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Date: June 25, 2008

To: Family Child Care and Large Family Child Care Providers

From: Linda Stoller, Manager
Hillsborough County Child Care Licensing Program

Subject: Changes in Rules and Regulations for Family Child Care Homes and Large Family Child Care Homes

As you know, the Hillsborough County Child Care Licensing Program is the Local Licensing Authority for Hillsborough County. State law requires that we meet or exceed all state standards. The state has made the following changes in their rules so we must adopt them into our Ordinance. These rules become effective on August 1, 2008, except for 2.09(3) ground cover which is effective on June 30, 2009. They will be incorporated into the Hillsborough County Child Care Licensing Ordinance at the next revision. The series of dots (...) indicate missing words since these are not the complete regulation.

Additional changes to the enforcement section will be sent to you in a separate memo.

1.01 (2)(E) is changed to read:...Prior to initial licensing the local licensing authority must receive proof of background screening clearance on the caregiver/applicant of the family child care home and on all other household members who are subject to background screening pursuant to 402.313(3)F.S., Prior to taking care of children, the designated substitute for the caregiver must comply with the background screening requirements and the local licensing agency must receive proof of background screening clearances...

1.01 (3)(A) is changed to read...An employment history check is required and must include the previous two (2) years. The employment history check for the caregiver must be maintained in the local licensing agency file. The employment history check for the substitute and/or the employee must be maintained in the family child care home's file.

1.02 Personnel Training will be changed to read:

- (1) Remains the same
- (2) Is changed to read:

Prior to licensure and prior to caring for children, all family day care home operators and substitutes who work 40 hours or more per month on average during a 12 month period must:

1. Successfully complete the Department of Children and Family Services' 30 clock-hour Family Child Care Home training, as evidenced by successful completion of a competency based examination(s) offered by the Department of Children and Family Services or its designated representative with a weighted score of 70 or better documented on the DCF Child Care Training Transcript. Family day care home operators who successfully completed the mandatory 30 clock-hour Family Child Care Home training prior to January 1, 2004, are not required to fulfill the competency examination requirement. Documentation of course completion may either be a single Family Child Care Home (30 Hr) certificate or certificates for the five (5) individual training courses which total 30 clock-hours of training: Family Child Care Home Rules and Regulations; Health, Safety and Nutrition; Identifying and Reporting Child Abuse and Neglect; Child Growth and Development; and Behavioral Observation and Screening or the DCF Child Care Training Transcript.

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

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

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

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

- (4) Training completed successfully will be documented on the training transcript or on CF-FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference. CF-FSP Form 5267 may be obtained from the local licensing agency or on the Department of Children and Family Services' website at www.myflorida.com/childcare by clicking on the training link.

(5) Family day care home substitutes who work less than 40 hours a month on average during a 12 month period shall complete the Department of Children and Family Services' six (6) clock-hour Family Child Care Home Rules and Regulations training, as evidenced by successful completion of a competency based examination offered by the Department of Children and Family Services or its designated training representative prior to caring for children. Training completed successfully will be documented on the Department of Children and Family Services' CF-FSP Form 5267 or the Department of Children and Family Services' Child Care Training Transcript. Family day care substitutes who have successfully completed the three (3) clock-hour Fundamentals of Child Care Training or 30 clock-hour Family Child Care Home training are not required to complete the six (6) clock-hour Family Child Care Home Rules and Regulations Course.

1.04(1) is changed to read: ... Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39 F.S., constitute a violation of the standards in ss 402.301-319 FS Failure to perform the duties of a mandatory reporter pursuant to s. 39. 201 F.S., constitutes a violation of the standards in ss. 402.301-319 F.S.

1.06 is changed to include: While children are napping or sleeping in bedrooms, the bedroom doors must remain open.

2.01(6) is changed to include: These items as well as knives, sharp tools and other potentially dangerous hazards, shall be stored separately and locked or inaccessible and out of a child's reach.

