

Provider Meeting Webinar - New Rule Changes for Child Care Facilities FAQ

2 General Requirements

<p>For a childcare program that is part of a church or a community center that is sometimes open to the public, would rule 2.1 E apply to this situation?</p>	<p>The intent of standard 2.1E is to ensure an outside business is not being operated out of the same space of a licensed child care program exposing children to the public who have not been screened/trained. In the scenario described, the child care program needs to be kept separate from all church/community center activities. If common areas are used by the child care program, a separate schedule would have to be maintained and followed as the children in care may not intermingle with participants of other activities occurring on the premises. This includes outdoor play areas and bathrooms.</p>
<p>For a mixed age group, for instance a 2 and 3 year old classroom, how can providers ensure the equipment is “age appropriate”?</p>	<p>The toys and equipment in the room will need to be appropriate for children ages 2 and up since there are 2 and 3 year olds in the room. Determined in accordance with the manufacturer’s specifications.</p>
<p>With regard to facilities that are located on a large campus, but licensed in just one building (like a child care located on the premises of a college), if the program takes the children on walks on the college premises but not immediately around the building that the child care is located in, does this constitute a “Field Trip”?</p>	<p>Yes, the program would need to meet field trip requirements when leaving the immediate vicinity of the area licensed for child care.</p>

2.4.5 Water Activity Supervision

<p>Can water sprinklers be used for water play?</p>	<p>Yes, water sprinklers can be used. Note that constant and active supervision is required when any child is around water.</p>
<p>Can providers use water tables?</p>	<p>Water tables can be used for water play and/or other sensory activities.</p>
<p>Does the touch supervision rule in terms of water activity supervision, apply to water tables in which only the children's hands and lower arms are within the table?</p>	<p>No. Water activities requiring ‘touch supervision’ are activities occurring in swimming pools that are three feet or greater in depth, beach areas, or lake areas.</p>

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Is there a depth of water where it is not required for us to be within touch supervision?	Water activities requiring 'touch supervision' are activities occurring in swimming pools that are three feet or greater in depth, beach areas, or lake areas.
Is a slide that opens to a body of water at the bottom allowed? It is not a wading pool, but children come down the slide to it.	The pooled water at the base of the slide if untreated and unfiltered is considered to be the same as water in a wade pool. This is a sanitation hazard and not allowed.

2.5 Transportation

Are elementary schools going to be required to sign transportation logs?	No. This requirement applies to the staff of the child care program to accurately document the times the children get on and off the vehicle and conduct the visual sweeps at the end of each trip.
If a provider picks up students from a school and walks them to the facility, is the program required to fill out a transportation log?	Yes. Walking is considered a mode of transportation and requires the appropriate documentation.
Are subcontracted transportation services required to have seatbelts?	If the facility is contracted with the transportation company for services on a regular basis, then all transportation requirements apply.
Are car seats required? Who is responsible for providing them?	Each child, when transported, must be seated in a back seat in an individual factory installed seat belt or federally approved child safety restraint. The facility or the parent may provide car seats. However, the provider is responsible for ensuring all car seats meet requirements in Section 2.5.5.
The handbook age requirements for child restraints in a vehicle differ from the ones on the motor vehicle website. Which should providers follow?	For the purposes of licensing, child care providers must comply with the minimum standards set forth in the handbook. However, where the handbook contradicts with rules set forth by the Department of Motor Vehicles (DMV), providers are expected to comply with the rules of the road which are enforceable by DMV.

2.5.3 Transportation

What is meant by staff having the ability to recognize and respond to a medical emergency?	Children that have medical conditions will have an Emergency Care Plan and if medication is required on an "as needed" basis, then the documentation provided by the parent/guardian must have signs and symptoms to alert child care personnel when the medication should be used. Personnel that will administer the medication must be trained on how to appropriately administer that medication.
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The interior of vehicles used to transport children must be maintained at a temperature comfortable to children. What is the temperature range?	The temperature range of 65 to 82 degrees Fahrenheit must be maintained which is outlined in 3.3.3 for physical environment which includes vehicles used by the child care facility for transportation.
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3 Physical Environment

