

### **65C-22.008 School-Age Child Care.**

(1) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form (insert number) , (insert date), Application for a License to Operate a School-Age Child Care Facility, which is incorporated by reference. CF-FSP Form (insert number) may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link (insert link).

(2) Licensing: A school-age child care program must be licensed prior to operation and for continued operation, unless the program demonstrates that it is exempt pursuant to subsection (3), below. The license is issued in the name of the owner. The owner may be an individual, partnership, association, company or corporation, and the license must be posted in a conspicuous location where the school-age child care program is operating.

(3) Exemptions: A school-age child care program is not required to be licensed as long as the program complies with the minimum background screening requirements provided in ss.402.305 and 402.3055, Florida statutes and if the program demonstrates that conditions of one of the following criteria are met:

a. Programs on School Sites. The program is located on a public/nonpublic school site and:

1. Is operated and staffed directly by that school or through a formal agreement, such as a contract, between the school (or school district, when the latter reserves authority for such agreements) and a provider which names the school/school district as the responsible party for the operation of the program. A lease for space or user agreement, with or without the endorsement of the program by the school/school district, does not meet the formal agreement requirement.

2. Serves only the school-age children attending the school during the school day. The program may provide services during any out-of-school time, including before school, after school, on teacher planning days, holidays, and intercessions that occur during the school district's academic calendar year.

3. Follows the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities pursuant to section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator.

b. Instruction/Tutorial Programs. The program has a single instructional/tutorial purpose and that purpose is the only service that the program provides. Some examples of these programs include, but are not limited to, tutoring; a computer class; a ballet class; a karate class; baseball instruction or other sport; the program cannot provide any service beyond the instructional and tutorial/academic activity and:

1. Does not cater, serve, or prepare meals. The program may choose to provide drinks and ready-to-eat snacks that are individually pre-packaged and do not require refrigeration.

2. Does not advertise or otherwise represent that the program has attributes of child care, as defined in s. 402.302(1), F.S.;

3. Enrollment information shall clearly define the duration of the instructional sessions. Session time may not exceed two hours. If tutoring is provided in multiple academic areas, the total combined session times cannot exceed three hours per day.

c. Open Access Programs. The program meets all of the following criteria:

1. Operates/Serves children for less than four hours per day; however, the program may provide services during any out-of-school time, including before school, after school, on teacher planning days, holidays, and intercessions that occur during the school district's official academic calendar year;

2. Does not advertise or otherwise represent that the program is an afterschool child care program or that the program offers supervision;

3. Allows children to enter and leave the program at any time without permission, prior arrangements, or supervision, and the program does not assume responsibility for supervision;

4. Does not provide transportation, directly or through a contract or agreement with an outside entity, during the hours of operation for the purposes of field trips;

5. Does not serve or prepare any meals, except those provided through the USDA Afterschool Meal Program (AMP) administered by the Florida Department of Health, pursuant to Section 402.305(1)(c), F.S. Programs not participating in the AMP may choose to provide drinks and ready-to-eat snacks that are individually pre-packaged and do not require refrigeration.

d. Any program providing care for school aged children that is operated by, or in affiliation with a national membership non-profit organization that certifies membership organizations meeting the terms of section 402.301, F.S., in

at least ten states, that was created for the purpose of providing youth services and youth development, that charges a membership fee for children and may receive grant funding for services. Such is certified by its national association as complying with the association's purposes, procedures, minimum standards and mandatory requirements. The program must notify the Department prior to operating and annually, thereafter, of any operation of before school, after school or out of school time programs, provide verification of certification and good standing by its national association, and complete an annual attestation for compliance with background screening requirements. Failure by a program to comply with such reporting, providing required verifications, and screening requirements shall result in the loss of the program's exemption from licensure.

e. The program provides child care exclusively for children in grades six and above.

(4) School-Age Child Care Standards. School age child care programs must follow the standards found in the "School-Age Child Care Licensing Handbook (insert date), incorporated herein by reference. The handbook may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link (insert link).

(5) Definitions for terms used in this rule are contained in the "School-Age Child Care Licensing Handbook (insert date).

(4) 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 attends kindergarten through grade five.

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

(2) Licensure Requirements.

