Child Care Facility
Rules and Regulations

Revised: June, 2014
Several icons are used throughout this course as a visual reference.

This icon represents a new topic in the text. This is a visual cue for you to answer any questions about the previous section before moving along to the next one.

This icon is used to identify an exercise that involves in-class practice and feedback.

This icon is used to identify a specially designed activity that requires active class participation.

This icon is used to identify a section that is accompanied by a video.
Icons

This icon is used to identify a section where the participants should add items to their “Do’s and Don’ts” list.

This icon is used to identify an exercise that involves a role-playing scenario.

This icon is used to identify the use of a powerpoint slide related to the material in this section.

This icon is used to identify a key point in the material.
Module 1: The Regulation of Child Care Facilities

Module Goal:
This module will introduce the different types of regulations which govern child care in Florida, and the role of the regulatory agencies that enforce those laws.
Learning Objectives

• Define how regulations define your role and responsibilities as a child care provider
• State the authority and responsibilities of regulatory agencies involved in licensing and inspecting child care programs
**Florida Law** means a bill passed by the Florida legislature that is signed by the governor of Florida. The permanent collection of these state laws is found in the Florida Statutes.

In general, **Rules** implement, interpret and/or describe laws found in the Florida Statutes. The permanent collection of these rules is found in the Florida Administrative Code.

An **Ordinance** is a local law enacted by a county or municipality and only applies within the jurisdiction of the particular county or city.

A **Regulation** is a law, rule, ordinance, or other order prescribed by authority, especially to regulate conduct.
The **Florida Statutes (F.S.)** is a permanent collection of the state’s laws. They are updated annually by the laws that create, amend, transfer, or repeal statutory material. Florida Laws related to child care are found in several chapters of the Florida Statutes, including:

- Chapter 39, F.S. – Procedures Relating to Children
- Chapter 119, F.S. – Public Records
- Chapter 316, F.S. – Transportation Safety
- Chapter 381, F.S. – Public Health
- **Chapter 402**, F.S. – Health and Human Services
- Chapter 409, F.S. – Social and Economic Assistance
- Chapter 435, F.S. – Employment Screening
The **Florida Administrative Code (F.A.C.)** is the official compilation of administrative rules for the state of Florida. Per statute, the Florida Department of Children and Families is directed to establish licensing standards. The Florida Administrative Code contains several Chapters that have rules related to child care, including:

- Chapter 65C-20, F.A.C. (Family Day Care Homes, Large Family Child Care Homes)
- Chapter 65C-22, F.A.C. (Child Care Facilities)
- Chapter 65C-25, F.A.C. (Care of Mildly Ill Children)
- Chapter 64D-3, F.A.C. (Communicable Disease)
- Chapter 64E-6, F.A.C. (Sewage)
- Chapter 64E-8, F.A.C. (Drinking Water)
- Chapter 64E-9, F.A.C. (Public Swimming Pools)
- Chapter 64E-10, F.A.C. (Sanitation Facilities)
The Department of Children and Families, **Office of Child Care Regulation and Background Screening** is the licensing authority and currently regulates licensed child care facilities, licensed family day care homes, licensed large family child care homes, and licensed mildly ill facilities in most counties in Florida. In addition, the Office of Child Care Regulation and Background Screening administers the registration of family day care homes not required to be licensed. The office also provides consultation services, technical assistance, and in-service training to child care programs.
Key Point

The Florida Department of Children and Families Office of Child Care Regulation and Background Screening’s mission is to “ensure the health, safety, and well-being of the children of the state while in care through licensing and regulatory activities. The purpose of this program is to ensure that children are well cared for in a safe, healthy, positive, and educational environment by trained, qualified child care staff.”

TG -7
It is very important for all child care providers to know, understand, and follow the regulations that govern child care in the State of Florida. Child care laws, rules and ordinances are in place to protect children, families, and child care providers.
Activity: Roles of Other Organizations in Child Care Regulation

- This agency determines state rules pertaining to child care and enforces these rules by licensing and inspecting child care facilities.  
  
  *The Florida Department of Children and Families*

- This organization conducts the annual fire safety inspection for child care facilities and educates child care providers about minimizing fires and other threats to safety.

  *Local Fire Departments / Certified Fire Safety Inspectors*

- Governmental organizations that ensure compliance with building and zoning codes including septic capacity.

  *County Agencies*

- These organizations, found in some counties, regulate and enforce rules and local ordinances which must meet or exceed state standards.

  *Local Licensing Agencies*
Florida State Statutes

The Florida Department of Children and Families, local licensing agencies, departments, county fire departments and many other agencies, organizations, and entities work together to establish laws, rules and ordinances which benefit the children of Florida.

