staff in attendance, evacuation route used, and time taken for all individuals to evacuate the premises. Each fire drill record must be maintained for a minimum of two years from the date of the fire drill. The fire drills conducted must include, at a minimum:
  - ✓ One fire drill using an alternate evacuation route, and
  - ✓ One drill in the presence of and at the request of the licensing authority in coordination with the operator or designee.

#### **3.8.5 Emergency Preparedness**

1. The operator must develop a written emergency preparedness plan that includes, at a minimum, procedures to be taken by the facility during a fire, shelter in place, lockdown and inclement weather (for example: hurricanes, tropical storms or tornadoes), and to facilitate parent/guardian reunification onsite and offsite. The plan must describe how the facility will meet the needs of all children, including children with special needs, during and following an emergency event.
2. Emergency preparedness drills must be conducted when children are in care. Each drill outlined in the emergency preparedness plan must be practiced a minimum of one time per year, and may substitute for up to three monthly fire drills. Documentation of this substitution must be maintained for one year. A current attendance record must accompany staff during the drill or actual emergency and must be used to account for all children.
3. The operator must maintain and post in an easily seen location a written record of emergency preparedness drills showing the type of drill, date conducted, number of children and staff in attendance, and time taken for all individuals to complete the drill.
4. Documentation of conducted fire and emergency preparedness drills must be available at the time of inspection. Documentation produced after the inspection will not be used to meet the licensing standard or corrective action requirements.
5. The operator must prepare and post an emergency evacuation plan in each room of the facility, excluding restrooms, including a diagram of safe routes by which the personnel and children may exit in the event of fire or other emergency requiring evacuation.

### 3.8.6 After a Fire, Man-made, or Natural Disaster

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

## 3.9 Food Preparation Area/Food Service

### 3.9.1 Food Preparation Area

A food preparation area is a designated room, such as a kitchen or a designated space in a facility not normally used or accessible to the children in daily operations for indoor play, classroom, work or nap spaces, and not included when calculating usable indoor floor space.

1. A food preparation area is required for facilities that choose to prepare food in a manner consistent with the definition of “preparation of food”. Specific requirements for the food preparation area include:
  - ✓ Ventilation provided either by mechanical or natural means to provide fresh air and control of unpleasant odors, such as a fan, vent or open window with a screen.
  - ✓ Smooth, nonabsorbent food contact surfaces with no unsealed cracks or seams. Food-contact surfaces are surfaces of equipment, countertops, utensils, etc., that food comes into contact with during food preparation.
  - ✓ Food equipment maintained and stored in a sanitary manner and out of the reach of children.
  - ✓ Shielded lighting.
  - ✓ Nonabsorbent and easily-cleaned flooring and floor covering.
  - ✓ Easily cleanable or replacable ceiling in the event of water and other damage, mildew, or mold.
  - ✓ A separate hand washing station with hot running water a minimum of 100 degrees Fahrenheit. A hand washing station must include a sink with running water and drainage, soap, trash can, and disposable towels or hand-drying machines that are properly installed and maintained. Hand washing stations must include posted signs visible to employees and children, demonstrating proper hand washing technique. Portable sinks may not be used for dishwashing or food preparation. If a portable sink is used for hand washing in the food preparation area, hot water must be provided.
  - ✓ Leak-proof, nonabsorbent containers, covered with a tight-fitting lid, for all food waste stored inside the facility. The container must be emptied, cleaned and sanitized or disinfected daily.
  - ✓ A food preparation area clean and free of dust, dirt, food particles and grease deposits.
2. Employees, volunteers and substitutes, while working in the food preparation area, must wear proper head covering, such as a hair net or hat. To prevent contact with ready-to-eat foods, staff must use clean disposable gloves, utensils,

or similar items in the food preparation area.

3. For safety, children must not be present in the food preparation area when meals and snacks are prepared unless while being supervised or participating in a cooking activity.

### 3.9.2 Food Storage

Storage of food off the floor in a safe and sanitary manner helps prevent food contamination from cleaning chemicals or spills of other foods, and keeps insects and rodents from entering the products. Safe handling and storage of all food is a basic principle to prevent and reduce food-borne illnesses. Keeping cold food below 41 degrees Fahrenheit and hot food above 135 degrees Fahrenheit prevents bacteria growth. Food intended for human consumption can become contaminated if left at room temperature.<sup>6</sup>

Facilities choosing to prepare food must have a designated space for food storage within the designated food preparation area or in a room not calculated as part of indoor floor space, and in an area not used for diapering. Off-site food storage is permissible only if the site of storage is a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

1. Food containers, such as cans, plastic containers, boxes, and bags, must be stored above the floor on clean surfaces protected from splash and other contamination.
2. Food must be consumed or discarded on or before the expiration dates listed by the manufacturer.
3. Poisonous/toxic chemicals or cleaning products must be stored separately from food.
4. Opened packages of perishable or leftover food items must be properly covered or sealed in containers or bags, labeled with the date, and properly stored and discarded within seven calendar days.
5. Opened packages of dried goods must be properly covered/sealed, properly stored, and discarded according to the manufacturer's recommended date or if the quality of the goods has been compromised.
6. Refrigerators/freezers:
  - ✓ An accurate alcohol thermometer designed to measure cold storage temperature must be placed inside each refrigeration and freezer unit. Thermometers in refrigerators must show a reading of 41 degrees Fahrenheit or below, and thermometers in freezers must show a reading of 0 degrees Fahrenheit or below. The thermometer must be located in the center of the unit and be readily accessible. Thermometer temperature readings higher than specified above require further temperature testing of food samples stored in the unit

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<sup>6</sup> Caring for Our Children: National Health and Safety Performance Standards Page 190, [cfoc.nrckids.org](http://cfoc.nrckids.org)

using a probe type thermometer; and adjustments to the unit setting to reach and maintain the required readings.

