

CHAPTER 65C-22 CHILD CARE STANDARDS

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65C-22.001 General Information.

(1) Application.

(a) Application must be made on CF-FSP Form 5017, Feb. 2004, Application for a License to Operate a Child Care Facility,

which is incorporated by reference. An application may be obtained from the licensing authority or by going to the Department of

Children and Family Services' website at www.myflorida.com/childcare/information.

(b) Each completed application must be submitted with the licensure fee.

(c) The completed application must be signed by the individual owner, or prospective owner, or the designated representative

of a partnership, association, or corporation.

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

(e) A completed application for renewal of an annual license must be submitted to the licensing authority at least 45 days prior

to the expiration date of the current license to ensure that a lapse of licensure does not occur. The renewal application and required

forms may be obtained from the licensing authority.

(f) In order to operate as an urban child care facility, the child care facility must provide documentation at the time of

application that the outdoor play space requirement cannot be met, and must receive approval from the licensing authority. An

urban child care facility will not be approved if outdoor space is found by the licensing authority to be available.

(2) License.

(a) A child care facility license is issued in the name of the owner, partnership, association, or corporation.

(b) In compliance with Section 402.305(18), F.S., at least one week prior to changing ownership of a child care facility, one of

the following methods of notification to parents or guardians must be observed:

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

2. Incorporating information in any existing newsletter.

3. Individual letters, or fliers.

(3) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge

of the child care facility and on the premises at all times.

(4) Ratios.

(a) The staff-to-children ratio, as established in Section 402.305(4), F.S., is based on primary responsibility for the direct

supervision of children and applies at all times while children are in care.

(b) Mixed Age Groups.

1. In groups of mixed age ranges, where children under 1 year of age are included, one staff member shall be responsible for no

more than 4 children of any age group.

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

(5) Supervision.

(a) Direct supervision means watching and directing children's activities within the same room or designated outdoor play area and responding to each child's need. Child care personnel at a facility must be assigned to provide direct supervision to a specific

group of children and be present with that group of children at all times. When caring for school age children, child care personnel

shall remain responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable

for children at all times, which includes when children are separated from their groups.

(b) During nap time, supervision means sufficient staff in close proximity, within sight and hearing of all the children. All

other staff to meet the required staff-to-children ratio shall be within the same building on the same floor and be readily accessible

and available to be summoned to ensure the safety of the children. Nap time supervision as described in this section, does not

include supervision of children up to 24 months of age, who must be directly supervised at all times.

(c) No person while using, or who is under the influence of, narcotics, alcohol, or other impairing drugs, which affects their

ability to provide supervision and safe child care, shall be an operator, owner, or employee in a child care facility.

(d) Additional Supervision Requirements.

1. In addition to the number of staff required to meet the staff to child ratio, one additional adult must be present on all field

trips away from the child care facility, for the purpose of safety, to assist in providing direct supervision.

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2. If a child care facility uses a swimming pool which exceeds 3 feet in depth or uses beach or lake areas for water activities,

the child care facility must provide one person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on

duty and present when any children are in the swimming area. In situations where the child care facility provides a person with a

certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in

subparagraph (d)1., above.

3. A telephone or other means of communication shall be available to staff responsible for children during all field trips. Cell

phones, two-way radio devices, citizen band radios, and other means of instant communication are accepted.

(6) Transportation. For the purpose of this section, vehicles refer to those owned/operated or regularly used by the child care

facility, and vehicles that provide transportation through a contract or agreement with an outside entity.

(a) When any vehicle is regularly used by a child care facility to provide transportation, the driver shall have a current Florida

driver's license and an annual physical examination which grants medical approval to drive.

(b) All child care facilities must comply with the inspection responsibilities and insurance requirements found in Section

316.615, F.S.

(c) All vehicles regularly used to transport children shall be inspected annually, by a mechanic, to ensure proper working order.

Documentation by the mechanic shall be maintained in the vehicle.

(d) 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.

(e) Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint,

unless the vehicle is excluded from this requirement by Florida Statute.

(f) When transporting children, staff to child ratios must be maintained at all times. The driver may be included in the staff to

child ratio. Prior to transporting children and upon the vehicle(s) arrival at its destination the following shall be conducted by the

driver(s) of the vehicle(s) used to transport the children:

1. A log shall be maintained for all children being transported in the vehicle. The log shall include each child's name, date,

time of departure and time of arrival, signature of driver and signature of second staff member to verify driver's log and the fact that

all children have left the vehicle. The log shall be retained for a minimum of four months.

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

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

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

c. Sign the log verifying that all children were all accounted for and that the visual sweep was conducted.

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

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

b. Sign the log verifying that all children were accounted for and drivers log is complete.

(7) Planned Activities.

(a) Each age group or class must have a written and followed plan of scheduled activities posted in a place accessible to the

parents. The written plan must meet the needs of the children being served and include scheduled activities which:

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

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

3. Include meals, snacks and nap times, if appropriate for the age and the times the children are in care.

(b) Parents must be advised in advance of each field trip activity. The date, time and location of the field trip must be posted in

a conspicuous location at least 2 working days prior to each field trip. Written parental permission must be obtained, either in the

form of a general permission slip, or prior to each field trip activity. If special circumstances arise where notification of an event

cannot be posted for 2 working days then individual permission slips must be obtained from each parent.

(8) Child Discipline.

(a) Verification that the child care facility has provided, in writing, the disciplinary practices used by the facility shall be

documented on the enrollment form, with the signature of the custodial parent or legal guardian.

(b) All child care personnel of the child care facility must comply with the facility's written disciplinary practices. Such

policies shall include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening,

or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited by all child care

personnel.

(c) A copy of the facility's current written disciplinary practices must be available to the licensing authority to review for

compliance with Section 402.305(12), F.S.

(9) Access. A child care facility must provide the custodial parent or legal guardian access, in person and by telephone, to the

child care facility during the facility's normal hours of operation or during the time the child is in care.

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

65C-22.002 Physical Environment.

(1) General Requirements.

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(a) All child care facilities must be in good repair, free from health and safety hazards, clean, and free from vermin infestation.

During the hours that the facility is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children.

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

(c) Animals must be properly immunized, free of disease, and clean. Parents must be informed in writing of all animals on the

premises. Such information may be provided by way of conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form.

(d) All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials

must be labeled. These items as well as knives and sharp tools shall be stored in locations inaccessible to the children in care.

(e) No firearms or weapons as defined in Section 790.001, F.S., shall be allowed within any building or conveyance, or upon

any person located on the premises, excluding federal, state or local Law Enforcement Officers.

(f) No narcotics, alcohol, or other impairing drugs shall be present on the premises.

(g) Pursuant to Chapter 386, F.S., smoking is prohibited within the child care facility, all outdoor play areas, and in vehicles

when being used to transport children.

(h) Design and construction of a new child care facility or modifications to an existing facility, must meet the minimum

requirements of the applicable local governing body.

(2) Rooms Occupied by Children.