The Florida Department of Children and Families’ role is to put into place rules and regulations which uphold the Florida Statutes and the legislative intent of those statutes. They also enforce laws, rules and ordinances. They do all of this to protect Florida’s children.
Key Point

Laws, rules and ordinances relating to child care exist in Florida to protect children from abuse, neglect, injury, and exploitation.
The Child Care Professional and the Law

U.S. Statutes and Code of Law govern some important issues related to child care, such as the:

- **Americans with Disabilities Act**
- Individuals with Disabilities Education Improvement Act of 2004 (IDEA)
- Child Care Food Program
- School Readiness/Head Start Programs
- Occupational Safety and Health Act of 1970 (OSHA)
- Health Insurance Portability and Accountability (HIPAA)
Activity: Piece the Puzzle

**Rules** - Implement, interpret and describe laws found in Florida statute.

**Regulations** - A law, rule, or other order prescribed by authority, especially to regulate conduct.

**Legislators** - A body of people whose job is to enact laws.

**The Florida Statutes** - The permanent collection of Florida state laws.

**Ordinance** - A piece of legislation that is passed at the local level.

**Legislation** - A document that is discussed or voted on by the State Legislature or Federal House and Senate.

**Minimum Standards** - These are the basic requirements permitted by law or authority to operate a child care program.

**Regulatory Agency** - A government body responsible for directing and enforcing activities according to rule or statute.

**State Law** - A bill that has been passed by the State House and Senate and approved by the Governor.

**The Florida Administrative Code** - This is the official compilation of administrative rules for the state of Florida.
Here are the websites for the Department of Children and Families, the Florida Statutes, the Florida Administrative Code, and the Americans with Disabilities Act. Visiting them on a regular basis will help keep you current with the law.

- Florida Statutes: [http://www.leg.state.fl.us/Welcome/](http://www.leg.state.fl.us/Welcome/)
- Florida Administrative Code: [https://www.flrules.org](https://www.flrules.org)
In addition to going on the Internet, some other ways to track changes in laws, rules, and regulations are by:

- **communicating** with your local licensing office
- **joining** a professional association
- **reading** the newspaper
- **taking** continuing education courses
- **taking** training offered by employers
- **going** to the public library
Module 2: The Florida Statutes

Module Goal:
The goal of this module is to expose child care providers to key Florida Statutes that determine their roles and responsibilities as child care professionals.
Learning Objectives

• Define the role of the Florida Statutes in the provision of child care in child care facilities
• State the specific Florida Statutes related to child care in Florida
• Apply knowledge of the Florida Statutes as it relates to the daily work of a child care provider
An Introduction to the Florida Statutes

- The Florida Statutes contain Titles, or topic areas. The statutes that govern child care are found in Title XXIX (29), **Public Health**

- These titles are divided into Chapters. The statutes we are interested in are found in Chapter 402, which is related to Health and Human Services.

- All chapters are divided into Sections, and each Section may have several Subsections. Subsections may have sub-subsections. The sections we are interested in are found in Chapter 402, Sections 26 through 319.
An Introduction to the Florida Statutes

Levels of Statutory Construction

s. 402.305(2)(d)1.f., Florida Statutes
An Introduction to the Florida Statutes

As laws governing child care may change, in the future, when reviewing a law in the Florida Statutes, where should you refer?

• Florida Legislature’s website - 
  http://www.leg.state.fl.us/Statutes/

• DCF’s website - 
  http://www.dcf.state.fl.us/programs/childcare/laws.shtml
402.26 Child care; legislative intent.--

What does the legislature recognize in 402.26(1), F.S.?

- Many parents are working outside the home and need quality childcare
- Child care is critically important to many Floridians’ economic well-being
- The State needs to respond to the citizen’s concerns as they enter the childcare market

Child care can break the cycle of dependency programs and reduce the incidence of educational failure. The goal of the legislature as stated in 402.26(2) is to protect the health and welfare of children in care.
According to 402.26(3) and (4), how does the Legislature want to promote the growth and stability of the child care industry?

By developing a regulatory framework and promoting the development of child care options.
In 402.26(5), what does “disenfranchised” mean?
To deprive a person of a legal right or a privilege.

For children who are disenfranchised, child care may present an opportunity to have basic needs fully met.

The primary role of the child care professional is to:

- keep children **safe**
- provide good **nutrition** and a healthy environment
- create a quality environment for **learning**
Key Point

The child care provider supplements and enhances the role of parents and guardians and is the Florida Department of Children and Families’ partner to “protect the health, safety, and well-being of the children of the state and to promote their emotional and intellectual development and care.
402.281 Gold Seal Quality Care program.--

- Gold Seal Quality Care designation is given to a child care program that is accredited by a nationally recognized association.

- In addition to meeting the high standards of the accrediting association, in order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility must meet certain additional criteria.
402.302 Definitions.--

402.302(3) specifically sets out a definition of child care personnel. What is the purpose of defining child care personnel?

Child care personnel are defined to ensure that individuals who want to provide licensed child care understand training requirements and the need for background checks and screening.
402.302 Definitions.--

A child care facility is owned by a licensed corporation, but it has hired a director who oversees day-to-day operations. The corporation has strong written policies which govern the director’s actions, and the director has to follow them by contract. Which one is considered the operator?

The director.

Why do you feel this distinction is made in the statutes?

Statutes have legal impacts; they can assist in setting roles and responsibilities.
402.302 Definitions.--

• What agencies work with the Department of Children and Families to assist in assessing the background of child care personnel?

• The Florida Department of Law Enforcement
• The FBI
In accordance with 402.302(15), what is included in screening?