- ✓ Food may be frozen prior to the expiration date, but when thawed, it must be labeled with the date it was removed from the freezer and discarded within seven calendar days.
- ✓ Frozen food must be labeled by date and type noted below and stored according to the following table:

<b>Food Item</b>	<b>Months</b>
Bacon and sausage	1 to 2 months
Casseroles	2 to 3 months
Frozen dinner and entrees	3 to 4 months
Ham, hot dogs, lunchmeats	1 to 2 months
Meat, uncooked	4 to 12 months
Meat, uncooked ground	3 to 4 months
Meat, cooked	2 to 3 months
Poultry, cooked	4 months
Soups and stews	2 to 3 months

Table 1: Referenced in 65C-22.002(8)(f)3, F.A.C.

### 3.9.3 Food Safety

Handling of food in a safe and careful manner prevents the spread of bacteria, viruses and fungi. Outbreaks of food borne illnesses have occurred in many settings, including child care facilities. Meals and snacks should contain at a minimum the meal and snack patterns shown for school-age children in the Child Care Food Program Meal Pattern for Children (CCFP), incorporated by reference in 65C-22.008(6)(b), F.A.C. and may found at <http://www.floridahealth.gov/programs-and-services/childrens-health/child-care-food-program/nutrition/documents/meal-pattern-for-children-9-16.pdf>. This age is characterized by rapid growth that increases the need for energy and essential nutrients to support optimal growth. Proper seating while eating reduces the risk of food aspiration and improves comfort in eating.<sup>7</sup>

1. Children are at a high risk for contracting food-borne illness, as their bodies are in the process of growing, developing, and building adequate immune systems to fight illness. While some food-borne illnesses originate at farms or food manufacturing plants, the majority are the result of poor food handling practices.
2. If a school-age child care program provides food to children in care, it must provide nutritious meals and snacks of a quantity and quality to help meet the

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<sup>7</sup> Caring for Our Children: National Health and Safety Performance Standards Pages 175 & 177, [cfoc.nrckids.org](http://cfoc.nrckids.org)

daily nutritional needs of the children. The USDA My Plate, is to be used to determine which food groups to serve at each meal or snack and the serving size of the selected foods for children ages 2 and older. Copies of the USDA My Plate dieting guidelines, incorporated by reference in 65C-22.008(6)(c),F.A.C., may be obtained from the USDA website at <http://www.choosemyplate.gov>.

3. If a facility chooses to provide food to children directly or by contract with an outside source such as a caterer, the food must be free from spoilage and contamination and safe for human consumption, and must be stored and handled in a sanitary manner at all times. The facility must have adequate equipment available to maintain food safety.
  - ✓ Meat, poultry, fish, dairy products, and processed foods must have been inspected under the United States Department of Agriculture requirements.
  - ✓ No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian.
  - ✓ No home-canned food may be served.
  - ✓ No homegrown eggs may be served.
  - ✓ No recalled food products may be served.
  - ✓ All raw fruits and vegetables must be washed thoroughly before being served or cooked.
  - ✓ To prevent food from becoming potentially hazardous, hot foods must be maintained at a temperature of 135 degrees Fahrenheit or above, and cold foods must be maintained in accordance with section 3.9.2
  - ✓ Foods that comprise meals included on a facility’s menu may not be prepared or partially prepared outside of the facility unless prepared by a caterer or a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.
  - ✓ Food must be thoroughly cooked and/or reheated according to the following table:

<b>Food</b>	<b>Minimum Internal Temperature</b>
Fruits, Vegetables, Grains, and Legumes	135° F
Roasts ( Fresh Beef, Pork and Lamb)	145° F (with a 3 minute rest time)
Fish	145° F
Eggs	Cook until yolk and white are firm
Egg dishes	160° F

Ground meats (beef, pork, and lamb) and fresh ham (raw)	160° F
Poultry – whole, parts, or ground	165° F
Leftovers	165° F
Foods cooked in microwave	165° F
Sauces, gravy, soups , casseroles	165° F

Table 2: Referenced in 65C-22.005(b)9., F.A.C.

4. If a facility chooses to provide or make available food to children in care from an outside source, such as a caterer, or as the result of a learning activity provided by a child care program, such as a garden, it is the responsibility of the provider to ensure all food intended for consumption by a child in care is free from spoilage and contamination and safe for human consumption.
  - ✓ Food Acceptance Log. A log must be maintained for all prepared meals being transported into the facility. The log must be retained for a minimum of 12 months. The log must include the date, time of arrival, quantity and types of food, verification by the recipient of condition of the food, verification by the recipient of adequate temperatures of food, and the name and signature of the recipient.
  - ✓ Parents and legal guardians must be advised in advance of each food-related activity, such as special occasions and learning activities that include food consumption. Written parental permission may be obtained in the form of a general or specific permission slip. Documentation of parent permission for food activities must be maintained for a minimum of 12 months from the date of each activity.
5. 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. In the event that a child’s parent fails to provide nutritious meals/snacks, the program must provide supplemental food items to complete the child’s meal.
6. 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 must be maintained in the child’s file and followed. If the custodial parent or legal guardian notifies the 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 an easily seen location that is not readily visible by parents or non-staff.
7. Meal and snack menus must be planned, written, dated, and posted at the beginning of each week in an easily seen place accessible to parents. Any menu substitution must be noted on the menu. A generalized menu of possible snack choices for programs that receive food donations is acceptable. All meals and snacks prepared outside of the facility’s kitchen or designated food preparation

area, such as catered food, must be listed along with the source. Daily meal and snack menus must be maintained for a minimum of 12 months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and USDA requirements.