2.03(2) is changed to read... Potty chairs shall be cleaned and sanitized after each use.

2.03(5) is changed to read: The outdoor play areas shall have and maintain a safe, adequate, and secured fence, wall or screened enclosure at a minimum of four feet in height....

2.03(7) is changed to read: Each infant must be in an individual crib, portacrib or playpen with sides. Crib sides must be raised and secured while an infant is in the crib and bar spacings may not exceed two and three eighths inches. Cribs must meet the construction regulations as outlined in Title 16, Parts 1508.7 and 1509.8, Code of Federal Regulations, January 1, 2004....

2.05(2)(C) is changed to read: ...Items unrelated to diaper changing shall not be stored in the diaper changing area nor shall they be placed on the diaper changing table.

2.09(2) is changed to read: ...All equipment must be installed safely, securely anchored, unless portable by design, placed to ensure safe usage by the children. The equipment must be maintained in a safe condition. Maintenance shall include checks at least every other month of all supports above and below the ground, all connectors and moving parts.

2.09(3) is added to read: Permanent or stationary playground equipment must have a ground cover or other protective surface under the equipment that provides resilience and is maintained to reduce the incidence of injuries to children in the event of falls.

2.09(4) is added to read: All equipment, fences and objects on the family child care home's premises shall be free from sharp, broken and jagged edges and properly placed to prevent overcrowding or safety hazards in any one (1) area.

2.09(5) is added to read: All equipment used in the outdoor play area shall be constructed to allow for water drainage and maintained in a safe and sanitary condition.

3.07(2) has been changed to read: All medicine must have child resistant caps and shall be stored separately and locked or inaccessible and out of a child's reach.

4.01 Dietary Standards: is changed to read: ... The USDA My Pyramid, April 2005, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two (2) and older. The categories "oils" and "discretionary calories" may not be considered food groups...

4.09(1) is changed to read: Plates, utensils, cups, bottles and sippy cups provided by the family child care home that are not disposable shall be washed, rinsed and sanitized between uses. All bottles and sippy cups brought from home shall be individually labeled with the child's first and last name and returned.

7.07 is added to read: An adult must remain within sight and hearing of children being transported in a vehicle so as to be able to respond to the needs of the children at all times.

7.08 is added to read: 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 children:

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

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

Large Family Child Care Homes

10.02 is changed to add the following definitions:

- c. “Operator” means the occupant and licensee of the large family child care home who is at least 21 years of age and responsible for the over all operation of the home.
- d. “Substitute” means a competent adult, at least 18 years of age, who is available to substitute for the operator or employee on a temporary or emergency basis.
- e. “Active” refers to the status of a candidate’s awarded credential or certification in which requirements have been successfully met.
- f. “Begin training for child care personnel” refers to a candidate’s commencement of at least one (1) of the child care training courses listed in s. 402.305(2)(d), F.S. This may be accomplished by classroom attendance, acquiring an educational exemption from training, beginning a department approved online child care training course, or by completion of a department approved competency examination within the first 90 days of employment in the child care industry. The large family child care home is responsible for obtaining documentation from child care personnel.
- g. “Early Childhood Education” refers to coursework, certification, a credential or degree that specializes in children ages birth through eight (8).
- h. “Expired” refers to the status of a candidate’s awarded credential or certification that is not eligible for renewal.
- i. “Florida Child Care Professional Credential (FCCPC),” pursuant to s. 402.305(3)(b), F.S., is a department approved training program that consists of a minimum of 120 hours of early childhood instruction, 480 contact hours with children ages birth through eight (8) and at least two (2) methods of formal assessment that offers two (2) areas of certification; “Birth Through Five (formerly the department approved CDA Equivalency training programs)” and “School-Age (formerly the Florida School-Age Certification).” A list of approved and recognized FCCPC programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.
- j. “Florida Department of Education Child Care Apprenticeship Certificate (CCAC)” is a department approved child care credential that consists of a minimum of 120 hours of early childhood instruction and 480 contact hours with children ages birth through eight (8) and meets or exceeds the requirements outlined in s. 402305(3)(c), F.S. A list of approved and recognized DOE programs may be obtained on the Department of Children and Family Services’ website at www.myflorida.com/childcare.