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

(b) After school programs that choose to expand their program beyond the parameters in subparagraphs (2)(c)1. through 4., below 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 (1)(a) above, must be licensed.

(c) An "After School Program" serving school age children is not required to be licensed if the program meets one of the following criteria, and complies with the minimum background screening requirements provided in Sections 402.305 and 402.3055, F.S.:

1. Program is located on public/nonpublic school sites, operated and staffed directly by that school or through a written or formal agreement between the school and a provider to serve school age children attending the school. These programs exclusively serve those children who attend the public/nonpublic school during the school day. The program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year. Pursuant to Section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator, shall follow the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities; or

2. Program provides only activities that are strictly instructional or tutorial/academic in nature. The program cannot provide any services beyond its regular instructional and tutorial/academic activities, and cannot serve or prepare meals. The program may choose to provide drinks, snacks, and vending machine items that do not require refrigeration. Some examples of these programs include, but are not limited to, computer class; ballet; karate; gymnastics; baseball, and other sports; or

3. Program meets all of the following criteria:

a. Operates for a period not to exceed a total of four hours in any one day; however, 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; and

b. Allows children to enter and leave the program at any time, without adult supervision; and

c. Does 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. Does not serve or prepare any meals, except those provided through the USDA Afterschool Meal Program (AMP) administered by the Florida Department of Health. The Department will consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the Department of Health, and the meal meets AMP requirements. Programs not participating in the AMP may choose to provide drinks, snacks, and vending machine items that do not require refrigeration; or

4. Provides after school care exclusively for children in grades six and above.

(d) Application for licensure. Application for a license or for renewal of a license to operate a school age child care program must be made on CF FSP Form 5017, July 2012, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF FSP Form 5017 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) or from the following link [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_03028](http://www.flrules.org/Gateway/reference.asp?No=Ref_03028).

1. Each completed CF FSP Form 5017 must be submitted with the licensure fee.

2. The completed CF FSP Form 5017 must be signed by the individual owner, or prospective owner, or director, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and approved fire and environmental health inspections.

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

4. A completed CF FSP Form 5017 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. Failure to submit a completed CF FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C 22.010(2)(d), F.A.C.

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

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

(a) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the school age child care program and on the premises at all times.

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

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

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

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

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

4. If a school age child care program uses a swimming pool that exceeds three feet in depth or uses beach or lake areas for water activities, the school age child care program 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 school age child care program provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (c)2., above.

5. During feeding times, children shall be individually fed or supervised appropriately for their ages and developmental abilities.

(d) Access. A school age child care program must provide the custodial parent or legal guardian access, in person and





(k) Health and Sanitation.

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

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

a. Employees, volunteers, substitutes, and children must follow the Centers for Disease Control guidelines for hand washing, which are incorporated by reference in paragraph 65C 22.005(1)(a), F.A.C., and encourage the children in care to develop good hand washing habits. Copies of the Center for Disease Control guidelines may be obtained from the Center for Disease Control website at [www.cdc.gov](http://www.cdc.gov) or from the following link [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_03037](http://www.flrules.org/Gateway/reference.asp?No=Ref_03037).

b. The use of hand sanitizers does not substitute for hand washing.

e. Employees, volunteers, and substitutes with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, shall not prepare food.

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

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

a. A dishwasher with a sanitizing cycle.

(I) The dishwasher must use heat or chemical injection for sanitization.

(II) If chemical sanitization is used, the wash water temperature must be set at a minimum of 120 degrees Fahrenheit and the rinse water must be a minimum of 75 degrees Fahrenheit. ———

(III) Automatic sanitizing dispenser must be properly installed and maintained.

(IV) A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during one full cycle per day at minimum.

(V) If hot water is used for sanitization, the dishwasher must achieve a temperature of 160 degrees Fahrenheit on the surface of equipment/dishes/utensils being washed.

(VI) The facility must have a means for measuring the required temperature either by an irreversible registering temperature indicator (heat strip) or an external temperature display built into the machine;

b. An installed three compartment sink or an installed two compartment sink with a non stationary or portable compartment receptacle. Installed compartment sinks may be used to wash produce and to fill cooking pots and pans with water when not in use for warewashing. Sinks must be sanitized before and after each use.