### 3.9.4 Dishwashing and Sanitization

For facilities that prepare food, non-disposable food equipment, tableware, and utensils utilized for food preparation and food consumption must be properly cleaned by pre-rinsing or scraping, washing, rinsing, sanitizing, and air drying. If the school-age child care facility lacks adequate dishwashing and sanitation described in this section for dishes, equipment, and utensils, only disposable single-use items may be used. All single service items must be discarded after each use. Food equipment, tableware and utensils used to prepare food must be washed and sanitized on-site, except when a caterer is used and the caterer is responsible for dishwashing as evidenced by a written agreement. Dishwashing and sanitization must be accomplished by one of the following:

1. A dishwasher with a sanitizing cycle.
  - ✓ The dishwasher must use heat or chemical injection for sanitization.
  - ✓ If chemical sanitization is used, the wash water temperature must be set at a minimum of 120 degrees Fahrenheit, and the rinse water must be a minimum of 75 degrees Fahrenheit. If the dishwasher does not have a built-in thermometer to display the temperature of each cycle, a thermometer or thermometer test strips must be available to determine the rinse cycle temperature.
  - ✓ Automatic sanitizing dispenser must be properly installed and maintained.
  - ✓ A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during one full cycle per day.
  - ✓ If hot water is used for sanitization, the dishwasher must achieve a temperature of 160 degrees Fahrenheit on the surface of equipment/dishes/utensils being washed. If the dishwasher does not have a built-in thermometer to display the temperature of each cycle, a thermometer or thermometer test strips must be available to determine the rinse cycle temperature.
  - ✓ The facility must have a means for measuring the required temperature either by an irreversible registering temperature indicator (heat strip) or an external temperature display built into the machine.
2. An installed three-compartment sink or an installed two-compartment sink with a non-stationary or portable compartment receptacle.

- ✓ Installed compartment sinks may be used to wash produce and to fill cooking pots and pans with water when not in use for dishwashing.
  - ✓ Sinks must be sanitized before and after each use.
  - ✓ The first compartment must be used for washing; the second compartment must be used for rinsing; and the third compartment must be used for sanitizing.
  - ✓ If only an installed two-compartment sink is available, the second compartment must be used for rinsing and a non-stationary or portable compartment receptacle must be available and used to sanitize.
3. Chemical sanitization.
- ✓ If chemical sanitization is used, an exposure time of at least 7 seconds is required for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 75 degrees Fahrenheit.
  - ✓ If other sanitizers are used, the manufacturer instructions must be strictly followed.
  - ✓ A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during each use.
4. Hot water sanitization.
- ✓ If hot water is used for sanitizing, equipment/dishes/utensils must be immersed for a period of at least one-half minute in hot water at a temperature of 170 degrees Fahrenheit or above. A probe type thermometer must be available for staff to measure water temperature.

### **3.9.5 Food handling**

1. Milk (including cow, soy and other forms) and food that is normally maintained under refrigeration must not sit out of refrigeration for longer than 15 minutes prior to the beginning of the meal.
2. Employees, volunteers and substitutes, while distributing snacks or serving food, must use clean disposable gloves, utensils and similar items to prevent skin contact with food.
3. Food provided by parents must be stored and handled in a sanitary manner at all times. If food is supposed to be kept cold, the food must be stored in accordance with section 3.9.2 until eaten, or parents must include ice packs to keep food they provide cold.
4. Hot food served to the children must be kept at the appropriate temperature in accordance with 3.9.3 until plated and served to the children. Excessively hot food must have a cool down period within a 15 minute timeframe to avoid danger of scalding.

## 3.10 Sanitation

### 3.10.1 Handwashing

Employees, volunteers, substitutes, and children must wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves and while assisting others. Examples of activities when hand washing is required include, but are not limited to: before and after eating, immediately following outdoor play, after toileting, following the use of any cleaners or toxic chemicals, before and after administering medication, and during food preparation and snack distribution.

1. Employees, volunteers, substitutes and children must follow the Centers for Disease Control guidelines for hand washing incorporated by reference in 65C-22.008(6)(d), F.A.C.
2. The use of hand sanitizers does not substitute for hand washing. However, in areas away from the facility where no running water is available, hand sanitizers may be used. Examples of such places are field trips, nature trails or picnic areas where running water is not readily available.
3. Employees, volunteers, and substitutes with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, must not prepare food.

### 3.10.2 Drinking Water

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

## 3.11 Indoor Equipment

Equipment, materials, furnishings and play areas should be sturdy, safe and in good repair. Walls, ceilings, floors, furnishings, equipment, toys, and other surfaces should be suitable to the location and the users. They should be maintained in good repair, free from visible soil and clean. Equipment and furnishings should be placed to help prevent collisions and injuries, ensure proper supervision while meeting the objectives of the curriculum and permit freedom of movement by children. Televisions should be anchored or mounted to prevent tipping over. Chairs and other furnishings that children can easily climb should be kept away from cabinets and shelves to discourage children from climbing to a dangerous height or reaching something hazardous.<sup>8</sup> The program should make reasonable accommodations to the program environment and schedule so that children with special needs may participate.