(a) All rooms must have and maintain lighting the equivalent of 20 foot candles at three feet from the floor to allow for

supervision and for safe methods of entering and exiting each room. In reading, painting, and other close work areas, lighting must

be equivalent to 50 foot candles on the work surface. At all times lighting must be sufficient to visually observe and supervise

children, including during naptime.

(b) An inside temperature of 65° to 82° F. must be maintained at all times.

(c) All rooms shall be kept clean, adequately ventilated and in good repair. Cleaning shall not take place while rooms are

occupied by children except for general clean-up activities which are a part of the daily routine.

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

(3) Indoor Floor Space.

(a) A child care facility that held a valid license on October 1, 1992, must have a minimum of 20 square feet of usable indoor

floor space for each child. A child care facility that did not hold a valid license on October 1, 1992, and seeks regulatory approval

to operate as a child care facility, must have a minimum of 35 square feet of usable indoor floor space for each child.

(b) Usable indoor floor space refers to that space available for indoor play, classroom, work area, or nap space. Usable indoor

floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath

facilities, permanent fixtures and non-movable furniture. Kitchens, offices, laundry rooms, storage areas, and other areas not used

in normal day-to-day operations are not included when calculating usable indoor floor space.

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

(d) Where infants are in care, they shall have open indoor floor space outside of cribs and playpens. The space used for play

may be interchangeable with space used for cribs and play pens.

(4) Outdoor Play Area.

(a) There shall be a minimum of forty-five (45) square feet of usable, safe and sanitary outdoor play area per child, one (1) year

of age and older. A minimum outside play area shall be provided for one-half (1/2) of this identified population.

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

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

1. The outdoor play area shall provide shade.

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

direct supervision provided.

(d) The facility's outdoor play area shall be fenced in accordance with accepted safety practices and local ordinances to prevent

access by children to all water hazards, within or adjacent to outdoor play areas, such as pools, ditches, retention and fish ponds.

(e) The outdoor play area shall have and maintain safe and adequate fencing or walls a minimum of four (4) feet in height.

Fencing, including gates, must be continuous and shall not have gaps that would allow children to exit the outdoor play area. The

base of the fence must remain at ground level, free from erosion or build-up, to prevent inside or outside access by children or

animals.

(f) For the purposes of a licensed urban child care facility, an additional minimum of 45 square feet of usable indoor play space

for 25% of the licensed capacity shall be substituted for outdoor play space. The urban child care facility must provide this

additional indoor space with equipment that provides physical activities appropriate for the age of the children.

(g) Infants in care shall be provided opportunities for outdoor time each day that weather permits.

(5) Napping and Sleeping Space. For the purposes of these standards, sleeping refers to the normal overnight sleep cycle while

napping refers to a brief period of rest during daylight or early evening hours.

(a) Each facility must include a designated area where a child can sit quietly and lie down to rest or nap. When not in use,

napping space and usable indoor floor space may be used interchangeably.

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(b) Each child in care must be provided safe and sanitary bedding to be used when napping or sleeping.

Bedding means a cot,

bed, crib, playpen, mattress (excluding an air mattress or a foam mattress) or floor mat. Floor mats must be at least one inch thick

and covered with an impermeable surface. Floor mats, foam mattresses, air mattresses, and playpens may not be used for care when

children are sleeping. Bedding must be appropriate for the child's size. Bedding is not required for school age children, however,

the program or facility shall provide an area as described in paragraph 65C-22.002(5)(a), F.A.C., for those children choosing to rest.

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

(d) Linens must be stored in a sanitary manner.

(e) A minimum distance of eighteen (18) inches must be maintained around individual napping and sleeping spaces. Exit areas

must remain clear in accordance with fire safety regulations.

(f) Children up to one (1) year of age must be in their own crib, portacrib or playpen with sides. When napping or sleeping,

young infants that are not capable of rolling over on their own should be positioned on their back and on a firm surface to reduce

the risk of Sudden Infant Death Syndrome (SIDS), unless an alternate position is authorized in writing by a physician. The

documentation shall be maintained in the child's record. Crib sides must be raised and secured while an infant is in the crib. Cribs

must meet the construction regulations as outlined in Title 16, Parts 1508 & 1509, Code of Federal Regulations.

(g) No double or multi-deck cribs, cots or beds may be used.

(6) Toilet and Bath Facilities.

(a) Each child care facility shall provide and maintain toilet and bath facilities, which are easily accessible and at a height

usable by the children. Platforms are acceptable when safely constructed and easily cleaned and sanitized.

(b) For facilities having from one to fifteen children, there shall be one toilet and one wash basin. There shall be one additional

toilet and basin for every thirty children thereafter. For design and construction of a new child care facility or modification to an

existing facility, paragraph 65C-22.002(1)(j), F.A.C., shall apply.

1. If only diapered infants are cared for in the facility, there need be only one toilet plus two basins for each thirty infants.

2. Potty chairs, if used, shall be in addition to the toilet requirements and shall be cleaned and sanitized after each use.

(c) Toilet facilities shall not open directly into an area where food is prepared. A toilet facility may open directly into an area

used by children where food is served.

(d) Children must receive supervision and care in accordance with their age and required needs and be accounted for at all

times while bathing or toileting.

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

(f) Running water, toilet paper, disposable towels or hand drying machines that are properly installed and maintained, soap and

trash receptacles shall be available and within reach of children using the toileting facility.

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

(7) Fire Safety.

(a) Unless statutorily exempted, all child care facilities shall conform to state standards adopted by the State Fire Marshal,

Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities and shall be inspected

annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the

licensing authority.

(b) There shall be at least one corded telephone in the child care facility which is neither locked nor located at a pay station and

is available to all staff during the hours of operation.

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

(8) Health and Sanitation.

(a) General Requirements.

1. All buildings, when the windows or doors are open, must have and maintain screens to prevent entrance of any insect or rodent. Screens are not required for open air classrooms and picnic areas.
2. Following personal hygiene procedures for themselves or when assisting others, and immediately after outdoor play, employees, volunteers, and children shall wash their hands with soap and running water, drying thoroughly.
3. Safe drinking water shall be available to all children. If disposable cups are used, they must be discarded after each use.
4. If the children are sleeping overnight in the facility, child care staff must ensure accepted bedtime routines, such as brushing teeth and face and hand washing. Toothbrushes, towels and wash cloths may not be shared.

(b) Diapering Requirements.

1. Hand washing facilities which include a basin with running water, disposable towels or hand drying machines that are properly installed and maintained, soap, and trash receptacle shall be maintained in the infant room or in an adjoining room which opens into the room where infants or children with special needs in diapers are in care. Hands shall be washed and dried thoroughly after each diapering or toileting procedure. Handwashing sinks shall not be used for food service preparation or food clean up.
2. When children in diapers are in care, there shall be a diaper changing area with an impermeable surface which is cleaned with a sanitizing solution after each use. Children must be attended at all times when being diapered or when changing clothes.
3. Diaper changing shall be in a separate area from the feeding or food service area.

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4. There shall be a supply of clean diapers, clothing and linens at all times, which shall be changed or removed promptly when soiled or wet.
5. Soiled disposable diapers shall be disposed of in a plastic lined, securely covered container, which is not accessible to children. The container shall be emptied and sanitized at least daily.
6. Soiled cloth diapers shall be emptied of feces in the toilet and placed in a securely covered container which is not accessible to children. The container shall be emptied and sanitized daily.