(I) The first compartment must be used for washing, the second compartment must be used for rinsing, and the third compartment must be used for sanitizing. If only an installed two compartment sink is available, the second compartment must be used for rinsing and a non stationary or portable compartment receptacle must be available and used to sanitize.

(II) If chemical sanitization is used, an exposure time of at least seven seconds is required for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 75 degrees Fahrenheit. If other sanitizers are used, the manufacturer instructions must be strictly followed.

(III) A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during each use.

(IV) If hot water is used for sanitizing, equipment/dishes/utensils must be immersed for a period of at least one half minute in hot water at a temperature of 170 degrees Fahrenheit or above;







guardian on the date of occurrence. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of program staff and custodial parent or legal guardian. The documentation must be maintained for one year. If the parent or legal guardian does not pick up the child on the date of occurrence of the accident or incident, the individual authorized to pick up the child must sign and be provided a copy of the accident/incident form.

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

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

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

c. Prescription and non prescription medication brought to the school age child care program by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name of the physician, child's name, name of the medication, and medication directions. All prescription and non prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label.

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

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

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

g. All medicine must have child resistant caps, if applicable, and shall either be stored in a locked area or must be inaccessible and out of a child's reach. If medication is stored in the food preparation area it must be stored in a manner to prevent contamination of food, food contact surfaces, or medication.

h. Medication that has expired or that is no longer being dispensed shall be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled at the school age child care program.

(n) Child Discipline.

1. Verification that the school age child care program has provided, in writing, the disciplinary policy used by the program shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.

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

3. A copy of the school age child care program's current written disciplinary policies must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

4. Do not withhold active play from children who misbehave.

(o) Attendance. Daily attendance of children shall be taken and recorded by the school age child care program personnel, documenting the time when each child enters and departs a child care facility or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate. Such records shall be maintained for a minimum of four months. Attendance forms used for School Readiness may be used if applicable.

(p) Nutrition.

1. If a school age child care program provides food to children in care, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA MyPlate, June 2011, 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

and older. Using the USDA MyPlate, 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. The categories “oils” and “discretionary calories” may not be considered food groups. Copies of the USDA MyPlate may be obtained from the USDA website at <http://www.choosemyplate.gov> or from the following link [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_03036](http://www.flrules.org/Gateway/reference.asp?No=Ref_03036).

2. If a facility chooses to provide food to children in care, directly or by contract with an outside source such as a caterer, the food must be in sound condition, free from spoilage and contamination and safe for human consumption, and must be stored and handled in a sanitary manner at all times. The facility must have adequate equipment available to maintain food safety.

a. Meat, poultry, fish, dairy products, and processed foods shall have been inspected under the United States Department of Agriculture requirements.

b. No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian.

c. No home canned food.

d. No home grown eggs may be served.

e. No recalled food products may be served.

f. All raw fruits and vegetables shall be washed thoroughly before being served or cooked.

g. To prevent food from becoming potentially hazardous, hot foods shall be maintained at a temperature of 135 degrees Fahrenheit or above, and cold foods shall be maintained at a temperature of 41 degrees Fahrenheit or below. The facility must supply adequate equipment to maintain temperature requirements.

h. Foods that comprise meals included on a facility’s menu may not be prepared or partially prepared outside of the facility unless prepared by a caterer or a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

i. Food must be thoroughly cooked and or reheated according to the following table:

Food	Minimum Internal Temperature
Fruits, Vegetables, Grains, and Legumes	135°F
Roasts ( Fresh Beef, Pork and Lamb)	145°F (with a 3 minute rest time)
Fish	145°F
Eggs	Cook until yolk and white are firm
Eggs dishes	160°F
Ground meats (beef, pork, and lamb) and fresh ham (raw)	160°F
Poultry – whole, parts, or ground	165°F
Leftovers	165°F
Foods cooked in microwave	165°F
Sauces, gravy, soups , casseroles	165°F

3. If a facility chooses to provide or make available food to children in care from an outside source such as a caterer, or as the result of a learning activity provided by a child care program, such as a garden, it is the responsibility of the provider to ensure all food intended for consumption by a child in care be in sound condition, free from spoilage, and contamination and safe for human consumption. The following documentation shall be maintained by the provider:

a. Food Acceptance Log. A log shall be maintained for all pre prepared meals being transported into the facility. The log shall be retained for a minimum of four months. The log shall include the date, time of arrival, quantity and types of food, verification by recipient of condition of food, verification by recipient of adequate temperatures of food, and the name and signature of recipient.

b. Parents of legal guardians must be advised in advance of each food related activities, such as special occasions and learning activities, which include food consumption. Written parental permission may be obtained in the form of a general or specific permission slip. Documentation of parent permission for food activities must be maintained for a minimum of four months from the date of each activity.