Does integrated pest management have to be an outside company?	The integrated pest management program does not have to be from an outside company.
Do we need proof of an integrated pest management on site?	No documentation is required at this time.
Can teachers mop during nap time while the children are sleeping?	Mopping cannot take place in rooms occupied by children including during naptime.
Do we have to maintain a daily indoor/outdoor inspection log?	Providers are not required to maintain documentation of indoor/outdoor inspections at this time. The Department plans on adding this requirement with the next rule revision.
Are the two exits in the playground fencing mandatory?	Yes, this standard is mandatory. However, for existing facilities licensed prior to the effective date of this rule, the Department is not requiring that a new exit be added unless the outdoor play area fencing is changed, then the standard would apply and two exits must be provided.
Do water or sand tables need to be emptied after every use or can the water stay until the end of the day?	Water must be emptied immediately after use.
Is a six inch resilient surface required?	Permanent or stationary playground equipment must have a minimum of 6 inches in depth of loose ground cover (such as but not limited to: mulch, shredded rubber chips, or sand) or other shock absorbing protective surface under the equipment and within the fall zone that provides resilience, and is maintained to reduce the incidence of injuries to children in the event of falls. If a manufactured shock absorbing protective surface is used then it must provide a minimum resilience of six inches as determined by the manufacturer's specifications.

3.6 Napping/Sleeping Requirements

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Can infants be swaddled? Several years ago, Samantha told us DCF did not recommend swaddling. Has this changed?	No, infants may not be swaddled unless the parent provides documentation from the child's physician for this alternate sleep position.
Can crib mobiles be used for infants who cannot roll over or sit up in cribs?	Hanging mobiles are prohibited for all infant cribs regardless of the infant age and/or development.
Can a light blanket be used for infants when sleeping?	Upon further review, it has been determined that a light receiving blanket would not be acceptable in accordance with safe sleep practices. Providers are encouraged to work with parents in providing comfortable clothing for napping/sleeping. Additionally, the provider must maintain a comfortable temperature in the room.
Are sleep sacks permitted in place of blankets?	Sleep sacks are acceptable.
Does the documentation for alternate sleep position need to be from the parent, physician or both?	The documentation for alternate sleep position must be from the child's physician.
Is a swing or rocking device considered an alternate sleep position?	In some cases, this would be considered an alternate sleep position if prescribed by the child's physician. In the absence of a doctor's note, should an infant fall asleep in a swing or rocking device, staff should immediately move the infant and place them in their crib.
How far does a crib need to be from a window with blinds or drapes?	The rule does not specify the distance for crib placement from blinds/drapes, however the intent of the rule is to minimize strangulation hazards in the infant sleep environment. Please note that there must be a minimum of 18 inches maintained around each individual napping space, therefore this would be a good starting point.
Can pacifiers be in cribs at nap time?	Pacifiers that are connected to a cord, string, stuffed animal, etc... are not allowed in the crib with the child because they would pose a strangulation/choking hazard. The rule/handbook does not prohibit the use of a plain pacifier during napping if desired by the parent for their child. Providers will need to be diligent about keeping pacifiers clean/sanitized throughout the day and should notify the parent when the pacifier becomes worn or torn as they cannot be used in this condition.

3.9 Food Preparation/Food Service

Are water filters sufficient to meet clean water requirement?	Water filters are acceptable.
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Does a child care facility have to have hot running water?	Hot running water is required for the food preparation, hand washing station, and dishwashing sinks.
Are there any sink/water fountain combinations that are acceptable to have?	Sink/water fountain combinations are prohibited.
With regard to sink/water fountain combinations. What should providers do if they already have one installed?	Uninstall it or remove either the faucet or water fountain plumbing fixture and cap off the opening so that the sink is only used for one function.
What if the parents bring foods that are considered choking hazards?	If the parents bring foods that are considered choking hazards providers should cut it to the age appropriate size before providing it to the child.
If a parent sends a child's lunch, and staff need to cut it- is that considered food prep? Would the provider need a food prep sink?	It is not considered food prep in the event that staff need to assist a child with food brought from home to ensure it is not a choking hazard.
"Breastmilk, Infant Formula, and Food" – Does this mean that "all" food items must be labeled with child's first and last name for infants, or just the breastmilk and formula?	Yes, all food items brought from home must be labeled with the child's first and last name.
The handbook states that freezers should be at 0 degrees' temperature. Should that be 32 degrees?	The freezer temperature must be maintained at 0 degrees Fahrenheit or below.