(9) Equipment and Furnishings.

(a) Indoor Equipment.

1. A child care facility shall make available toys, equipment and furnishings suitable to each child's age and development and of a quantity for each child to be involved in activities.
2. Toys, equipment and furnishings must be safe and maintained in a sanitary condition.

(b) Outdoor Equipment.

1. A child care facility shall provide and maintain equipment and play activities suitable to each child's age and development.
2. All play equipment shall be securely anchored, unless portable by design, in good repair, maintained in safe condition, and placed to ensure safe usage by the children. Maintenance shall include checks at least every other month, of all supports, above and below the ground, all connectors, and moving parts.

3. Permanent playground equipment must have a ground cover or other protective surface under the equipment which provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls.
4. All equipment, fences, and objects on the facility's premises shall be free of sharp, broken and jagged edges and properly placed to prevent overcrowding or safety hazards in any one area.
5. All equipment used in the outdoor play area shall be constructed and maintained to allow for water drainage and maintained in a safe and sanitary condition.

Specific Authority 402.301, 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 7-2-98, 3-17-99, 7-13-03, 9-12-04, 6-30-05.

65C-22.003 Training.

(1) Definitions.

- (a) "CDA" Child Development Associate is a national credential, recognized throughout the United States and the world, issued by the Council for Early Childhood Professional Recognition in Washington, DC.
- (b) "State Approved CDA Equivalency" is a training program that has been approved by the Department of Children and Family Services as meeting or exceeding the criteria established for an equivalency program.
- (c) "Director" for the purpose of this section and consistent with the statutory definition of operator, refers to the onsite administrator or individual of a child care facility who has the primary responsibility for the day-to-day operation, supervision and administration of the child care facility.
- (d) "Director Credential" means a comprehensive credentialing program consisting of two levels of education and experiential requirements as outlined in subsection 65C-22.003(8), F.A.C.
- (e) "Before-school and after-school sites" for the purposes of this section means, programs, no matter their location, providing child care for children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one and above, during the school district's calendar year. This is limited to programs providing care before and after the school day, only, teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.
- (f) "Begin training for child care personnel" means to commence coursework by attendance, by educational exemption, or by completing a competency examination for one of the statutorily mandated child care training modules. The begin date for training is the initial date an individual commences training in the child care field.
- (g) "Training Transcript" is the official electronic documentation for statutorily mandated training and staff credentialing requirements of all child care personnel. Training transcripts can be downloaded and printed by the individual if desired or will be issued to the individual if requested.

(2) Training Requirements.

- (a) The 40 hour Introductory Child Care Training requirement is divided into two parts. Part I is comprised of 30 hours of training, consisting of the Department of Children and Family Services' training modules, identified below:
 1. State & Local Rules and Regulations;
 2. Health, Safety, and Nutrition;
 3. Identifying and Reporting Child Abuse & Neglect;
 4. Child Growth & Development; and
 5. Behavioral Observation and Screening.

(b) Part II is comprised of 10 hours of training, consisting of a selection from the Department of Children and Family Services'

specialized training modules, identified below:

1. Infant and Toddler Appropriate Practices (10 hours);
2. Preschool Appropriate Practices (10 hours);
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3. School-Age Appropriate Practices (10 hours);
4. Special Needs Appropriate Practices (10 hours);
5. Basic Guidance and Discipline (5 hours web based);
6. Computer Technology for Child Care Professionals (5 hours web based); and
7. Early Literacy for Children Age Birth to Three (5 hours web based).

(c) Child care personnel hired on or after October 1, 1992, must successfully complete Part I and Part II of the Department of

Children and Family Services' 40 hour Introductory Child Care Training requirement. Successful completion of the 40 hour

training requirement is evidenced by passage of competency examinations with a score of seventy (70) or better. Child care

personnel who have completed the mandatory 40 hour Introductory Child Care Training prior to the availability of the competency

examinations will not be required to complete the competency based testing.

(d) Pursuant to Section 402.305(2)(d)5., F.S., all child care personnel must complete 5-clock-hours or .5 continuing education

units (CEU's) of training in early literacy and language development of children birth to 5 years of age.

Literacy training must be a

single class or course that is no less than 5 hours in duration and focuses on early literacy and language development of children

from birth to 5 years of age.

1. All child care personnel employed on or before December 31, 2004, shall complete 5-clock-hours or .5 documented

continuing education units (CEU) of training in early literacy and language development of children from birth to 5 years of age, as

documented on the certificate of course completion, classroom transcript, or diploma; by June 30, 2005.

2. All child care personnel hired on or after January 1, 2005, shall complete early literacy training within 12 months of the date

of employment.

3. In order to meet this requirement, child care personnel must complete one of the following:

a. The department's online literacy course available at www.myflorida.com/childcare/training.

b. A training course from the Department of Children and Family Services' list of approved literacy training programs, which

can be accessed by contacting the licensing authority or by going to

www.myflorida.com/childcare/training. The Department of

Children and Family Services will continue to approve literacy courses through May 31, 2005. After this date, no additional courses

will be added to the list; or

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

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

all the required components stated above.

(e) Training transcripts are updated upon the successful completion of training, as evidenced by the passage of a competency

examination. Competency examinations will be offered by the Department of Children and Family Services or its designated

representative.

1. The successful completion of Part I and Part II modules will be documented on either CF-FSP Form 5267, May 2003, or the

Department of Children and Family Services' child care training transcript.

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

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

(3) Exemptions from the Introductory Child Care Training.

(a) Examination Exemptions. Prior to attending the training, child care personnel have one opportunity, if they choose, to

exempt from any of the 40 hour Introductory Child Care Training modules by successfully completing competency examinations

with a score of seventy (70) or better. Examination exemptions are not available for the Department of Children and Family

Services' web based Part II specialized training modules.

(b) Educational Exemptions.

1. The Department of Children and Family Services or its designated representative shall exempt child care personnel with one

of the following educational qualifications, from the Health, Safety and Nutrition, Child Growth and Development and Behavioral

Observation and Screening Modules:

a. Two year degree or higher with 6 college credit hours in early childhood/child growth and development.

b. Child Development Associate credential, state-approved Florida CDA Equivalency course.

2. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a

B.A., B.S. or advanced degree in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate

Practices module and Preschool Appropriate Practices module.

3. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a

B.A., B.S. or advanced degree in Elementary Education from the School-Age Appropriate Practices module.

4. The Department of Children and Family Services or its designated representative shall exempt child care personnel with a

B.A., B.S. or advanced degree in Exceptional Student Education from the Special Needs Appropriate Practices module.

(4) Documentation of Training. Training successfully completed after July 1, 2004 will be documented on the child care

training transcript only. Training completed prior to July 1, 2004 may be documented either on the child care training transcript or

on CF-FSP 5267.

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(5) Trainer Qualifications. Qualified child care professionals approved to teach the Department of Children and Family

Services' child care training modules at a minimum must meet the following qualifications:

(a) Be at least 21 years old.