- **Employment history**

- **Statewide criminal records checks** through the Florida Department of Law Enforcement (requires fingerprinting)

- **Federal criminal records checks** (requires fingerprinting)

Note: Effective April 1, 2012 fingerprint cards were no longer accepted by FDLE. Live Scan will be the only method for fingerprint submission.
402.302 Definitions.--

402.302(16) states that when the word “Secretary” is used in Chapter 402, it refers to the Secretary of the Department of Children and Families. Can anyone name this person?

**Mike Carroll** (Interim)

What is the role of the Secretary?

The role of the Secretary is to insure laws and policies regarding the Department of Children and Families meet the needs of the State.
402.305 Licensing Standards; child care facilities--

According to this Section, the Department of Children and Families must:

- establish licensing standards for all facilities
- address issues related to the health, sanitation, physical surroundings, health and nutrition, and child development
- consider fire safety in its licensing standard
- adopt rules for licensing that enforce the standards
402.305 Licensing Standards; child care facilities--

Where can you find out more about the Staff Credential or other opportunities for training?

On the Department of Children and Families child care website.
What do you notice about the ratio of staff-to-children regarding to the age of the child?

The older the children, the less staff are needed.

Why is this?

Younger children need more supervision.
402.305 Licensing Standards; child care facilities--

What is confidentiality?

Confidentiality means protecting private information by making sure the public does not have access to it.
402.305 Licensing Standards; child care facilities--

Are the following forms of discipline allowed by Florida Statute, and thus, by the Department of Children and Families Rule?

- Withholding food during snack-time. No.
- Saying, “Don’t be like Jimmy. He’s being a bad boy.” No.
- Denying repeated requests to use the rest room. No.
402.305 Licensing Standards; child care facilities--

What is the best way of disciplining children in your care?

By taking Department of Children and Families’ online course, *Basic Guidance and Discipline* and by reading, understanding, and applying the written disciplinary practices of the facility that employs you.
If a person or a program has ever had a child care license denied, revoked or suspended, can they get relicensed?

Yes, after review by the Department of Children and Families or the local licensing agency.
402.3055 Child care personnel requirements.--

• The licensing agency notifies the applicant, in writing, that the license has been denied, and states why that decision was reached.

• If the Department of Children and Families (as the licensing authority) rejected the applicant, a hearing process is available as outlined in chapter 120, F.S.

• If a local licensing agency denied the application, the applicant has 15 days to file a written request for a hearing.

• The local licensing agency must hold that hearing within 30 days of the applicant’s request.

• If the denial stands, the applicant may appeal to the Department of Children and Families. The Department of Children and Families’ hearing must be held as described by statute.
402.307 Approval of licensing agency.--

• Each county in Florida has to provide the Department of Children and Families with a copy of its own minimum standards if they are different from the State’s, and has to tell DCF how it plans to license programs.

• The Department of Children and Families will review local minimum standards and if they meet or exceed DCF standards will approve a local licensing agency; approval is renewed every year.

• If a local licensing agency is not applying the state’s minimum standards, the Department of Children and Families notifies the local county commission.

• Local licensing agencies must provide the Department of Children and Families with data about child care in its county each year.
402.308 Issuance of license.--

• Child care programs in Florida are licensed **annually**
• If there is a **change in ownership**, a new license is required
• Programs undergo an **on-site review** to determine that the State’s minimum standards are being met
• The Licensing Authority must **coordinate** inspections, and if there are conflicts between inspectors, it must resolve them
• If a **licensing fee** has been submitted and **all standards** are met, a license will be issued
• A license will not be issued to any facility that has child care personnel who **have failed** the screening process
402.309 Provisional license.--

According to this statute, a provisional license may be issued to a facility which does not meet licensing standards but can take corrective action within six months.

A provisional license may NOT be issued if the facility is not in compliance with child care personnel screening requirements.
Key Point

The Florida Statutes determine elements the Department of Children and Families must use in writing rules that regard licensing child care facilities, personnel, and local licensing agencies in Florida.
402.310 Disciplinary actions; hearings upon denial, suspension, or revocation of license; administrative fines.--

- **Fines** can be levied against a licensee that is out of compliance.
- Probation status up to six (6) months, and a license can be suspended or revoked if corrective action is not taken; no probation-status license may be renewed.
- DCF can deny, suspend, or revoke a license without placing it on probation status first.
- Severity of violation, corrective actions taken by the licensee, and previous violations considered.
- The grounds for revoking, suspending, or denying a license, or placing a license on probation-status, and the system of imposing sanctions is established by DCF.
- Disciplinary actions are **consistent** across the state and **progressively more severe** according to the nature of the violation.
- Disciplinary actions must follow the procedures outlined in Chapter 120 of the Florida Statutes and Florida Administrative Code.
- Licensees have the right to **appeal** the action of the Department or local licensing authority.
402.311 Inspection.--

Where can you find out what kinds of things the Department of Children and Families might look for during an inspection?

Specific information about inspections may be found in the Florida Administrative Code.

402.311 FS states that if the Department of Children and Families or a local licensing agency suspects that a program is operating without a license, they can enter the facility with a warrant.
402.312 License required; injunctive relief.--

What is an injunction?

An injunction is a court order that stops someone from continuing an activity.