3.10.1 Handwashing

Where can providers find the CDC poster for handwashing?	The CDC poster that is incorporated in rule 65C-22.001(7)(u), F.A.C. can be obtained from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref-03037
Can the handwashing sink be used for anything other than hand washing (tooth brushing, diapering, cleaning toys, filling cups etc.)?	<p>Food Preparation Area – Requires a separate handwashing sink that is only used for handwashing for the purposes of food service. No other activity may occur in this sink. If food preparation occurs in a classroom, the program will need to have a designated handwashing sink for these activities. Additional sinks may be necessary.</p> <p>Diapering/Bathroom Area – Requires a handwashing sink, whether located in the bathroom or in the classroom that is only used for handwashing related to these activities.</p>

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	<p>This sink may not be used for any other purpose. Specifically, this sink must not be used for food service preparation, dishwashing, or food clean up.</p> <p>Classroom Area - Handwashing sinks that are in the classroom area that are not used after diapering/bathroom use, potentially could be used for multi-purposes such as filling cups, cleaning arts supplies, etc....</p>
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4.2 Training Requirements

Can the Fire Extinguisher Training count for annual in-service hours?	Yes, Fire Extinguisher Training may be used towards the annual in-service requirement for the licensure year it was completed. Please ensure to log the training on the In-service Training Record CF-FSP 5268 and attach supporting documents.
Is there an expiration date for Fire Extinguisher Training	There is no expiration date for this training. This is a onetime training requirement.
Can the Fire Extinguisher Training be taken online?	Yes, online Fire extinguisher training is acceptable.
Can a YouTube video or some other training video be used for the Fire Extinguisher Training?	Yes, online Fire extinguisher training videos are acceptable.
Can a director train their own staff on the fire extinguisher?	Yes, Fire extinguisher training offered by the director of the program is acceptable.
How soon does the staff need to have extinguisher training on record?	All staff shall be trained in the use and operation of a fire extinguisher within 30 days of employment.
Where should providers document the Fire Extinguisher training?	Training records should be included in the child care facilities personnel records.
How long after employment do employees have to get CPR/First Aid Training?	The timeframe for completion of CPR/First Aid training has not yet been established. The Department will provide further guidance with future rule promulgation.
Can the CPR class be online?	CPR courses must include on-site, instructor- based skill assessments by a certified CPR instructor. Documentation of completion of the online course and on-site assessment must be maintained at the facility and available for review by the licensing authority.
Are all child care personnel required to complete the safe sleep training?	Safe Sleep/ Shaken Baby Syndrome Training is required for all child care personnel, including substitutes and volunteers, that work in a facility that offers care to infants.

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What courses can be used to complete the safe sleep training?	The Department's Health Safety and Nutrition course, Safe Sleep course, or the Early Learning Florida's Safe Sleep Practices. Documentation of training must be maintained on the department's training transcript in the child care personnel record.
When do all employees need to have the safe sleep requirement met?	All staff shall complete the safe sleep training within 30 days of employment.

5 Background Screening

Where can providers find the list of 20 states that participate in the National Fingerprint File program?	A list of states participating in the National Fingerprint File (NFF) program can be found at https://www.fbi.gov/services/cjis/compact-council/interstate-identification-index-iii-national-fingerprint-file-nff
How do providers add/remove staff to the Clearinghouse Roster? And does this requirement include volunteers?	Instruction on how to add personnel to your Clearinghouse roster can be found here . Volunteers that work 10 or more hours at the program are required to be screened and trained. These volunteers must be screened in the Clearinghouse and must also be added/removed from the roster in the system.
When does the Attestation of Good Moral Character need to be signed? Does Attestation of Good Moral need to be notarized?	The Child Care Attestation of Good Moral Character must be completed for all child care personnel at the time of initial screening or upon change in employers. It does not require a notary.
Do current employees have to sign a new good moral character?	Current employees do not need to sign the new Child Care Attestation of Good Moral Character. The previous Affidavit of Good Moral Character that was signed prior to the rule change is still acceptable unless the individual experiences a break in service more the 90 days or changes employers.
Regarding Form CF-FSP 5131 the back of the new form has space for 2 Reference Checks, does this supersede the previous requirement of obtaining 3 Reference Checks for new hires?	The employee reference checks must include all employment that occurred within the preceding five years. If the individual only had one job or ten jobs in that time frame all references must be checked. Additional documentation of employment history checks may be notated and attached to the form.
Does the new CF-FSP 5131 need to be completed for current employees or just new employees?	The new CF-FSP 5131 should be used for new employees. For existing employees at the time of their five year re-screen providers may opt to use the new form for additional space to record dates and any new information and then attach it to the old form.