1. A school-age child care program must make available enough toys, equipment and furnishings suitable to each child's age and development for each child to be involved in activities. These items must be accessible and in good working order.
2. Toys, equipment and furnishings must be safe and maintained in a sanitary condition, and

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<sup>8</sup> Caring for our Children: National Health and Safety Performance Standards, Pages 239-240, [cfoc.nrckids.org](http://cfoc.nrckids.org)

must be cleaned and sanitized or disinfected immediately if exposed to bodily fluids, such as saliva.

3. Facilities must provide age-appropriate seating at meal and snack time for all children.

### **3.12 Outdoor Equipment**

A school-age child care program must provide and maintain enough usable equipment and offer play activities suitable to the age and development of each child.

1. All playground equipment must be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe use by the children. Maintenance must include inspections conducted every month of all supports above and below the ground and of all connectors and moving parts. Documentation of maintenance inspections must be maintained for two years.
2. Permanent or stationary playground equipment must have a ground cover or other protective surface under the equipment and within the fall zone that provides resilience, and is maintained to reduce the incidence of injuries to children in the event of falls. Equipment used for climbing should not be placed over, or immediately next to, hard surfaces such as asphalt, concrete, dirt, grass, or flooring covered by carpet or gym mats not intended for use as surfacing for climbing equipment. All pieces of playground equipment should be placed over and surrounded by a shock-absorbing surface.
3. All equipment, fences and objects on the program's premises must be free from sharp, broken and jagged edges, and must be properly placed to prevent overcrowding or safety hazards in any one area.
4. All equipment used in the outdoor play area must be constructed and maintained to allow for water drainage, and must be maintained in a safe and sanitary condition.
5. Sandboxes must be covered at the end of each day. The covering used must prevent access to the sandbox by animals.

## **4 Training Requirements**

### **4.1 Beginning Training**

Child care personnel must begin training within 90 days of employment and successfully complete the Department's training within 12 months from the date training begins. Training completion may not exceed 15 months from the date of employment in the child care industry in any licensed Florida child care facility.

### **4.2 Training Courses**

1. Child care personnel must successfully complete 40 hours of child care training as evidenced by successful completion of competency examinations offered by the Department or its designated representative with a weighted score of 70 or better.
  - ✓ Child Care Facility Rules and Regulation (6 hours);
  - ✓ Health, Safety, and Nutrition (8 hours);
  - ✓ Identifying and Reporting Child Abuse and Neglect (4 hours);

- ✓ Understanding Developmentally Appropriate Practices (5 hours)
  - ✓ School Age-Appropriate Practices (5 hours); and
  - ✓ The remaining 12 hours must be met by completing training identified in subparagraph 2 below.
2. School-age child care personnel must successfully complete competency examinations offered by the Department or its designated representative with a weighted score of 70 or better for the following courses:
- ✓ School-Age Alternative Training (12 hours online)
  - ✓ Completion of specialized school-age training, provided by a national organization or affiliates of a national organization, 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).
3. School-age child care personnel with successful completion of introductory child care training for child care personnel as defined in s.402.305 (2), F.S., are considered in compliance with the school-age child care personnel training requirements.

#### **4.3 Break in Service**

1. In the event an individual leaves the child care industry in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, he or she must be granted 90 days to comply with any new mandated training requirements established during the gap in employment in the child care industry.
2. In the event an individual leaves the child care industry not in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, prior to re-employment he or she must comply with the training requirements described in this section, in addition to any new mandated training requirements that may have been established during the gap in employment in the child care industry.

#### **4.4 Documentation of Training**

1. The Department's Training Transcript will be the only acceptable verification of successful completion of the Department's training. A copy of the Department's Training Transcript may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).
2. A copy of the Training Transcript must be included in each staff member's personnel record maintained at the school-age child care program.
3. Any course completion certificate not documented on the Training Transcript will be considered invalid, requiring that the course(s) be retaken. Until the coursework is

retaken and completed, child care facilities will be out of compliance with the mandated training standard.

#### 4.5 Training Exemptions

**Literacy Training Exemption.** School-age child care personnel are exempt from the training requirement of five clock hours of early literacy and language development of children from birth to 5 years of age.

**Competency Examination Exemptions.** Prior to attending training child care personnel have one opportunity, if they choose, to exempt from one or more of the Department’s Introductory Child Care Training courses by successful completion of corresponding competency examinations with a weighted score of 70 or better.

##### **Educational Exemptions.**

1. The Department shall exempt child care personnel who meet one of the following educational qualifications from the “Health, Safety and Nutrition”; “Child Growth and Development”; and “Behavioral Observation and Screening” courses:
  - ✓ Associate’s degree or higher with six college credit hours in early childhood education or degree in elementary education.
2. The Department shall exempt child care personnel with a Bachelor’s degree or higher in Elementary Education from the “Understanding the Developmentally Appropriate Practices” and “School-Age Appropriate Practices” course.
3. The Department shall exempt child care personnel with a bachelor’s degree or higher in Exceptional Student Education from the “Special Needs Appropriate Practices” course.