If the person does not stop doing the activity named in the injunction, they are in contempt of court and will face further discipline, usually in the form of fines. “Enjoins” in this statute means “prohibits.”
The Florida Statutes determine the elements the Department of Children and Families must use in writing rules that govern inspections and disciplinary actions related to licensing.
The brochure is called, “Know Your Child Care Facility” and it may be obtained on the Department’s website.

www.myflorida.com/childcare/

Available in English and Spanish
402.315 Funding and License Fees.--

We see that child care programs pay license fees, and that if the fees are collected by the Department of Children and Families, they are held in a trust fund and given to the department the following fiscal year. The Department of Children and Families has to spend the money on a certain activity. What is it?

The Department of Children and Families has to spend money on activities related to licensing.
The Florida Statutes determine the elements the Department of Children and Families must use in writing rules that govern licensing fees and the use of the money the fees generate.
FS 402.317: Prolonged child care.--

Can anyone name a job that might demand that a person work a 24-hour shift?

- Firefighter
- Hospital staff
- Law enforcement
FS 402.319: Penalties.--

A person has committed a **misdemeanor** in the first degree if he or she:

- lies about a child care program on an application
- operates, or attempts to operate, without a license
- operates, or attempts to operate, with a suspended, revoked, or terminated license
- lies about being licensed
- lies to a parent or guardian, a licensing authority, or law enforcement about:
  - the number of children in care
  - the part of the home used for child care
  - credentials
  - screening
  - training

If a child is harmed, that person has committed a 2nd degree felony.
Key Point

The Florida Statutes determine the elements the Department of Children and Families must use in writing rules that govern penalties against child care providers and child care workers.
This statute designates what training courses Department of Children and Families must offer. *(402.305)*

A local licensing agency must coordinate all inspections of child care facilities. *(402.308)*

You may not lie about the number of children in your facility. *(402.319)*

This states that child care workers must take an additional 1 continuing education unit or 10 clock hours of approved in-service training annually. *(402.305)*

This statute sets staff-to-children ratios and square footage per child. *(402.305)*

“Child care facility” includes any arrangement which provides child care for more than five children and receives a payment, fee, or grant. *(402.302)*

An application for a child care license contain a question must specifically ask the applicant if she or he has ever had a license denied, revoked, or suspended. *(402.3055)*

A licensed child care facility must allow inspection of its facilities, personnel, and records. *(402.311)*

This Statute describes the Gold Seal Quality Care program. *(402.281)*

Minimum standards for child care facilities shall be adopted in the rules of the Department of Children and Families. *(402.305)*

“Child care personnel” means all owners, operators, employees, and volunteers working in a child care facility. *(402.302)*
“When the department or the local licensing agency has reasonable cause to believe that grounds for denial or termination of employment exist, it shall notify, in writing, the applicant.” (402.3055)

Child care professionals should have good moral character. (402.301 and 402.305)

Child care facilities may provide 24-hour care if a parent’s job requires it. (402.317)

It is a misdemeanor to advertise a facility without listing its license number. (402.318)

Definitions used in the statutes and by Department of Children and Families are found here. (402.301)

This statute addresses nutrition. (402.305)

Every child care facility in the state must have an annual license. (402.308)

“Screening” means the act of assessing the background of child care personnel. (402.302)

“The department or local licensing agency may deny, suspend, or revoke a license or impose an administrative fine not to exceed $100 per violation, per day.” (402.310)

Any county may collect a fee for any license it issues. (402.315)

DCF can deny, suspend, or revoke a license without placing it on probation-status first. (402.310)

This statute prohibits spanking. (402.305)

Child care facilities must protect the health, safety, and well-being of children. (402.301)
Module 3: The Florida Administrative Code

Module Goal:
The goal of this module is to expose child care providers to key Florida Administrative Code sections that determine their roles and responsibilities as child care professionals.
Learning Objectives

• Participants will define the role of the Florida Administrative Code in the provision of child care in Florida
• Participants will state specific rules in the Florida Administrative Code related to child care in Florida
• Participants will be able to apply the Florida Administrative Code as it relates to the daily work of child care providers in key business practices
The Florida Administrative Code

The Florida Administrative Code (FAC) contains rules and regulations developed by the Department of Children and Families and fulfills the legislation found in the Florida Statutes. Like the Florida Statutes, the FAC is divided into chapters with sections and subsections.

- 65 reflects the rules and regulations of the Department of Children and Families
- C designates the Division of Family Safety and Preservation Program
- 65C-22 is the chapter devoted to child care standards for child care facilities
- Chapter 65C-22 is further broken down into specific rules or sections
Chapter 65C-22, Child Care Standards for Child Care Facilities

- **65C-22.001**: General Information
- **65C-22.0011**: Definitions
- **65C-22.002**: Physical Environment
- **65C-22.003**: Training
- **65C-22.004**: Health Related Requirements
- **65C-22.005**: Food and Nutrition
- **65C-22.006**: Record Keeping
- **65C-22.007**: Evening Child Care
- **65C-22.008**: School Age Child Care
- **65C-22.009**: Gold Seal Quality Care Program
- **65C-22.010**: Enforcement
Licensing focuses on the health, safety, and well-being of children.
65C-22.001: General Information

(1) Application. (6) Transportation.
(2) License. (7) Planned Activities.
(3) Minimum Age Requirements. (8) Child Discipline.
(4) Ratios. (9) Access.
(5) Supervision. (10) Attendance.
(11) Child Safety.
65C-22.001 (1): Application

What kind of application is being described in 65C-22.001(1), Application? Will it result in a license for a child care provider or for a facility?