(b) Complete the 6-clock-hour Train-the-Trainer course developed by the Department of Children and Family Services.

(c) Meet one of the following educational experiential credentials verified by the Department of Children and Family Services

or its designated representative:

1. Four year college degree or higher with 6 college credit hours in early childhood/child growth and development, plus, 480

hours experience in a child care setting serving children ages birth through eight years of age or a teaching certificate.

2. A.S. or A.A. degree in child development, plus 480 hours experience in a child care setting serving children ages birth

through eight years of age.

3. Associate degree with 6 college credit hours in early childhood/child growth and development, plus 960 hours experience in

a child care setting serving children ages birth through eight years of age.

(d) Family child care trainers may meet the qualifications listed above in paragraph 65C-22.003(5)(c),

F.A.C., or the following

qualifications: a high school diploma or GED, a National CDA or a state approved Florida CDA

equivalent, three years of full-time

experience in licensed family child care within the past five years, and completion of the 6-clock-hour

Train-the-Trainer course

developed by the department.

(e) The Department of Children and Family Services or its designated representative may require a trainer to attend a specific

child care training module prior to being approved.

(6) Annual In-service Training.

(a) All child care facility personnel, must complete a minimum of 10-clock-hours of in-service training or 1 CEU, annually

during the state's fiscal year beginning July 1 and ending June 30.

(b) The annual 10-clock-hour of in-service training or 1 CEU, must be completed in one or more of the following areas:

1. Health and safety; including universal precautions;
2. CPR;
3. First Aid (this training may only be taken to meet the in-service requirement once every three years);
4. Nutrition;
5. Child development – typical and atypical;
6. Child transportation and safety;
7. Behavior management;
8. Working with families;
9. Design and use of child oriented space;
10. Community, health and social service resources;
11. Child abuse;
12. Child care for multilingual children;
13. Working with children with disabilities in child care;
14. Playground safety;
15. Literacy;
16. Guidance and discipline;
17. Computer technology;
18. Leadership development/program management and staff supervision;
19. Age appropriate lesson planning;
20. Homework assistance for school age care;
21. Developing special interest centers/spaces and environments; or
22. Other course areas relating to child care or child care management.

(c) Documentation of the in-service training must be recorded on CF-FSP Form 5268, Feb. 04, Child Care In-service Training

Record, which is incorporated by reference, and included in the child care facilities' personnel records. CF-FSP 5268 may be

obtained from the licensing authority or by going to the Department of Children and Family Services' website at

www.myflorida.com/childcare/training. A new in-service training record is required each fiscal year. In addition to maintaining the

training record for the current fiscal year, the in-service training records for the previous two (2) fiscal years must also be

maintained at the child care facility for review by the licensing authority. College level courses that cover the topics above may also

be counted to meet the annual in-service training requirement.

(7) Staff Credentials.

- (a) Every licensed child care facility must have one member of its child care personnel for every 20 children with one of the following qualifications:
1. An active National Child Development Associate (CDA) Credential.
 2. Formal Educational Qualifications. Procedures for individuals with an associate level (2 year) degree or higher seeking the credentialing requirement are outlined on CF-FSP Form 5211, April 05, Child Care Personnel Education/Employment History Verification Form, which is incorporated by reference. CF-FSP Form 5211 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare/training.
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3. An active state approved Florida CDA Equivalency (CDAE) Credential.
 - a. Early Childhood Education Training Programs seeking equivalency to the CDA should submit a completed CF-FSP Form 5191, April 05, Application for Child Development Associate (CDA) Equivalency for Training Programs, which is incorporated by reference, to the Department of Children and Family Services for approval. CF-FSP Form 5191 may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare/training.
 - b. The criterion for programs wishing to be recognized as a state approved CDA Equivalency is determined by the Department of Children and Family Services and is outlined on the Application for Child Development Associate (CDA) Equivalency Training Programs, CF-FSP 5191.
 - c. The Department of Children and Family Services will only approve CDA Equivalency programs that are accredited by one of the national or regional accreditation organizations recognized by the United States Department of Education or licensed by the Florida Commission for Independent Education.
 4. Employment History Recognition Exemption.
 - a. In addition to the requirements and time frames established in statute (a person employed in a child care facility on July 1, 1995, who has a high school diploma or its equivalent and has at least 10 years of documented experience, as determined by the department, in child care between July 1, 1980 and July 1, 1995, or 10 years of teaching experience in early childhood education through grade 3 in a public or private school since July 1, 1980, meets the minimum staff credential requirement), employment history experience must include a minimum of 15 hours per week per year or 540 hours per year working with children in a licensed, registered or exempt child care program as defined in Section 402.301, F.S., or teaching experience in a public or private school.
 - b. Documentation of employment history recognition must include notarized letters indicating previous employment or other forms of documentation such as W-2 forms, licensing records, or income tax return forms for each place of employment.
 5. An active Florida School-Age Certification.
 - a. Training providers seeking to offer the Florida School-Age Certification Training Program, must utilize the Florida School-Age Certification Training Program as approved by the Department of Children and Family Services and must apply for approval on CF-FSP Form 5257, April 05, Application to Provide the Florida School-Age Certification Training Program, which is

incorporated by reference. The application may be obtained on the Department of Children and Family Services' website at www.myflorida.com/childcare/training. Effective July 1, 2005, the Department of Children and Family Services will only approve Florida School-Age Certification Training Programs that are accredited by one of the national or regional accreditation organizations recognized by the United States Department of Education or licensed by the Florida Commission for Independent Education.

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

- (I) A total of 120 hours of training consisting of successful completion of the training for School-Age Child Care Personnel identified in paragraphs 65C-22.008(4)(a) and (b), F.A.C.; and a minimum of 80-clock hours of training using the Department of Children and Family Services approved curriculum, which focuses on the following six competency areas:
 - (A) Establishment and maintenance of a safe and healthy learning environment.
 - (B) The advancement of physical and intellectual competence.
 - (C) The support of social and emotional development and provision of positive guidance.
 - (D) The establishment of positive and productive relationships with families.
 - (E) Ensuring a well-run, purposeful program responsive to participant's needs.
 - (F) The maintenance of a commitment to professionalism.
- (II) A portfolio containing an autobiographical statement, written examples demonstrating mastery of each of the school-age competency subject areas, and a collection of resource materials as identified in the Department of Children and Family Services, Florida School-Age Certification Training Portfolio and Resource Materials Checklist, CF-FSP Form 5258, Oct. 01, which is incorporated by reference.
- (III) Formal observation working with children in a school-age setting during the course of the program by a qualified observer.
- (IV) 480 hours of direct contact with children in a school-age setting within the past five years.

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

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

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

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

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

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

(c) Calculation of Number of Personnel Necessary.

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

2. For every 20 children, a child care facility must have one child care personnel who meets the credentialing requirement.

Based on this formula, child care facilities with 20-39 children must have one credentialed staff member, facilities with 40-59

children must have 2 credentialed staff members, and so on.