**There are no educational exemptions from the “Child Care Facility Rules and Regulations” and the “Identifying and Reporting Child Abuse and Neglect” courses.**

#### 4.6 Staff Credential Exemption

School-age child care programs are exempt from the staff credential requirement.

#### 4.7 Annual In-Service Training

1. Upon successful completion of the 40-hour introductory training requirements, child care personnel must complete a minimum of 10 clock-hours or one 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 CEU of in-service training concentrating on children ages birth through 12 must be completed in one or more of the following areas (college-level courses will be accepted):
  - ✓ Health and safety, including universal precautions, prevention of infectious diseases, sudden infant death syndrome, use of safe sleep practices, administration of medicine, emergency preparedness, handling of hazardous materials;

- ✓ Child CPR;
  - ✓ First Aid (may be taken to meet the in-service requirement only once every three years);
  - ✓ Nutrition;
  - ✓ Child development – typical and atypical;
  - ✓ Child transportation and safety;
  - ✓ Behavior management;
  - ✓ Working with families;
  - ✓ Design and use of child-oriented space;
  - ✓ Community, health and social service resources;
  - ✓ Child abuse;
  - ✓ Child care for multilingual children;
  - ✓ Working with children with disabilities in child care;
  - ✓ Safety in outdoor play;
  - ✓ Literacy;
  - ✓ Guidance and discipline;
  - ✓ Computer technology;
  - ✓ Leadership development/program management and staff supervision;
  - ✓ Age-appropriate lesson planning;
  - ✓ Homework assistance for school-age care;
  - ✓ Food safety training;
  - ✓ Developing special interest centers/spaces and environments;
  - ✓ Other course areas relating to child care or child care management;
  - ✓ Any of the online courses offered through the Department’s child care website.
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 facility’s personnel records. CF-FSP Form 5268 is incorporated by reference in 65C-22.008(6)(e), F.A.C. and may be obtained from the Department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-03033>. A new in-service training record is required each fiscal year. The in-service training records for the previous two fiscal years must also be maintained at the school-age child care program for review by the licensing authority.

4. All child care personnel employed in the industry beyond 15 months, who change employment from one child care program to another during the fiscal year, must complete the annual in-service training requirement.
5. Child care personnel not in compliance with the annual in-service training requirement described in this section must complete the remaining in-service training requirement within 30 days of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year's in-service training requirements.

## 4.8 Director Credential

Section 402.305(2)(f), F.S., requires a child care facility to have a credentialed director. 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.

An applicant for the Director Credential must meet the requirements referenced in CF-FSP Form 5290, Florida Child Care Director Credential and Renewal Application, which is incorporated by reference in paragraph 65C-22.008(6)(m), F.A.C. and may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). All applications and documentation will be verified, and if complete, the credential will be issued by the Department or designated representative on CF-FSP Form 5252, Florida Director Credential Certificate, which is incorporated by reference in paragraph 65C-22.008(6)(n), F.A.C.

1. Each school-age child care program must have a credentialed director that is on-site a majority of hours that the facility is in operation.
2. CF-FSP Form 5252, Florida Director Credential Certificate, must be maintained at the school-age child care program for review by the licensing authority.
3. An individual with an inactive Director Credential is ineligible to be the director of a child care facility.
4. School-age child care program owners must notify the licensing authority within five 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 months for any facility without a credentialed director.
  - ✓ The provisional license will have an effective date of the first day the facility was without a credentialed director.
5. An individual may not be the director of a child care facility and a school-age program that overlap in the hours of operation.
6. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:
  - ✓ Three sites regardless of the number of children enrolled, or
  - ✓ 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 programs shall be calculated and viewed as separate programs.

- ✓ 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 that 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 section 402.305(3),F.S., for every 20 children in a licensed child care facility one of the child care personnel must have a staff credential, in order to accommodate the 4-year-old children.
7. 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:
- ✓ Be at least 21 years of age;
  - ✓ Have completed the approved 40 clock-hour Introductory Child Care Training” approved by the Department; and
  - ✓ Have completed the Department’s Part II specialized training course, “Special Needs Appropriate Practices” or completed a minimum of eight hours of in-service training in serving children with disabilities; or
  - ✓ Have completed the Department’s 10-hour “School-Age Appropriate Practices” specialized training module or the 5-hour “Understanding Developmentally Appropriate Practices” course and the 5-hour “School Age Appropriate Practices” course.

#### **4.9 Director Credential Renewal**

1. To maintain an active Director Credential, complete the renewal section of the CF-FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application, which may be obtained from the Department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
2. A Director Credential renewal is active for five years from the date of issuance. The completed renewal application, including all required documentation, may be submitted to the Department for review and issuance of a Director Credential Renewal Certificate no earlier than one 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.
3. 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 years from the date the completed renewal application was processed.

#### **4.10 Director Credential Training Providers**

1. The Department is responsible for reviewing and approving “Overview of Child Care Management” courses offered through vocational-technical schools, community/state colleges and universities to determine if the requirements for the Director Credential

coursework are met. Applications for new coursework are no longer accepted by the Department. Child care program administration courses offered for college credit may be reviewed for approval on an individual basis. A list of approved “Overview of Child Care Management” courses may be obtained from the Department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

2. All college-level coursework pertaining to the following content areas will be accepted as approved coursework toward the Advanced Level Director Credential requirements:
  - ✓ Child Care and Education Organizational Leadership and Management;
  - ✓ Child Care and Education Financial and Legal Issues; and
  - ✓ Child Care and Education Programming.