4. If a school age child care program chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

5. 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





~~11. Documentation of conducted fire and emergency preparedness drills must be available at the time of the inspection. Documentation produced after the inspection shall not meet the licensing standard or corrective action requirements.~~

~~12. After a fire or natural disaster, the operator must notify the licensing authority within 24 hours as to their operational status in order for the licensing authority to ensure health standards are being met for continued operation.~~

~~13. Automatic range top fire suppression systems are required in the kitchen for facilities that produce steam or grease laden vapors or shallow fry or deep fry food. Suppression hood systems must be maintained and inspected in accordance with the Florida Fire Prevention Code as adopted in Chapter 69A-60, F.A.C.~~

~~(t) Transportation. For the purpose of this section, vehicles refer to those owned, operated, or regularly used by the school age child care program, and vehicles that provide transportation through a contract or agreement with an outside entity. Parents' personal vehicles used for transporting during field trips are excluded from meeting the requirements in subparagraph 65C-22.001(6)(a)2. and paragraphs (b) and (c), F.A.C.~~

~~1. When any vehicle is regularly used by a school age child care program to provide transportation, the driver shall have the following:~~

~~a. A valid Florida driver's license,  
b. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.~~

~~2. All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.~~

~~3. All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic shall be maintained in the vehicle.~~

~~4. The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.~~

~~5. Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint unless the vehicle is excluded from this requirement by Florida Statute.~~

~~6. When transporting children, staff to child ratios must be maintained at all times. The driver may be included in the staff to child ratio.~~

~~7. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four months. The log shall include each child's name, date, time of departure, time of arrival, signature of driver, and signature of second staff member to verify the driver's log and that all children have left the vehicle.~~

~~8. Prior to transporting children, the driver's log must be recorded, signed, and dated immediately, verifying that all children were accounted for and that the log is complete.~~

~~9. Upon arrival at the destination, the driver of the vehicle shall:~~

~~a. Mark each child off the log as the children depart the vehicle;  
b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and  
c. Record, sign, and date the driver's log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.~~

~~10. Upon arrival at the destination, a second staff member shall:~~

~~a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and  
b. Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the log is complete.~~

~~11. Each vehicle shall be equipped with contact information for all children being transported. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication shall be available. The responsible adult shall be trained to recognize and respond appropriately to the emergency.~~

~~12. Planned Activities.~~

~~a. Each group or class must have a written and followed plan of scheduled activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served, and must include alternate activities in case of inclement weather, and include scheduled activities that:~~

~~(1) Promote emotional, social, intellectual and physical growth. Limit electronic media time (television, videos, movies, or computer games) to no more than 1 to 2 hours per day. Computer use should be limited to no more than fifteen~~

minute increments.

(II) Include both indoors and outdoor play, if applicable; and

(III) Include meals, snacks, 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 two working days prior to each field trip. Written parental permission must be obtained in the form of a general permission slip. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip. Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.

(u) Record Keeping.

1. General Requirements.

a. Each of the records described in this section shall be maintained at the school age child care program and shall be available during the hours of operation for review by the licensing authority.

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

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

2. Health Records. School aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the school age child care program as such records are on file at the school where the child is enrolled.

3. Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information shall be documented on CF FSP Form 5219, Child Care Application for Enrollment, which is incorporate by reference in subsection 65C 22.006(3), F.A.C., or an equivalent form that contains all the information required by the department on CF FSP Form 5219. CF FSP Form 5219 may be obtained from the licensing authority or by going to the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

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

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

c. There shall be signed statements from the custodial parents or legal guardian that the school age child care program has provided them with the following information:

(I) The department's child care facility brochure, CF/PI 175 24, Know Your Child Care Facility, which is incorporated by reference in subparagraph 65C 22.006(3)(a)1., F.A.C. This brochure may be obtained from the licensing authority or by going to the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Local licensing agencies may use an equivalent brochure approved by the department.