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

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

5. In addition to CF-FSP Form 5206, April 05, Child Care Personnel Professional Development Confirmation Form, child care

facilities must have available written documentation of credentialed personnel's work schedules. Examples of written

documentation are employee time sheets, personnel work schedules, and employment records.

6. Children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one

and above, are excluded from the calculation for purposes of determining the number of personnel necessary to meet the

credentialing ratio.

(d) CDA or CDAE Renewal. A CDA or CDAE must be renewed as specified in subparagraphs 1.-5. below for the purpose of meeting the staff credentialing requirement for every 20 children in care, as mandated in Section 402.305(3), F.S.

1. Florida CDAE Renewals. To maintain an active Florida CDAE, every 5 years a candidate must renew their Florida CDAE

by completing the Florida CDAE Renewal Application, CF-FSP 5273, April 05, which is incorporated by reference, and may be

obtained on the Department of Children and Family Services' website at

www.myflorida.com/childcare/training. The Florida

CDAE Renewal will be documented on CF-FSP 5270, April 05, Florida CDA Equivalency Certificate of Renewal, which is

incorporated by reference. Renewal applications may be submitted no earlier than one year prior to the expiration date of the active

CDAE certificate. The completed renewal application must be submitted to the Department of Children and Family Services and

include documentation of the following criteria:

- a. Proof of a current First Aid Certificate;
 - b. Proof of 45 hours of professional education obtained within the past five years by meeting one of the following:
 - (I) At least 4.5 Continuing Education Units (CEUs);
 - (II) Three college credits in early childhood education/child development;
 - (III) Forty-five (45) clock hours of early childhood education/child development training completed at a Florida Career Education Center (public vocational or technical school), Florida Community Colleges, or an institution licensed by the Florida Commission for Independent Education.
 - (IV) Any combination of the professional education outlined in sub-sub-subparagraphs 65C-22.003(7)(d)1.b.(I)-(III), F.A.C., listed above.
 - c. Proof of recent (within current year) work experience with young children or families of young children (a minimum of 80 hours);
 - d. Proof of recent (within current year) membership in a national, state or local early childhood professional organization;
 - e. A letter of recommendation regarding competency in working with young children, provided by an Early Childhood Education Professional such as the Child Care Facility Director, Assistant Director, Observer, or Lead Teacher; and
 - f. Copy of a CDA or CDAE Credential.
 - g. The fee for processing the Florida CDAE renewal application shall be \$25.00. Payment must be via a business check or a money order. No personal checks will be accepted.
2. Individuals with a Florida CDAE Credential obtained before December 31, 2003 will have the opportunity to renew this Credential by submitting a completed Florida CDAE Renewal Application, CF-FSP 5273, with the required documentation, by December 31, 2008. A Florida CDAE issued after December 31, 2003 will have a renewal date of 5 years from the date of issuance.
3. If a CDAE Credential is not renewed prior to the expiration date, an individual with an inactive CDAE Credential may submit a renewal application for a period up to three (3) years after the CDAE Credential expiration date. The application will be reviewed, and if approved, a certificate issued with a five-year expiration date based on the date the completed renewal application is processed.
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4. National CDA Renewals. To renew a National CDA, individuals may contact the Council for Early Childhood Professional Recognition, located in Washington, DC, at 1(800)424-4310, or follow the Florida CDAE renewal process outlined in subparagraphs 65C-22.003(7)(d)1.-3., F.A.C.
5. An individual with an inactive CDA or CDAE is ineligible to be counted as a credentialed staff person pursuant to paragraph 65C-22.003(7)(a), F.A.C., until the CDA or CDAE Credential is renewed or the individual meets one of the other qualifications listed in subparagraphs 65C-22.003(7)(a)1.-5., F.A.C.
- (e) Verification of Education and Employment History.
1. Child care personnel seeking satisfaction of the staff credentialing requirement, in subparagraphs 65C-22.003(7)(a)1.-5. of

this rule, are responsible for completing and submitting to the Department of Children and Family Services or its designated representative CF-FSP Form 5211, April 05, Child Care Personnel Education and Employment History Verification Form, including education and employment history documentation.

2. Upon receipt and approval of the completed forms, the individual's training transcripts will be updated to reflect the staff

credential verification. From the individual's child care training transcript, they may print CF-FSP Form 5206, Feb. 04, Child Care

Personnel Professional Development Confirmation Form, which is incorporated by reference, for the individual's records. The

individual may also request a copy of CF-FSP Form 5206, from the Department of Children and Family Services or its designated

representative, for a nominal fee determined by the Department of Children and Family Services.

3. A copy of the Child Care Personnel Professional Development Confirmation Form must be maintained on-site at the facility,

in the employee personnel file, for review by child care licensing staff. The original is the property of the child care personnel.

(8) Director Credential.

(a) Pursuant to Section 402.305(2)(f), F.S., every child care facility director must have a director credential by January 1, 2004,

which consists of the foundational level or the advanced level. As of January 1, 2004, every applicant for a license to operate a child

care facility or a license for a change of ownership of a child care facility must document that the facility director has a director

credential prior to issuance of the license to operate the facility.

1. Child care facility owners must notify the licensing authority within five (5) working days of when the facility loses a

credentialed director or when there is a change of director. The licensing authority will then issue a provisional license for a period

not to exceed six (6) months. The provisional license will have an effective date of the first day the facility was without a

credentialed director.

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

3. Each child care facility must have a director that is on site a majority of hours that the facility is in operation.

4. The director credential must be posted in a conspicuous location at the facility.

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

1. A credentialed director is not required during evening hours as defined in Section 402.302(6), F.S.

2. Pursuant to Section 402.305(1)(c), F.S., a credentialed director holding a foundational or advanced level Florida director

credential may supervise multiple before-school and after-school sites. As of January 1, 2004, every applicant for a license to

operate a child care facility must document that the facility director has a director credential prior to issuance of the license to

operate the facility.

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

1. High school diploma or GED; and

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

3. The Department of Children and Family Services' Special Needs Appropriate Practices module or a minimum of 8-hours of

in-service training in serving children with disabilities; and

4. One of the following staff credentials: a Child Development Associate (CDA) Credential; a state-approved Florida CDA

Equivalency; the Florida School-Age Certification; a formal education exemption qualification; or a documented employment

history recognition exemption; and

5. One course in the curriculum content area “Overview of Child Care Center Management,” which must be met by one

approved three-hour college level course, offered for credit or 4.5 Continuing Education Units (CEUs) through continuing

education or one approved Post Secondary Adult Vocational course offered through a vocational-technical institution in Florida;

and

6. One year experience on-site as a child care director. For those candidates who have met the educational requirements of this

level but have not completed the one year experiential requirement a temporary credential will be granted.

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

1. High school diploma or GED; and

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

3. The department’s Special Needs Appropriate Practices module or a minimum of 8-hours in-service training or course in

serving children with disabilities; and

4. One of the following staff credentials: a Child Development Associate (CDA) Credential; a state-approved Florida CDA

Equivalency; the approved Florida School-Age Certification; a formal education exemption qualification; or a documented

employment history recognition exemption; and

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5. Three approved courses in child care education program administration. The coursework requirement must be taken for

college credit and must be from the following curriculum areas: Overview of Child Care Center Management, Child Care and

Education Organizational Leadership and Management, Child Care and Education Financial and Legal Issues, Child Care and

Education Programming; and

6. Two years of experience on-site as a child care director. For those candidates who have met all the educational requirements

of this level but have not completed the two year experiential requirement a temporary credential will be granted.