6 Health Requirements

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Can employees have a licensed medical professional administer this training?	Yes, having a licensed medical professional administer training is an acceptable option. Other acceptable options include having a health educator from the local health department or the child's parent/doctor/nurse conduct the training.
What type of training is required to meet the medical training for child care employees?	A training by the health department, the director, or the parent. The intent is to ensure the employee who is charged with medication dispensing and handling understands measurements, manufacturer directions, required documentation, and storage requirements.
Is a text message from a parent giving me permission to administer medication acceptable?	A text message is acceptable only in the event of an emergency.
Are providers required to record every time the cream/ointment is applied?	At this time, we are not requiring providers to record every time cream/ointment is applied. Providers should ensure the written permission/authorization from parents or guardian to apply at every diaper change or as needed and what for what period of time.

7.4 Personnel Records

How long do volunteer records need to be kept for?	For the duration of their volunteer work, then retain records need to be retained for a minimum of 4 months.
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7.5 Daily Attendance

Does this daily attendance 7.5 also apply to after school, school aged children?	Yes, this applies to school-aged children at a child care facility as well.
Does the classroom attendance sheet have to show arrival and departure times?	The arrival and departure times must be accurately recorded, but it does not necessarily have to be on the classroom roster. There can be one main attendance where parents or child care personnel record the time a child arrives and departs the facility.
Do providers need to do a daily attendance along with individual sign in sheets?	Either way as long as all of the pages are in one location.
Can providers use an electronic software for the attendance?	Yes. However, you must be able to have access to attendance records during an emergency where there is no electricity.
What if the parent does not want to sign in and out?	It is the responsibility of the provider to log the child in and out of the center. We will hold the provider accountable during licensing inspections.

If providers do not provide transportation, do they still have to call parents if they don't arrive at the designated time?	Yes, this standard applies to all enrolled children including those that are dropped off by parents.
How do we document we have called parents when a child is absent?	Providers can document their attempts on the attendance sheet or a separate call log. The provider may document in the manner that works best for the program.
Do providers need to have a separate log for documenting absences and when they call the parents?	A separate page is fine as long as they are kept together as described. The provider may document in the manner that works best for the program.
Is there a sample attendance form?	The Department does not currently have a sample attendance form.
What if the child comes at varied times?	We recommend putting in place a policy where the parent would have to notify you by a certain time if the child will be absent for that day. If they are not there by that time, and the program has not been contacted, contact the parent.
Can providers text and email parents if the child is absent as well?	Yes, document the contact and the manner in which it was made. We recommend calling first and documenting the call.
What if we cannot reach a parent by phone or text?	Contact the additional emergency contacts that are on the enrollment form.
What happens if a provider cannot reach the parent or any of the emergency contacts?	Document on the attendance sheet who you contacted and when you contacted them to show that you have exhausted all of your option of looking for that child.
Are providers held liable if we forget to call the parent within the hour if something happens to that child?	The Department cannot provide legal advice regarding liability, recommend addressing with provider's legal counsel.
How long do the records need to be kept of our center calling parents of absent students?	Attendance records must be maintained for a minimum of 4 months.
Why do providers have to contact parents if the child does not arrive within 1 hour of the normal arrival time?	The standard on attendance is an effort to ensure the health and safety of children by preventing tragic situations that have occurred across the state, where children are left in vehicles by providers and parents, and situations where children are being dropped off and walking away from bus stops or designated pick up locations without child care personnel's knowledge or follow-up on the whereabouts of the child.

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