(II) The school age child care program's written disciplinary practices.

(III) Annually, during the months of August and September, the child care facility director must provide parents with information detailing the causes, symptoms, and transmission of the influenza virus. To assist providers the department developed a brochure, CF/PI 175 70, June 2009, Influenza Virus, Guide to Parents, which may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

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

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

b. Position and date of employment.

c. CF FSP Form 5337, Child Abuse & Neglect Reporting Requirements, which is incorporated by reference in paragraph 65C 22.006(4)(c), F.A.C., must be signed annually by all child care personnel.

d. Prior to beginning volunteering in a school age program, a CF FSP 5217, July 2012, Volunteer Acknowledgement, which is incorporated by reference, and may be obtained from the department's website [www.myflorida.com/childcare](http://www.myflorida.com/childcare) or from the following link [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_03032](http://www.flrules.org/Gateway/reference.asp?No=Ref_03032), must be completed and on file at the facility for the volunteer.

e. ~~Initial Screening.~~ Screening information must be documented on CF FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in paragraph 65C 22.006(4)(d), F.A.C. Screening includes the following:

(I) ~~Level 2 screening as defined in Section 435.04., F.S.~~

(II) ~~An employment history check must include the previous two years, which shall include the applicant's job title and a description of their regular duties, confirmation of employment dates, and level of job performance. Failed attempts to obtain the employment history must be documented in the personnel file and include date, time, and the reason the information was not obtained.~~

(III) ~~CF Form 1649A, July 2012, Child Care Affidavit of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel at time of initial screening or upon a change in employers. CF Form 1649A may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) or from the following link [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_03027](http://www.flrules.org/Gateway/reference.asp?No=Ref_03027).~~

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

(I) ~~The five year re screen is required for the all child care personnel.~~

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

(III) ~~CF 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. A copy of the CF 1649A may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).~~

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

g. ~~Break In Employment.~~ Child care personnel must be re-screened following a break in employment in the child care industry as outlined in sub-subparagraph (3)(u)4.e. above that exceeds 90 days.

h. ~~Leave of Absence.~~ If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five year re screen has come due during the leave of absence.

i. ~~Copies of training information and credentials as described in subsection 65C 22.008(4), below.~~

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

5. ~~Summary of Records.~~ In addition to the documentation outlined in subparagraphs (3)(u)1., 2. and 3., above, the following is a list of records that shall be maintained at the school age child care program and available during the hours of operation for review by the licensing authority.

a. ~~Driver's log. Must be retained for the previous four months as referenced in subparagraph (3)(t)7., above.~~

b. ~~Facility's written disciplinary policies as referenced in subparagraph (3)(n)3., above.~~

c. ~~Written record of fire drills. Must be maintained for a minimum of one year as referenced in subparagraph (3)(s)4., above.~~

d. ~~Documentation of staff members who have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement as referenced in sub-subparagraph (3)(m)2.b., above.~~

e. ~~Posted emergency telephone numbers, the facility address and directions to the facility as referenced in sub-subparagraph (3)(m)3.a., above.~~

f. ~~Documentation of accidents/incidents. Must be maintained for one year as referenced in sub-subparagraph (3)(m)3.e., above.~~

g. ~~Emergency evacuation plan and preparedness plan as referenced in subparagraph (3)(s)9., above. Documentation must be maintained for one year from the date of each drill.~~

h. ~~Record for each child receiving medication. Must be maintained for a minimum of four months after the last day the child received the dosage as referenced in sub-subparagraph (3)(m)4.f., above.~~

i. ~~Sample meal plan for special diet (if applicable). A copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)5., above.~~

j. ~~Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)5., above.~~

k. ~~Daily meal and snack menus, including meal substitutions. Must be maintained for four months as referenced in subparagraph (3)(p)6., above.~~

#### ~~(4) School Age Child Care Personnel Training Requirements.~~

##### ~~(a) Definitions.~~

1. ~~"Active" is the status of a candidate's awarded credential or certification signifying requirements have been successfully met.~~