## 5 Health-Related Requirements

1. There are three common modes of transmission for the spread of microorganisms in child care settings: contact, droplet, and airborne.
2. Many common infections encountered in the child care setting are transmitted by direct or indirect contact.

### 5.1 Communicable Disease Control

1. Children in care must be observed on a daily basis for signs of communicable disease.
2. Any child, child care personnel or other person in the school-age child care program suspected of having a communicable disease must 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.
3. A child’s condition must be reported to the custodial parent or legal guardian.
4. Signs and symptoms of suspected communicable disease include:
  - ✓ Severe coughing, causing a child to become red or blue in the face or to make a whooping sound;
  - ✓ Difficult or rapid breathing;
  - ✓ Stiff neck;
  - ✓ Diarrhea (more than one abnormally loose stool within a 24-hour period);
  - ✓ Temperature of 101 degrees Fahrenheit or higher in conjunction with any other signs of illness;
  - ✓ Pink eye;
  - ✓ Exposed, open skin lesions;
  - ✓ Unusually dark urine and/or gray or white stool;
  - ✓ Yellowish skin or eyes; or

- ✓ Any other unusual sign or symptom of illness.
5. A child identified as having head lice must not be permitted to return until the following day, and then only if treatment has occurred and been verified. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred. The child care facility must treat areas, equipment, toys, and furnishings with which the child has been in contact.

#### **5.1.1 Isolation Area**

1. Each school-age child care program must have a designated isolation area for a child who becomes ill while in care..
2. Such space must be adequately ventilated, cooled, heated, and equipped with a bed, mat, or cot, and materials that can be cleaned and sanitized or disinfected easily.
3. Linens are to be changed after each use, and used linens must be kept in a closed container in the isolation area until cleaned.
4. Disposable items must be kept in a closed container in the isolation area until thrown away.
5. The isolated child must be within sight and hearing of a staff person at all times. The child must be carefully observed at all times for worsening conditions.

#### **5.1.2 Outbreaks**

1. 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, and must follow the health department's direction.
2. A suspected outbreak occurs when two or more children or employees have the onset of similar signs or symptoms within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected in a child or employee. Some examples include shigella, salmonella, chicken pox, measles and foot and mouth disease. Contact your local health department for a determination of whether reporting is required.

### **5.2 First Aid, Cardiopulmonary Resuscitation and Emergency Procedures**

1. Each school-age child care program must have at least one staff member with a current and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures.
2. One staff member satisfying these training requirements must be present at all times that children are in care, both on-site and on field trips.
3. 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).
4. 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.
5. CPR courses must include on-site, instructor-based skill assessments by a certified CPR

instructor. Documentation of completion of the online course and on-site assessment must be maintained at the facility and available for review by the licensing authority.

6. Documentation identifying which staff members have met the first aid and child CPR training requirement must be kept on file.
7. At least one first aid kit must be maintained on the premises at all times.
8. A first aid kit must also accompany child care staff when children are participating on field trips.
9. Each kit must be in a closed container and labeled "First Aid." The kits must be accessible to the child care staff at all times and kept out of the reach of children.
10. If the first aid kit is stored in the food preparation area, it must be stored in a manner to prevent contamination of food, food contact surfaces, or first aid supplies.

### 5.3 First Aid Kit Minimum Requirements

Each kit must at a minimum include:

- ✓ Liquid Soap and/or hand sanitizer (to be used with supervision if hands are not visibly soiled and if no water is present),
- ✓ Adhesive bandages,
- ✓ Disposable non-porous gloves,
- ✓ Cotton balls or applicators,
- ✓ Sterile gauze pads or rolls,
- ✓ Adhesive tape,
- ✓ Digital Thermometer,
- ✓ Tweezers,
- ✓ Pre-moistened wipes,
- ✓ Scissors,
- ✓ Bottled water (for cleaning wombs or eyes) and
- ✓ A current resource guide on first aid and CPR procedures.

### 5.4 Emergency Telephone Numbers

1. Emergency telephone numbers must be posted on or near all telephones, including 911, ambulance, fire, police, poison control center, Florida Abuse Hotline, and the county public health department. Additionally, the address and directions to the facility must be posted with descriptions of major intersections and local landmarks.
2. For serious injuries, the provider shall call 911 and then notify the parent.
3. Custodial parents or legal guardians must 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 must be obtained and followed.
4. If the custodial parent or legal guardian cannot be reached, the school-age child care program director or owner will contact those persons designated by the custodial parent or legal guardian to be contacted under such circumstances, and must follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

## 5.5 Accident/Incident Notification

1. All accidents and incidents that occur while a child is in the care of program staff must be documented on the same day they occur.
2. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence.
3. Documentation must include the name of the affected party, date and time of the occurrence, description of the occurrence, actions taken and by whom, and appropriate signatures of program staff and the custodial parent or legal guardian.
4. The documentation must be maintained for one year. If the parent or legal guardian does not pick up the child on the date of occurrence of the accident or incident, the individual authorized to pick up the child must sign and be provided a copy of the accident/incident form.