The license being described is for a facility.
65C-22.001 (2): License

What Florida statute calls for parents and guardians to be notified if a facility changes ownership?

It is s. 402.305(18), F.S. Remember, all the rules found in the Florida Administrative Code are based on the Florida Statutes.
65C-22.001 (3): Minimum Age Requirements

In the absence of the operator, there must be a staff person at least 21 years of age in charge of the child care facility and on the premises at all times.
In accordance with 65C-22.001(4) Ratios, what Florida Statute establishes staff-to-children ratios?

It is s. 402.305(4), F.S.
65C-22.001 (4): Ratios

- For children from birth through 1 year of age, there must be one staff for every 4 children.

- For children 1 year of age or older, but under 2 years of age, there must be one staff for every 6 children.

- For children 2 years of age or older, but under 3 years of age, there must be one staff for every 11 children.

- For children 3 years of age or older, but under 4 years of age, there must be one staff for every 15 children.

- For children 4 years of age or older, but under 5 years of age, there must be one staff for every 20 children.

- For children 5 years of age or older, there must be one staff for every 25 children.
Mixed Ratios:

- In groups of mixed age ranges, where children under 1 year of age are included, one staff member shall be responsible for no more than 4 children of any age group.

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

- When children 2 years of age and older are in care, the staff-to-children ratio shall be based on the age group with the largest number of children within the group.
65C-22.001 (4): Ratios

There must be **ONE** child care personnel for every:

<table>
<thead>
<tr>
<th># of Children</th>
<th>Ages</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Infants (Birth to 1 year)</td>
</tr>
<tr>
<td>6</td>
<td>1 year olds</td>
</tr>
<tr>
<td>11</td>
<td>2 year olds</td>
</tr>
<tr>
<td>15</td>
<td>3 year olds</td>
</tr>
<tr>
<td>20</td>
<td>4 year olds</td>
</tr>
<tr>
<td>25</td>
<td>5+ year olds</td>
</tr>
</tbody>
</table>

**Ratio of Age Group of Youngest Child**

- Mixed Age Groups (if group includes child under 1 years of age)
- Mixed Age Groups (if group includes child under 2 years of age)
- Mixed Age Groups (if group includes child 2 years of age or older)
65C-22.001 (5): Supervision

- **Direct supervision** is defined
- **Nap supervision** is defined
- **Feeding** supervision is defined
- Drug or alcohol use is not permitted
- There are additional supervision requirements during **field trips and water activities**
65C-22.001(6): Transportation

What are the main points of 65C-22.001(6), Transportation?

• A facility driver transporting children has to have a **Florida driver’s license**.
• The driver must pass an **annual medical exam** and gain medical permission to drive.
• The driver must complete **first aid and CPR training**.
• Facilities have to **insure** their vehicles according to s. 316.615(4), F.S.
• Vehicles have to be **inspected** every year by a mechanic, and proof of that inspection has to be kept in the vehicle.
• The number of people in the vehicle cannot exceed the number of safety belts.
• Staff-to-children ratios have to be met in vehicles, just as they do in facilities.
• The driver must conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle.
• A second staff member must conduct a **physical inspection and visual sweep** of the vehicle to verify that no child is left in the vehicle.
• The **transportation log** must be signed by the driver and second staff member. And, by signing the log the driver and the second staff member are attesting they have verified no child has been left in the vehicle.
65C-22.001(6): Transportation

Why are transportation logs so prominently mentioned in 65C-22.001(6)?

To make sure no child is ever left behind in a vehicle or at a location other than the facility.

What could happen to a child left behind in a vehicle?

A hot vehicle could cause heat exhaustion, heat stroke, or death. A child could leave the vehicle to look for a caregiver and become lost or abducted.
In Module 1 we discussed the best way to determine appropriate methods of discipline and how to use them in a child care facility. What was that?

To read, understand, and follow the facility’s written discipline policies.

Accepted methods of discipline include: **Redirection, modeling, and reminding**.

**Severe, humiliating, frightening, or discipline associated with food, rest, or toileting, and spanking or any other form of physical punishment** are prohibited methods of discipline.

Children may not be denied active play as a consequence of misbehavior.

According to 402.305 (12), F.S. every licensed child care facility must have a written discipline policy, and it must be available to the licensing authority at all times.

To find out more information about acceptable methods of discipline take the DCF online course, *Basic Guidance, and Discipline*. 
65C-22.001(11): Child Safety

Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39 of the Florida Statutes constitutes a violation of the standards.

If any child in your care is abused or neglected, your entire facility will be in violation of many standards found in state statute.