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

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

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

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

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

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

2. 10.04(E) is changed to read: The Caregiver must possess a CF-FSP Form 5206, April 2005, Staff Credential Verification Confirmation or one (1) of the following credentials for a minimum of one (1) year prior to Large Family Child Care Home Licensure: An active National Early Childhood Credential (NECC); an active Birth Through Five or School-Age Florida Child Care Professional Credential (FCCPC) (formerly known as the Child Development Associate Equivalency); an active Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC) or School-Age Professional Certificate (SAPC); or meet the formal educational qualification requirement outlined on CF-FSP Form 5211, January 2008, Staff Credential Application, which is incorporated by

reference. An employment History Recognition Exemption will not be accepted to meet the minimum staff credential requirements for Large Family Child Care Homes. The Operator must submit CF-FSP Form 5206 and a copy of his or her CDA or other approved credential to the Local Licensing Agency with the Operator's application.

a. A candidate must complete CF-FSP Form 5211, January 2008, Staff Credential Application.

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

c. Credential Renewal Requirements.

(I) A National Early Childhood Credential must be renewed through the agency that awarded the credential. Prior to December 31, 2008, a National Early Childhood Credential may comply with the Birth Through Five Florida Child Care Professional Credential renewal process referenced in the paragraph below, if the credential was issued prior to December 31, 2003.

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

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

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

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

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

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

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

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

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

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

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

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

10.05(3) is added to read: Prior to initial licensing the local licensing agency must receive proof of background screening clearance on all employees and substitutes prior to caring for children, the employee and substitute for the employee, must submit to the employer a complete set of information necessary to conduct a screening under section 1.01 of this Ordinance.

10.06(1) is changed to include in the list of modules:

(G) Early Literacy for Children Ages Birth Through Three (5 hours online)

(H) Early Childhood Computer Learning Centers (5 hours online) or

(I) Emergent Literacy for Voluntary Pre-kindergarten (VPK) Instructors (5 hours online).

10.06(3) is changed to include:

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

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

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

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

10.06(10) Is changed to read: Prior to taking care of children, Substitutes for a employee at a Large Family Child Care Home who work less than 40 hours a month or an average during a 12 month period shall complete the Department's six (6) clock hour Family Child Care Home Rules and Regulations Training as evidenced by successful completion of a competency based examination offered by the Department of Children and Family Services' or its designated training representative prior to caring for children as documented on the Department of Children and Family Services' CF-FSP Form 5267 and the Department of Children and Family Services' child care training transcript. Large family child care substitutes who have successfully completed the three (3) clock hour Fundamentals of Child Care or the 30 clock hour Family Child Care Home Training are not required to complete the six (6) hour Family Child Care home Rules and Regulations course.

10.07 (2) is changed to add...One (1) staff on the field trip and one (1) staff member remaining on the premises with children must have a valid and current certificate(s) course of completion for infant and child cardiopulmonary resuscitation (CPR) procedures and first aid training....

Information for Attached Transportation Forms

FCCH Transportation Attendance Sheet (Family Child Care Homes)

This form has to be used prior to transporting children and upon the vehicle arrival at its destination by all FCCH Providers/Substitutes who transport children in their vehicle. See 7.08 of the “Changes in Rules and Regulations” for more specific information on this procedure.

Transportation Attendance Sheet (Large Family Child Care Homes)

This form has to be used prior to transporting children and upon the vehicle arrival at its destination by all Large FCCH Providers/Employees/Substitutes who transport children in their vehicle. In addition two (2) people must sign off on this form, the Provider and the Employee, one of whom is the Driver. See 7.08 of the “Changes in Rules and Regulations” for more specific information on this procedure.