## 5.6 Medication

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

1. The school-age child care program must have written authorization from the custodial parent or legal guardian to give 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 given; and date, time and amount of the correct dosage to be given.
2. Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, shared with staff and posted with the child's stored medication.
3. 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 must be dispensed according to written directions on the prescription label or printed manufacturer's label.
4. 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 permission from the parent or legal guardian to do so.
5. Any medication given 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.
6. The facility must maintain a record for each child receiving medications that documents the full name of the child, the name of the medication, the date and time the medication was given, the amount and dosage, and the name of the person who gave the medication. This record must be initialed or signed by the program personnel who gave the medication. The record must be maintained for a minimum of 12 months after the last day the child received the medicine.

7. All medicine must have child resistant caps, if applicable, and must either be stored in a locked area or must be out of any child's reach. If medication is stored in the food preparation area, it must be stored in a manner to prevent contamination of food, food contact surfaces, or medication.
8. Medication that has expired or that is no longer being dispensed must be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled in the program.

## 6 Record Keeping

Each of the records described in this section must be maintained at the program location and must be available during the hours of operation for review by the licensing authority.

### 6.1 Program Files

1. A copy of all background screening clearance documents for the director and owner must be provided to the Department to be included in the Department's official licensing file.
2. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information.
  - ✓ Driver's log. Must be retained for the previous 12 months.
  - ✓ Facility's written disciplinary policies.
  - ✓ Written record of fire drills. Must be maintained for a minimum of one year.
  - ✓ Documentation of staff members who have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement.
  - ✓ Posted emergency telephone numbers, the facility address and directions to the facility.
  - ✓ Documentation of accidents/incidents. Must be maintained for one year.
  - ✓ Emergency evacuation plan and preparedness plan. Documentation must be maintained for one year from the date of each drill.
  - ✓ Record for each child receiving medication. Must be maintained for a minimum of 12 months after the last day the child received the dosage.
  - ✓ 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.
  - ✓ Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care.
  - ✓ Daily meal and snack menus, including meal substitutions. Must be maintained for 12 months.

## 6.2 Children's Files

1. Health Records. School-aged children attending public or non-public schools are not required to have student health examination and immunization records on file at the school-age child care program since these records are on file at the school where the child is enrolled.
2. Enrollment Information. The facility operator must obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information must be documented on CF-FSP Form 5219, Child Care Application for Enrollment, or an equivalent form that contains all of the information required by the Department. CF-FSP Form 5219 is incorporated by reference in 65C-22.008(6)(k), F.A.C. and may be obtained from the licensing authority or by going to the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
  - ✓ Enrollment information must be kept current and on file.
  - ✓ The child must 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.
  - ✓ There must be signed statements from the custodial parents or legal guardian that the school-age child care program has provided them with the following information:
    - The Department's child care facility brochure, CF/PI 175-24, Know Your Child Care Facility is incorporated by reference in 65C-22.008(6)(i), F.A.C. This brochure may be obtained from the licensing authority or by going to the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare). Local licensing agencies may use an equivalent brochure approved by the Department.
    - The school-age child care program's written disciplinary practices.
    - Annually, during the months of August and September, the child care facility director must provide parents with information detailing the causes, symptoms, and transmission of the influenza virus pursuant to section 402.305(9)(b), F.S. To assist providers, the Department has a brochure, CF/PI 175-70, Influenza Virus, Guide to Parents, which is incorporated by reference in 65C-22.008(6)(j), F.A.C. and may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

## 6.3 Personnel Records

Records must 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 must include:

1. A signed employment application with the required statement pursuant to section 402.3055(1)(b), F.S.
2. Documentation of position and date of employment.

3. A signed CF-FSP Form 5337, Child Abuse & Neglect Reporting Requirements form. CF-FSP Form 5337 is incorporated by reference in paragraph 65C-22.008(6)(f), F.A.C.
4. A signed CF-FSP 5217, Volunteer Acknowledgement form, for volunteers. CF-FSP 5217 is incorporated by reference in 65C-22.008(6)(g) and may be obtained from the Department's website, [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
5. Copies of training information and credentials as described in section 23 of this handbook.
6. For the Driver only - 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 a vehicle. In addition, 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.

### **6.3.1 Background Screening**

**Initial Screening.** Screening information must be documented on CF-FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in paragraph 65C-22.008(6)(l), F.A.C.

1. Level 2 screening as defined in section 402.305., F.S. is required for all child care personnel and includes criminal records check (national and statewide), a sexual predator and sexual offender registry search, and child abuse and neglect history or any state in which an individual resided during the preceding 5 years. All fingerprints must be submitted and process through the Background Screening Clearinghouse and therefore a Live Scan vendor that is Clearinghouse compatible must be used for submission of fingerprints.
2. The fingerprint results from the Federal Bureau of Investigation will be returned to DCF via the Florida Department of Law Enforcement. DCF will review both the federal and state criminal history results, along with the state criminal records, national sex offender registry, and the child abuse and neglect registry.
3. DCF will issue an eligible or non-eligible result for employment through the Clearinghouse upon completion of searches and results from other states, if applicable.
4. DCF will send a letter/email to the employer advising of the search of the Florida's child abuse and neglect registry.
5. The employer/owner/operator must conduct employment history checks including documented attempts to contact each employer that employed the individual within the preceding five years and documentation of the findings. Documentation must include the applicant's job title and description of his/her regular duties, confirmation of employment dates, and level of job performance. The employer/owner/operator must make at least three attempts to obtain employment history information. Failed attempts to obtain employment history must be documented in the personnel file and include date, time, and the reason the

information was not obtained.