Failure to perform the duties of a mandatory reporter pursuant to s. 39.201, F.S., constitutes a violation of the standards in 402.301-319, F.S.
65C-22.002: Physical Environment

(1) General Requirements.  
(2) Rooms Occupied by Children.  
(3) Indoor Floor Space.  
(4) Outdoor Play Area.  
(5) Napping and Sleeping Space.  
(6) Restrooms.  
(7) Fire and Emergency Safety.  
(8) Food Preparation Area.  
(9) Food Storage.  
(10) Health and Sanitation.  
(11) Equipment and Furnishings.
65C-22.002 (1): General Requirements

What are the main points of 65C-22.002 (1) General Requirements?

- the facility must be clean, in good repair, and free from health and safety hazards
- no activity may take place on the premises during operating hours that presents a danger to children
- must be free from fire hazards
- adequate space must be provided for infants to engage in developmentally appropriate movement
- animals must have current immunizations, be healthy and clean, and kept away from food storage, preparation and service areas
- all potentially harmful items must be labeled
- harmful items shall either be stored in a locked area or must be inaccessible and out of a child’s reach
- no firearms or weapons present
- no narcotics, alcohol, or other impairing drugs present
- smoking is prohibited
- facility buildings must meet local building codes
65C-22.002 (2): Rooms Occupied by Children

One of the things we must know to read this code properly is the definition of the word, “candle,” as it is used here.

A foot candle measures the amount of light that actually falls on a surface, such as a floor or table.

Watts are not measurements of light, but measurements of electrical power as an indication of energy consumption. A supermarket is lit at between 100 and 200 Foot candles. A home is lit at about 10 to 20.

Why is it important to have sufficient lighting?

At all times lighting must be sufficient to visually observe and supervise children, including during naptime to ensure their safety and well-being.

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65C-22.002 (3): Indoor Floor Space

What is the main point or points made in this code?

- The Department of Children and Families requires either 20 or 35 square feet of usable floor space per child, depending on when the facility was first licensed.

- Capacity must be posted.

- Square footage may be suspended during specific times.

In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must also have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times.
65C-22.002 (3): Indoor Floor Space

A child care facility that held a licensed prior to October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child.

A child care facility that did not hold a licensed prior to October 1, 1992, must have a minimum of 35 square feet of usable indoor floor space for each child.
65C-22.002 (4): Outdoor Play Area

What is the main point or points made in 65C-22.002(4), Outdoor Play Area?

• The Department of Children and Families requires a minimum of 45 square feet of safe outdoor play area per child for one-half of the facility’s population over 1 year of age.

• A “safe” outdoor play area is defined.

• Urban facilities are given permission to substitute indoor play space for outdoor play space under certain conditions.
65C-22.002(5):
Napping and Sleeping Space

What are the main points of this rule?

The Department of Children and Families requires that children have a safe, clean, and comfortable place to rest as determined by the rules in this code.

There is a short phrase to help us remember how to reduce the risk of SIDS. What is it?

**Back to sleep.**

What does the phrase mean?

**Babies who can’t roll over on their own must be placed on their backs, not their stomachs, to sleep.**
What is the main point or points made in this code?

- The Department of Children and Families requires that children have **access** to sanitary toilet facilities in a sufficient amount, **based** on the number of children under care.
- Potty chairs are not considered toilets.
- There has to be at least **one** bath facility.
- Running water, soap, trash receptacles, toilet paper, and disposable towels or hand drying machines shall be available.
65C-22.002(7): Fire and Emergency Safety

What are the main points of this section of code?

- Facilities have to conform to standards set by the State Fire Marshal.
- Facilities must be inspected annually and the report must be on file with the licensing authority.
- Every facility must have at least one corded telephone, and it can’t be locked or located at a pay station.
- Fire extinguishers must be readily available and staff proficient in their use.
- Range-top fire suppression systems are required if the facility chooses to shallow/deep fry food.
- Facilities must conduct fire and emergency preparedness drills.
- A current attendance record must accompany staff out of the building during a drill or actual evacuation.
- Operators shall develop a written emergency preparedness plan.
65C-22.002(7): Fire and Emergency Preparedness

When shall drills be conducted?

During the facility’s operating year, fire drills shall be conducted **monthly** at various dates and times when children are in care.

Each drill, excluding fire drills, outlined in the emergency preparedness plan must be practiced a minimum of one time per year and may substitute for up to 3 monthly fire drills.
65C-22.002(8): Food Preparation Area

In accordance with 65C-22.002(8), Food Preparation Areas must include the following:

- ventilation
- smooth, nonabsorbent food contact surfaces
- properly maintained and stored food equipment
- shielded lighting
- nonabsorbent/easily cleaned floor covering
- easily cleanable/replaceable ceiling
- a separate hand washing station as specified in the rule
- leak proof, nonabsorbent containers with tight-fitting lids for food waste

This rule also covers:

- sanitation requirements for staff working in food preparation areas
- child safety aspects
- cleanliness

TG - 56
65C-22.002(9): Food Storage

Food storage is another important component of food safety. In accordance with 65C-22.002(9), facilities that prepare food must have a designated space for food storage.

- Food containers must be stored above the floor on clean surfaces and protected from splash contamination.
- **Food must be consumed or discarded on/before it expires.**
- Hazardous products must be stored separately from food
- Open packages of perishable food and leftovers must be covered/sealed, labeled with date, properly stored and discarded within 7 days.
- Open packages of dry goods must be covered/sealed, properly stored and discarded according to the manufacturer’s recommended date or when quality is compromised.
65C-22.002(9): Food Storage

Refrigerators and freezers that store food must have accurate thermometers to verify cold storage temperatures.