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

Services.

(f) Exceptions: For the foundational level, Directors who have attained another state’s approved Director Credential shall

receive credit towards the, “Overview of Child Care Management”, educational component of the credential. For the advanced

level credential only, an educational exception will be granted to individuals who meet subparagraphs 65C-22.003(8)(c)1.-4. and 6.,

F.A.C., and any of the following:

1. An A.S. degree in child care center management, or

2. An A.S., B.A., B.S. or advanced degree in early childhood education/child development, family and consumer sciences

(formerly home economics/child development), school-age child care or elementary education with at least three credit hours in

child care management/administration, business administration or educational administration, or

3. A B.A., B.S. or advanced degree other than those degree areas in number 2. above, with three credit hours in early

childhood/child development or school-age child care and three credit hours in child care management/administration, business

administration or educational administration, or

4. Five or more years of experience as an administrator or director in a licensed child care facility, or a facility that is legally

exempt pursuant to Sections 402.3025 and 402.316, F.S., and with three college credit hours in early childhood/child development

or school-age child care and three college credit hours in child care management/administration, business administration or

educational administration. All coursework for this exception must have been completed within the last ten years.

(g) Testing. For the advanced level credential only, individuals who meet the requirements for the educational exception but do

not have coursework in early childhood education or administration may opt to take a competency-based test to meet the three

credit hour course requirement in early childhood education/child development or the three credit hour course requirement in

administration, or both. This process will require the candidate to complete a written test, developed and approved by the

Department of Children and Family Services with a minimum score of 70 percent.

(h) Renewal.

1. To maintain an active temporary Director Credential or Director Credential at either level, every 5 years, candidates must

have an active staff credential documented on CF-FSP 5206, Child Care Personnel Professional Development Confirmation Form,

and 4.5 Continuing Education Units (CEUs) or three college credit hours in any one of the curriculum areas listed in subparagraph

65C-22.003(8)(c)5., F.A.C. Coursework must be in addition to the original coursework required for the Credential. Coursework

completed to renew a State of Florida Teaching Certificate also satisfies this coursework requirement for renewal of a Director

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

a. Serve as an officer or committee member in a professional organization related to the field of early childhood or school age programs;

b. Make presentation or provide training in the field of early childhood or school age programs;

c. Serve as a validator or advisor for a Florida-recognized accreditation program, as a CDA advisor, or as a school-age

certification representative for the Florida School-Age Certification Training Program;

d. Advocate for an issue in the field of early childhood or school age programs;

e. Publish an item related to the field of early childhood or school-age program;

f. Document program improvements by completing a Florida-recognized accreditation program;

g. Serve as a consultant or mentor to another early childhood or school age program;

h. Participate in an educational research or innovation project related to early childhood or school age programs; or

i. Participate in a creative activity, outside of the candidate's child care program, relating to the field of early childhood or school-age programs.

2. A Director Credential issued prior to January 1, 2004 will have an initial renewal date of January 1, 2009, and every 5 years

thereafter. A Director Credential issued after January 1, 2004 will have an initial renewal date after 5 years and every 5 years

thereafter. The completed application, including all required documentation, must be submitted to the Department of Children and

Family Services for review and issuance of a Director Credential certificate no earlier than one year prior to the expiration date of the active Director Credential. The renewal date will be determined by the active Director Credential expiration date.

3. If a renewal application is received after the Director Credential expiration date, the Director Credential renewal application will be reviewed, and if approved, a certificate issued with a five-year expiration date based on the date the completed renewal application is processed.

4. An individual with an inactive Director Credential is ineligible to be the director of a child care facility.
(i) Coursework Recognition and Approval.

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1. The Department of Children and Family Services is responsible for reviewing existing and developing coursework, offered through vocational-technical schools, community colleges and universities, to determine if it meets the requirements for the Director Credential. Vocational-technical schools, community colleges and universities shall submit CF/FSP Form 5247 for course review and approval, hereby incorporated by reference. Course work will be reviewed and approved according to the guidelines found in "Florida Child Care and Education Program Director Credential, Curriculum Areas," hereby incorporated by reference, and copies of which can be obtained from the Department of Children and Family Services.

2. A list of approved courses must be maintained and will be available through the Department of Children and Family Services.

(j) Before-school and after-school sites.

1. A director holding a foundational or advanced Director Credential may supervise multiple before-school and after-school

sites for a single organization as follows:

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

b. More than three sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the

total number of children enrolled, the number of children in the before- and after-school program shall be calculated and viewed as separate programs.

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

2. When a credentialed director is supervising multiple sites, the person left in charge of the site during the director's absence

must meet the following requirements:

a. Be at least 21 years of age;

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

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

hours of in-service training in serving children with disabilities; or

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

Specific Authority 402.305 FS. Law Implemented 402.302, 402.305, 402.308 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 10-10-01, 4-2-02, 7-17-03, 9-12-04, 6-30-05.

65C-22.004 Health Related Requirements.

(1) Communicable Disease Control.

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

1. Severe coughing, causing the child to become red or blue in the face or make a whooping sound,
2. Difficult or rapid breathing,
3. Stiff neck,
4. Diarrhea (more than one abnormally loose stool within a 24 hour period),
5. Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness,
6. Conjunctivitis (pink eye),
7. Exposed, open skin lesions,
8. Unusually dark urine and/or gray or white stool,
9. Yellowish skin or eyes, or
10. Any other unusual sign or symptom of illness.

(b) A child who has head lice shall not be permitted to return until treatment has occurred. Verification of treatment may

include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred.

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

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

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

(a) Each child care facility must have at least one staff member with a valid certificate of course completion for first aid

training and infant and child cardiopulmonary resuscitation procedures. One staff member satisfying these training requirements

shall be present at all times that children are in the care of the facility, both on-site and on field trips. A field trip includes all

activities away from the facility excluding regular transportation to and from the facility, i.e., pick-up and drop-off.

(b) Certificates of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years. On-line CPR courses are not acceptable to meet this standard. CPR training must be done by classroom instruction.

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

1. Soap,
2. Band-aids or equivalent,
3. Disposable latex gloves,
4. Cotton balls or applicators,
5. Sterile gauze pads and rolls,
6. Adhesive tape,
7. Thermometer,
8. Tweezers,
9. Pre-moistened wipes,
10. Scissors, and
11. A current resource guide on first aid and CPR procedures.

(d) Emergency Procedures and Notification.

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

2. Custodial parents or legal guardians shall be notified immediately in the event of any serious illness, accident, injury or

emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and

followed. If the custodial parent or legal guardian cannot be reached, the facility owner will contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

3. All accidents and incidents which occur at a facility must be documented and shared with the custodial parent or legal guardian on the day they occur.