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

3. ~~"Begin training for child care personnel" refers to a candidate's commencement of at least one of the child care training courses listed in Section 402.305(2)(d), F.S., and paragraph 65C 22.008(4)(e), F.A.C. This may be accomplished by classroom attendance in a department approved training course, acquiring an educational exemption from a department approved training course, beginning a department approved online child care training course, or by receiving results from a department approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida school age child care program. The child care facility is responsible for obtaining documentation from child care personnel.~~

4. ~~"Continuing Education Unit (CEU)" is a standard unit of measure of coursework used for training and credential purposes. The department will accept CEUs from education institutions accredited and recognized by the U.S. Department of Education, or nationally affiliated state professional organizations.~~

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

6. ~~"Director Credential" is a department approved comprehensive credential that consists of educational and experiential requirements as referenced in paragraph (4)(i), below.~~

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

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

9. ~~"Inactive" refers to the status of a candidate's awarded credential or certification that is no longer active; however, remains eligible for renewal.~~



10. "Professional contribution" for the purpose of Director Credential renewal, demonstrates a dedication to early childhood or school age education outside of the child care program responsibilities.

11. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training Transcripts may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

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

13. "Year of experience" is equivalent to a minimum of 1040 hours of paid and/or nonpaid documented work experience.

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

(c) Child care personnel must successfully complete 40 hours of child care training by completing the following department's training as evidenced by successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better. School age child care personnel must complete:

1. Child Care Facility Rules and Regulation (6 hours);

2. Health, Safety, and Nutrition (8 hours);

3. Identifying and Reporting Child Abuse and Neglect (4 hours);

4. School Age Appropriate Practices (10 hours); and

5. The remaining 12 hours must be met by completing training identified in either sub-subparagraphs a. or b. below.

a. Successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better for the following courses:

(I) Standards for Quality Afterschool Programs (8 hours online);

(II) Quality Self Assessment and Improvement for Afterschool Programs (4 hours online);

b. Completion of specialized school age training, provided by a national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

6. School age child care personnel in compliance with paragraph 65C 22.003(2)(a), F.A.C., shall be considered in compliance with the school age child care personnel training requirements.

7. In the event an individual leaves the child care industry in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, he or she shall be granted 90 days to comply with any new mandated training requirements established during the gap in employment in the child care industry.

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

(d) Documentation of Training. Effective October 1, 2010, the department's Training Transcript will be the only acceptable verification of successful completion of the department's training. Training completion documented on CF FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference, will no longer be accepted by the department after October 1, 2010, nor will any previous versions. Form CF FSP 5267 is provided to participants upon completion of a department approved training course. A copy of the department's Training Transcript may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

1. A copy of Training Transcript must be maintained at the school age child care program.

2. A copy of Training Transcript for the director of a school age child care program must be maintained in the department's licensing file.

3. As of October 1, 2010, any course completion certificate not documented on the Training Transcript will be considered invalid, requiring that the course(s) be retaken. Until the coursework is retaken and completed, child care facilities will be out of compliance with the mandated training standard.

~~(e) School age child care personnel are exempt from the training requirement of five clock hour early literacy and language development of children from birth to five years of age, under paragraph 65C 22.003(2)(b), F.A.C.~~

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

~~(g) Exemptions from the Introductory Child Care Training-~~

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

~~2. Educational Exemptions-~~

~~a. The department or its designated representative shall exempt child care personnel from the Health, Safety and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one of the following educational qualifications:~~

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

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

~~b. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.~~

~~c. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Elementary Education from the School Age Appropriate Practices course.~~

~~d. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Exceptional Student Education from the Special Needs Appropriate Practices course.~~

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

~~(h) Annual In Service Training-~~

~~1. Upon successful completion of the 40 hr introductory training requirements, as referenced in paragraph 65C-22.008(4)(e), F.A.C., child care personnel must complete a minimum of 10 clock hours or one CEU of in service training annually during the state's fiscal year beginning July 1 and ending June 30.~~

~~2. The annual 10 clock hours or one CEU of in service training concentrating on children ages birth through 12 must be completed in one or more of the following areas (college level courses will be accepted):~~

~~a. Health and safety, including universal precautions;~~

~~b. Child CPR;~~

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

~~d. Nutrition;~~

~~e. Child development—typical and atypical;~~

~~f. Child transportation and safety;~~

~~g. Behavior management;~~

~~h. Working with families;~~

~~i. Design and use of child-oriented space;~~

~~j. Community, health and social service resources;~~

~~k. Child abuse;~~

~~l. Child care for multilingual children;~~

~~m. Working with children with disabilities in child care;~~

~~n. Safety in outdoor play;~~

~~o. Literacy;~~

~~p. Guidance and discipline;~~

~~q. Computer technology;~~

~~r. Leadership development/program management and staff supervision;~~

- s. Age appropriate lesson planning;
- t. Homework assistance for school age care;
- u. Food safety training;
- v. Developing special interest centers/spaces and environments;
- w. Other course areas relating to child care or child care management.