6. The employer/owner/operator must send a request for a search of each state's criminal history records if the individual has lived outside the state of Florida in the preceding five years. Visit <http://www.dcf.state.fl.us/programs/backgroundscreening/docs/Criminal%20History%20By%20State.pdf> to obtain the instructions and forms to submit a request for a search. Forward results to the DCF Background Screening Unit for review and maintain a record of the request and the search results in the employee's file.
7. The employer/owner/operator must send a request for a search of each state's child abuse and neglect registry if the individual has lived outside the state of Florida in the preceding five years. Visit <http://www.dcf.state.fl.us/programs/backgroundscreening/childcare.shtml>, click on the Out of State Abuse Registry Check link to obtain the instructions and forms to complete to submit a request for a search. Documentation of the date the search was requested, and the date the results were received, must be maintained in the employee's file for review by the licensing authority.
8. The employer/owner/operator must conduct a search of the sexual offender/predator website in any state the individual has lived in outside the state of Florida in the preceding five years. Visit <http://www.dcf.state.fl.us/programs/backgroundscreening/childcare.shtml>, click on the National/ State/ Federal Sexual Offender Registries and Related Sites link to obtain the instructions and forms to complete to submit the request for a search. Documentation of the search date, and findings from each state, must be documented in the employee's file for review by the licensing authority.
9. The employer/owner/operator must maintain on-site at the program copies/documentation of completion of all applicable elements in the screening process for an individual in the personnel file for review by the licensing authority.
10. An individual may be hired under one of these circumstances:
  - a. If all components are complete with an eligible screening and documented in the employee's file.
  - b. 'Provisional hire' status upon notification email from Background Screening Unit allowing the individual to be hired for a 45 day period while out of state records are being requested and awaiting clearance. During those 45 days the individual must be under the supervision of a screened and trained staff member when in contact with the children.
  - c. Screening requests have been initiated, but before results have been received, the individual may be hired for training and orientation purposes in accordance with s. 435.06(2)(d), Florida Statutes. Until screening is complete showing good moral character, the employee may not be in contact with the children as specified in this statute.
11. Failure to **initiate the screening** through the Clearinghouse prior to fingerprinting

will result in invalid screening and the individual will have to be re-fingerprinted and pay the fees again.

12. Immediately remove individuals from the program roster when employment terminates.

**Re-Screening.** A screening conducted under this rule is valid for five years, at which time a re-screen must be conducted in the same manner as the initial screening.

1. The five-year re-screen is required for all child care personnel.
2. The five-year re-screen must include, at a minimum, a criminal records check (both national and statewide), a sexual predator and sexual offender registry search, and child abuse and neglect history of any state in which an individual resided during the preceding 5 years.
3. Child care personnel must be re-screened following a break in employment in the child care industry that exceeds 90 days.
4. If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five-year re-screen has come due during the leave of absence.

**All screening and rescreening must be processed using the Background Screening Clearinghouse.**

<http://www.dcf.state.fl.us/programs/backgroundscreening/>

<https://apps.ahca.myflorida.com/SingleSignOnPortal/Login.aspx?ReturnUrl=%2fSingleSignOnPortal%2f>

### 6.3.2 Background Screening Documents

1. Each personnel record must have a completed CF-FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in 65C-22.008(6)(l), F.A.C.
2. DCF Form 1649A, Child Care Affidavit of Good Moral Character, must be completed for all child care personnel at the time of initial screening or upon change in employers. CF Form 1649A is incorporated in reference by 65C-22.008(6)(h), F.A.C. and may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
3. A copy of the eligible results generated from the Clearinghouse must be on record for each personnel, or a copy of the DCF email informing of the individual's eligibility for a provisional hire status.
4. A copy of the DCF letter/email informing of search conducted of the Florida's child abuse and neglect registry must be on record for each personnel.

5. A copy of each request made to out of state child abuse and neglect registries for individuals that lived outside the state of Florida in the preceding five years.
6. A copy of each search conducted for out of state sexual offender/predator registries for individuals that lived outside the state of Florida in the preceding five years.
7. A copy of all background screening clearance 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.

## **6.4 Daily Attendance**

1. Daily attendance of children must be taken and recorded by the school-age child care program personnel, documenting the time when each child enters and departs the program. Attendance devices used for the purposes of tracking attendance may be used, but personnel must ensure accuracy of the documented attendance.
2. The custodial parent or guardian may document the time when his/her child enters and departs the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate for each class of students.
3. Such records must be maintained for a minimum of 12 months.
4. Attendance forms used for School Readiness may be used, if applicable.
5. School-age child care programs are responsible for the children in care at the time and place agreed upon between the provider and the parent. If a child does not arrive to the program or the agreed upon designate pick-up location, child care personnel must communicate as early as possible (within one hour of the child's scheduled arrival) with the custodial parent/legal guardian; if there was no prior communication from the custodial parent/legal guardian of the child's absence. If child care personnel are unable to reach the child's parent/guardian, emergency contacts must be notified.
6. Children are released only to authorized persons designated by the parent(s) or guardians in writing.

# **7 Access/Child Safety**

## **7.1 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 normal hours of operation or during the time the child is in care.

## **7.2 Child Safety**

1. 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-.319, F.S., and will support imposition of a sanction, as provided in Section 402.310, F.S.

2. Failure to perform the duties of a mandatory reporter pursuant to Section 39.201, F.S., constitutes a violation of the standards in Section 402.301-.319, F.S.