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

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

(a) Prescription and non-prescription medication brought to the child care facility by the custodial parent or legal guardian

must be in the original container. Prescription medication must have a label stating the name of the physician, child's name, name

of the medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to

written directions on the prescription label or printed manufacturer's label. For purposes of dispensing non-prescription medication that is not brought in by the parent, in the event of an emergency, non-prescription medication can only be dispensed if the facility has written authorization from the parent or legal guardian to do so. Any medication dispensed under these conditions must be documented in the child's file and the parent or legal guardian must be notified on the day of occurrence. If the parent or legal guardian notifies the child care facility of any known allergies to medication, written documentation must be maintained in the child's file. Special restrictions to medication must be shared with staff and must be posted with stored medication.

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

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

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

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65C-22.005 Food and Nutrition.

(1) Nutrition.

(a) If a facility chooses to supply food, they shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA Food Guide Pyramid for Young Children, March 1999, incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children one year of age and older. The fats and sweets category within the USDA Food Guide Pyramid for Young Children cannot be counted as a food group. Copies of the USDA Food Guide Pyramid for Young Children may be obtained from the licensing authority or the local county health department. Using the USDA Food Guide Pyramid for Young Children; breakfast shall consist of at least three different food groups; lunch and dinner shall consist of at least four different food groups and snacks shall consist of at least two different food groups.

(b) If a facility 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.

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

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

(2) Food Preparation Area. All licensed child care facilities approved by the Environmental Health Section, to prepare food shall meet the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.

(3) Food Service.

(a) Children shall be individually fed or supervised at feeding and offered foods appropriate for their ages.

(b) There shall be no propped bottles. There shall be no automatic feeding devices unless medically prescribed. Formula shall be refrigerated and handled in a sanitary manner before and after use. All bottles shall be individually labeled.

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

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

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

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

65C-22.006 Record Keeping.

(1) General Requirements.

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

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

(2) Children's Health Requirements.

(a) The child care facility is responsible for obtaining a current and completed DH Form 3040, June 2002, Student Health

Examination for each child in care, within 30 days of enrollment and maintaining a current copy on file while the child is enrolled

at the facility. DH Form 3040, which is incorporated by reference, can be obtained from the local county health department.

Certification that a health examination has been completed may be documented on the State of Florida, Department of Health, DH

Form 3040, OR a signed statement by authorized professionals that indicates the results of the components included in the health

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

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

(c) The child care facility is responsible for obtaining a current and completed DH Form 680, Florida Certification of

Immunization Part A-1, B, or C (July 2001), or DH Form 681, Religious Exemption from Immunization (May 1999), for each child

in care, within 30 days of enrollment, and maintaining a current copy on file while the child is enrolled at the facility. DH forms 680

and 681, which are incorporated by reference in subsection 65D-3.011(9), F.A.C., can be obtained from the local county health

department. The DH Form 680, Florida Certification of Immunization Parts A-1, Certificate of Immunization for K-12 Excluding

7th Grade Requirements or Part B Temporary Medical Exemption, shall be signed by a physician or authorized personnel licensed

under the provisions of Chapter 458, 459, or 460, F.S., and shall document vaccination for the prevention of diphtheria, pertussis,

tetanus, poliomyelitis, rubeola, rubella, mumps, and Haemophilus influenzae type B (HIB), and effective July 1, 2001, completion of

the varicella vaccination. The DH Form 680, Florida Certification of Immunization Part C, Permanent Medical Exemption, shall be

dated and signed by a physician licensed under the provisions of Chapter 458 or 459, F.S. Immunizations received out of state are

acceptable, however, immunizations must be documented on DH Form 680 and signed by a practicing physician in the State of

Florida.

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

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(e) Medical records are the property of the custodial parent or legal guardian when the child withdraws from the facility and are transferable if the child attends another facility.

(3) Medication Records.

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

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

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

(a) Enrollment information shall be kept current and on file.

(b) The child shall not be released to any person other than the person(s) authorized, or in the manner authorized in writing, by the custodial parent or legal guardians.

(c) There shall be signed statements that the child care facility has provided the following information to parents:

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

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

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

(a) An employment application with the required statement pursuant to Section 402.3055(1)(b), F.S.

(b) Position and date of employment.

(c) Signed statement that the employee understands the statutory requirements for professionals' reporting of child abuse and neglect.

(d) Level 2 screening information documented on CF-FSP Form 5131, Feb. 04, Background Screening and Personnel File

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

conducted. The 5 year re-screening must include, at a minimum, statewide criminal records checks through the Florida Department of Law Enforcement and a local criminal records check. In addition, child care personnel must be re-screened following a break in employment in the child care industry which exceeds 90 days. A person in this category must undergo the same level of screening which was required upon initial employment. If child care personnel takes a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the 5 year re-screening has come due during the leave of absence. An employment history check for the previous two years at a minimum, which must include at least the last three jobs, is required as part of background screening. An employment history check conducted under this rule, shall include not only confirmation of employment dates from previous job(s), but may also include position held and job performance. Additionally, an Affidavit of Good Moral Character, CF-FSP 1649, Aug. 04, must be completed annually for all child care personnel. CF-FSP 1649 may be obtained from the licensing authority or by going to the Department of Children and Family Services' website at www.myflorida.com/childcare/information.

(e) Copies of training information and credentials.

(f) Driver's license and driver physical examination documentation. The physician certification, or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle must also be maintained in the driver's personnel file.

(6) Other Records.

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

(b) Record of accidents and incidents shall be documented daily and maintained for one year.

Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of facility staff and custodial parent or legal guardian.

(c) The operator shall prepare an emergency evacuation plan including a diagram of safe routes by which the personnel and

children may exit each area of the facility in the event of fire or other emergency requiring evacuation of the facility and post a copy of the plan in each room of the facility.

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

(e) Documentation that identified staff members have met the first aid and infant and child cardiopulmonary resuscitation training requirement shall be kept on file at the child care facility.

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

(g) Daily meal and snack menus shall be maintained for a minimum of one month.

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

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

65C-22.007 Evening Child Care.

(1) Hours of Care. Evening Child Care, as defined in Section 402.302(6), F.S., means child care provided during the evening

hours and may encompass the hours of 6:00 p.m. to 7:00 a.m.

(2) Supervision. During evening child care hours, staff must remain awake at all times. While children are awake, direct

supervision as described in paragraph 65C-22.001(5)(a), F.A.C., must be provided. When children are sleeping, supervision, as

defined in paragraph 65C-22.001(5)(b), F.A.C., is required.

(3) Exemptions. Child care standards, as outlined in Sections 402.301 through 402.305, F.S., and Rules 65C-22.001 through

65C-22.006, F.A.C., apply to Evening Child Care with the following exceptions:

(a) Outdoor Play Area. For centers which only provide evening child care, outdoor play space is not required. An open area

within the existing indoor floor space designated for play that promotes the development of gross motor skills must be available.

(b) Child Development Associate or credentialed staff is not required for Evening Child Care staff.

(c) Director credentialed staff is not required of Evening Child Care as defined in subsection 65C-22.007(1), F.A.C.

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

65C-22.008 School Age Child Care.

(1) Definitions.