3. Documentation of the in service training requirement must be recorded on CF FSP Form 5268, Child Care In-Service Training Record, which is incorporated by reference in paragraph 65C 22.003(6)(c), F.A.C., and included in the child care facilities' personnel records. CF FSP Form 5268 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare) or from the following link [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_03033](http://www.flrules.org/Gateway/reference.asp?No=Ref_03033). A new in service training record is required each fiscal year. The in service training records for the previous two fiscal years must also be maintained at the school age child care program for review by the licensing authority.

4. All child care personnel employed in the industry beyond 15 months, who change employment from one child care program to another during the fiscal year must complete the annual in service training requirement.

5. Child care personnel not in compliance with the annual in service training requirement described in this section must complete the remaining in service training requirement within 30 days of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year's in service training requirements.

(i) Director Credential.

1. Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., a child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential must meet the requirements referenced in CF FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which is incorporated by reference in paragraph 65C 22.003(8)(a), F.A.C. CF FSP Form 5290 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). All applications and documentation will be verified, and if complete, the credential will be issued by the department or designated representative on CF FSP Form 5252, April 2006, Florida Director Credential Certificate, which is incorporated by reference in paragraph 65C 22.003(8)(a), F.A.C.

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

b. Each school age child care program must have a credentialed director that is on site a majority of hours that the facility is in operation.

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

d. School age child care program owners must notify the licensing authority within five working days of when the facility loses a credentialed director or when there is a change of director.

(I) The licensing authority will then issue a provisional license for a period not to exceed six months for any facility without a credentialed director.

(II) The provisional license will have an effective date of the first day the facility was without a credentialed director.

e. CF FSP Form 5252, Florida Director Credential Certificate, must be maintained at the school age child care program for review by the licensing authority.

2. A credentialed director 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 four year old children in public before school and after school programs, the school district may participate in the multi site supervision option. Public school districts that serve four 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 paragraph 65C 22.003(7)(a), F.A.C., in order to accommodate the four year old children.

d. When a credentialed director is supervising multiple sites, the individual left in charge of the site during the

director's absence must meet the following requirements:

- (I) Be at least 21 years of age;
- (II) Have completed the approved 40 clock hour Introductory Child Care Training approved by the department; and
- (III) Have completed the department's Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight hours of in-service training in serving children with disabilities; or
- (IV) Have completed the department's School Age Appropriate Practices specialized training module.

~~3. Director Credential Renewal.~~

~~a. To maintain an active Director Credential at either level, complete the renewal section of the CF FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which may be obtained from the department's website at [www.myflorida.com/childeare](http://www.myflorida.com/childeare).~~

~~b. A Director Credential renewal, as documented on CF FSP Form 5252, Florida Director Credential Certificate is active for five years from the date of issuance. The completed renewal application, including all required documentation, may be submitted to the department for review, and issuance of a Director Credential Renewal Certificate no earlier than one year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.~~

~~c. If a renewal application is received after the end of the active period for the Director Credential, the Director Credential Renewal Application will be reviewed and, if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.~~

~~4. Director Credential Training Providers.~~

~~a. The department is responsible for reviewing and approving "Overview of Child Care Management" courses offered through vocational technical schools, community colleges and universities to determine if the requirements for the Director Credential coursework are met. Applications for new coursework will no longer be accepted by the department. A list of approved "Overview of Child Care Management" courses may be obtained from the department's website at [www.myflorida.com/childeare](http://www.myflorida.com/childeare).~~

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

- (I) Child Care and Education Organizational Leadership and Management;
- (II) Child Care and Education Financial and Legal Issues; and
- (III) Child Care and Education Programming.

*Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History-New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, 8-1-13;*

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