- **Refrigerators must be maintained at \( \leq 41^0 \text{F} \) and freezers at \( 0^0 \text{F} \).**

- Food may be frozen prior to the expiration date, but when thawed must be labeled with date and used or discarded within 7 days.

- Food has a limited amount of time that it can be frozen. Food that is frozen too long will experience degradation in quality and may pose health risks. Food must be labeled with type and date frozen.

- Be sure that you thoroughly understand all licensing standards on food safety if you serve food at your facility.

TG - 56
65C-22.002(10): Health and Sanitation

What are the main points of this code?

- All buildings must have screens on open windows and doors
- Caregivers must wash hands in accordance with CDC guidelines after performing personal hygiene on themselves and others, and after other activities as outlined in rule
- Children must have access to safe drinking water
- If children sleep overnight in the facility, staff must make sure teeth get brushed and faces and hands get washed before bed
- Children can’t share toothbrushes, towels and wash cloths

- 65C-22.002(10) also includes diapering and bedding requirements as well as ware washing, sanitization and food handling information that is important to facilities that prepare food.

TG - 57

Child Care Facility Rules and Regulations
65C-22.002(11): Equipment and Furnishings

What are main points in this code?

• Toys, equipment and furnishing must be provided by the facility
• They must be safe and sanitary
• Sufficient age-appropriate seating must be provided during meals
• **There are specific regulations for outdoor equipment**, and these are in place to maintain safe conditions for play
When inspecting a playground for safety, what should you look for?

- Equipment is anchored securely
- Equipment is clean and free of rust
- Equipment is free of insects, such as wasp nests underneath and ant hills near legs
- Equipment is free of broken parts or jagged edges
- Soft surface under equipment is in good condition
- There are no hazardous objects nearby, such as nails, broken glass, or empty cans
65C-22.003: Training

(1) Definitions.
(2) Training Requirements.
(3) Exemptions from the Introductory Child Care Training.
(4) Documentation of Training.
(5) Trainer Qualifications.
(6) Annual In-service Training.
(7) Staff Credentials.
(8) Director Credential.
Does registering for courses constitute beginning training?

No. “Beginning training” means starting a course. This is accomplished by attending your first child care training instructor based course or starting an online course, acquiring an educational exemption, or completing a competency examination.

Note: All child care personnel must begin training within 90 days of employment in the child care industry.
**65C-22.003(2): Training Requirements**

What are the Introductory Child Care Training requirements for child care personnel?

Child care personnel must take all Part I courses (30 hours), 10 hours of any Part II course, and an early literacy and language development course.

A provider may choose to complete the early literacy training as part of the Part II requirement, if they take one of the Department’s online courses and pass the corresponding competency exam or complete an early literacy college level course.

Note: Training must be completed within 12 months from the date training began, and must be finished 15 months from the date of employment.
What are the two ways to be exempt from introductory training?

Exam or Educational exemptions are available.

But note that there are no exemptions for *Child Care Facility Rules and Regulations*, *Identifying and Reporting Child Abuse and Neglect* courses or from the Department’s online training courses.
How is training documented?

The **Department of Children and Families Training Transcript** is the only acceptable verification of successful completion of the department’s training.
65C-22.003(5): Trainer Qualifications

Why are there requirements for trainers?

The requirements ensure that introductory trainers have a minimum level of **education and experience** in early childhood education.
65C-22.003(6): Annual In-Service Training

What is in-service training?

In-service training is training that is completed on an annual basis to improve knowledge about the child care profession.

How many hours of annual in-service must be completed?

Upon completion of Parts I and II introductory training requirements, all child care professionals must complete **10 hours** of training annually.

When must the hours be completed?

In-service training must be completed within the state’s fiscal year, which is July 1 – June 30.
65C-22.003(7): Staff Credentials

There is 1 credentialed staff required for every 20 children in care in a child care facility.

- 29 children requires how many credentialed staff? (1)
- 39 children requires how many credentialed staff? (1)
- 42 children requires how many credentialed staff? (2)
- 59 children requires how many credentialed staff? (2)
65C-22.003(7): Staff Credentials

- What are the various ways a person may earn a staff credential?

- National Early Childhood Credential
- Birth Through Five Florida Child Care Professional Credential Certificate
- Florida Department of Education Child Care Apprenticeship Certificate (CCAC), Early Childhood Professional Certificate (ECPC) (formerly CDA Equivalent), or School-Age Professional Certificate (SAPC) (formerly School-Age Certification Training)
- School-Age Florida Child Care Professional Credential
- Formal education qualifications

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65C-22.003(7): Staff Credentials

A person may apply for or renew a staff credential by downloading the Staff Credential Verification Application CF-FSP 5211 from the DCF Child Care website, then selecting “Training & Credentialing” and then “Staff Credential.”

Fill out the second page of the form, sign the form, and then mail the form with the required documentation to the address on the form.
65C-22.003(8):
Director Credential

Every child care facility is required to have a credentialed director.

What are the two components of the Director Credential?

Education and Experience.

Does the Director Credential have to be renewed?