(a) “School Age Child” – means a child who is at least five years of age by September 1st of the beginning of the school year

and who is attending kindergarten through grade 5.

(b) “School Age Child Care Program” – means before and after school programs that are licensed as child care defined in

Section 402.302, F.S., and serve only school age children as defined in paragraph 65C-22.008(1)(a), F.A.C.

(c) “An After School Program Serving School Age Children” is not required to be licensed if the program meets one of the

following criteria:

1. Programs located on public/nonpublic school sites, operated and staffed directly by that school or through a written or

formal agreement between the school and a provider to serve school age children attending the school.

These programs exclusively

serve those children who attend the public/nonpublic school during the school day. The program may

extend to providing services

before school, on teacher planning days, holidays, and intercessions that occur during the school district’s official calendar year.

Pursuant to Section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator, shall follow the

standards set forth by the Florida Building Code State Requirements for Public Educational Facilities; or

2. Programs that provide activities to all children, regardless of age, that are strictly instructional or tutorial/academic in nature.

These programs cannot extend beyond the instructional, and tutorial/academic activities of that program and do not serve or prepare

meals or snacks. However, the program may choose to provide drinks and snacks that do not require refrigeration or vending

machine items that do not require refrigeration. Some examples of these programs include, but are not limited to computer class,

ballet, karate, gymnastics, baseball, and other sports; or

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

- a. Operate for a period not to exceed a total of 4 hours in any one day; however, may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year; and
 - b. Allow children to enter and leave the program at any time, without adult supervision; and
 - c. Do not provide any transportation, directly or through a contract or agreement with an outside entity, for the purpose of field trips, during the hours of operation; and
 - d. Do not serve or prepare any meals or snacks, however the program may choose to provide drinks and snacks that do not require refrigeration or vending machine items that do not require refrigeration; or
4. Programs providing after school care exclusively for children in grades 6 and above.

(2) Licensure Requirements.

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

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

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

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(3) School Age Child Care Standards. The following school age child care standards apply to "School Age Child Care Programs" as defined in paragraph 65C-22.008(1)(b), F.A.C. These programs must meet the following licensing standards:

(a) Application. Application must be made on CF-FSP Form 5272, Feb. 2004, Application for a License to Operate a School

Age Child Care Program, which is incorporated by reference.

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

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

(d) Ratios. For children 5 years of age and older, there must be one child care personnel for every 25 children.

(e) Supervision. When caring for school age children, child care personnel shall remain responsible for the supervision of the

children in care and capable of responding to emergencies, and are accountable for children at all times, which includes when

children are separated from their groups. At all times lighting must be sufficient to visually observe and supervise children while in care.

(f) All provisions under paragraphs 65C-22.002(1), (2)(b) through (d), (5)(a), (6)(a), (b), (c), (f), and (g), F.A.C., are required

of school age child care programs, except a bath facility.

(g) Indoor Floor Space and Outdoor Play Area. School age child care programs must meet all provisions under paragraphs

65C-22.002(3)(a) through (c) and 65C-22.002(4)(a) through (e), F.A.C. However, the program may choose to request in writing,

permission from the licensing authority, to operate under an exception to either usable indoor floor space as specified in subsection 65C-22.002(3), F.A.C., or outdoor play area as specified in subsection 65C-22.002(4), F.A.C. The written request must include an explanation of why the exception is necessary as well as an alternate plan to accommodate instances of inclement weather for those programs requesting an exception to the usable indoor floor space and a plan for inclusion of fine and gross motor skills

opportunities for those programs requesting an exception to the outdoor play area.

(h) If not requesting an exemption to the outdoor play area, the school age child care program may operate without a fence if

all the following provisions are met:

1. The children using the outdoor play area are in five year old kindergarten and grades one or above;
2. In addition to the established staff to children ratios, for the purpose of safety, an additional staff member is present, at all times during outdoor activities, to assist in providing direct supervision;
3. The outdoor play area is bordered by a road or street open to travel by the public with a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and
4. The licensing authority has provided written authorization to the program to operate without a fence.

(i) Fire Safety. School age child care programs must meet all provisions under subsection 65C-22.002(7), F.A.C. However the program may seek an exemption to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities. The written exemption request, which must include a plan for ensuring the safety of children in care, must be made to the local fire inspection office and if granted, the exemption must be documented and maintained on file at the program.

(j) Health and Sanitation. All provisions under subparagraphs 65C-22.002(8)(a)1. through 3., F.A.C., must be met. In addition, school age child care programs may seek an exemption to environmental health standards. The written exemption request, which must include a plan to ensure the health safety of children in care, must be made to the local Environmental Health Unit and if granted, the exemption must be documented and maintained on file at the program.

(k) Equipment and Furnishings. All provisions as applicable, under subsection 65C-22.002(9), F.A.C., must be met.

(l) All provisions under subsections 65C-22.004(1), (2), and (3), F.A.C., must be met.

(m) All provisions under subsections 65C-22.005(1), (2), (3)(a) and (c), F.A.C., as it pertains to age appropriate food and heated food only, and paragraph 65C-22.005(3)(e), F.A.C. School age child care programs may seek an exemption from the environmental health standards as it pertains to the food preparation area specified in subsection 65C-22.005(2), F.A.C. The written exemption request, which must include a plan to ensure safe and sanitary food preparation for children in care, must be made to the local Environmental Health Unit and if granted, the exemption must be documented and maintained on file at the program.

(n) All provisions under subsections 65C-22.006(1), (3), (4), (5) and (6), F.A.C., must be met. School aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the school age child care program as such records are on file at the school where the child is enrolled.

(4) School Age Child Care Personnel Training Requirements.

(a) Child care personnel must complete 40 hours of child care training by completing the following 20 hours of the Department of Children and Family Services' training as evidenced by passage of a competency examination with a score of seventy (70) or better:

1. State and Local Rules and Regulation;
2. Health, Safety, and Nutrition;
3. Identifying and Reporting Child Abuse & Neglect; and
4. School Age Appropriate Practices.

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(b) The remaining 20 hours must be met by successfully completing other Department of Children and Family Services' training identified in paragraphs 65C-22.003(2)(a) and (b), F.A.C., or by completing 20 hours of specialized school age training, provided by a national organization or its affiliates that requires demonstration of competencies through passage of examination(s) or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

(c) Child care personnel are exempt from the training requirement of 5-clock-hour early literacy and language development of children from birth to 5 years of age, under paragraph 65C-22.003(2)(d), F.A.C.

(d) Child care personnel may choose to meet the training exemptions under subsection 65C-22.003(3), F.A.C.

(e) All provisions under subsection 65C-22.003(6), F.A.C., must be met.

(f) School age child care programs are exempt from the staff credentialing requirement in subsection 65C-22.003(7), F.A.C.

(g) All provisions as applicable under subsection 65C-22.003(8), F.A.C., must be met. A director holding a foundational or advanced Director Credential may supervise multiple sites as specified in paragraph 65C-22.003(8)(j), F.A.C.

Specific Authority 402.302, 402.305 FS. Law implemented 402.302, 402.305 FS. History-New 9-12-04.