Yes.
65C-22.004: Health Related Requirements.

(1) Communicable Disease Control.

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

(3) Medication.
65C-22.004 (1): Communicable Disease Control

What are the main points of 65C-22.004(1)?

- Children need to have **daily health checks** to notice signs of disease
- Sick children or personnel should be first isolated then removed from the facility
- The code describes signs of communicable disease
- An isolation area needs to be furnished so it may be sanitized easily
- Isolated children must be **within sight and hearing** of caregivers
- The health department needs to be notified of any outbreak

What is a communicable disease?

A communicable disease is one that can be transmitted from one person to another through direct or indirect contact.
Communicable Disease Call Out

- Hepatitis
- Measles
- Meningitis
- AIDS
- HIV
- Diphtheria
- German Measles (Rubella)
- Whooping Cough (Pertussis)
- Tuberculosis
- Chicken Pox
- Mumps
- Salmonella
- Shigella
- Campylobacteriae
- Giardia
- “flu”
- Colds

TG - 63
65C-22.004 (2): First aid, Cardiopulmonary Resuscitation, and Emergency Procedures

A facility in compliance with this code has:

- valid first aid and CPR certificate(s) on file
- a person on duty holding a valid certificate(s)
- a first aid kit that includes at a minimum the contents listed in the code

What accidents are to be reported to the parent or guardian?

All of them.

What do facilities have in place to help us document an accident or injury?

A written accident/incident report and policies.

TG - 63
65C-22.004(3): Medication

What are the main points of this part of this subsection?

- Facilities do not have to dispense medication
- If a facility chooses to dispense medication, *specific conditions* must be met
- Prescription and non-prescription drugs may be given only with written permission
- Written directions from a label or prescription must be followed
- Known allergies to medication must be shared with staff and posted with stored medication
- Medicine should be inaccessible by children
65C-22.005: Food and Nutrition

(1) Nutrition.

(2) Breastmilk, Infant Formula and Food.
65C-22.005(1): Nutrition

65C-22.005(1) stipulates that if a facility 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 children.

What is the USDA MyPlate?

It is used to determine what food groups to serve and serving sizes for children ages 2 and older.

If a facility chooses not to supply food, who is responsible for making certain the child receives nutritious food while at the facility?

Arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

TG - 65
65C-22.005(1): Nutrition

If a facility supplies food, the food must be in good condition and free from spoilage. Additionally:

• Meat, poultry, fish, dairy products, and processed foods shall have been **inspected** under the USDA requirements
• No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian
• No home-canned food or home-grown eggs may be served
• No recalled food products may be served
• All raw fruits/vegetables shall be washed thoroughly before being served or cooked
• Hot foods shall be maintained at a temperature of **135°F** or above, and cold foods shall be maintained at a temperature of **41°F** or below
• Minimum internal temperatures of cooked/reheated food specified
• Food quality and safety must also be ensured if outsourced
65C-22.005(2): Breastmilk, Infant Formula and Food.

65C-22.005(2) provides regulations on the safe use of breast milk, formula and feeding infants.

- Heated bottles or food must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.

- Bottled breast milk, infant bottles, and formula shall not be heated in a microwave oven.

- A bottle may be warmed only once; a warmed bottle may not be returned to the refrigerator or re-warmed.
The Florida Administrative Code describes the Department of Children and Families’ rules relating to meeting the health and nutrition needs of children.
65C-22.006: Record Keeping

(1) General Requirements.
(2) Children’s Health Requirements.
(3) Enrollment Information.
(4) Personnel Records.
(5) Summary of Records.
65C-22.006(1): General Requirements

65C-22.006(1) states that facilities are required to maintain records that document compliance with Florida Statute 402.305, Licensing Standards, and rules found in Chapter 65C-22. When must these records be available for review by the licensing authority?

During the hours of operation.

Are copies of records acceptable for documentation?

Yes.
65C-22.006(2): Children’s Health Requirements

The primary medical records required by 65C-22.006(2) are:

- DH Form 3040, Student Health Examination
- DH Form 680, Florida Certification of Immunization or
  DH Form 681, Religious Exemption from Immunization

Many child care providers do not refer to these forms by their official names, instead referring to them as “The gold form” and “the blue form,” or “physical” and “shot record.”

What children are not required to have these records on file at the facility?

School-age children who are enrolled in a public school
What are the main points of this code?

- Facilities must use an enrollment form provided by DCF or one that contains all the information requirements contained by the DCF form.
- Enrollment forms must be kept current and on file.
- **No child** can be released to any one other than a custodial parent, guardian, or other person authorized in writing by the custodial parent.
- Parents must receive a copy of the DCF brochure, Know Your Child Care Center, or an equivalent.
- Parents must receive a copy of the facility’s **written** disciplinary practices and food nutrition policies.
65C-22.006 (4): Personnel Records

- **Employment** application with employee statement
- Record of position and **date** of employment
- Child Abuse & Neglect Reporting Requirements, CF-FSP 5337
- **Background** Screening and Personnel File Requirements, CF-FSP Form 5131
- Employment **history**
- Affidavit of Good **Moral Character**, CF-FSP 1649A
- Training **transcript** that documents statutorily mandated training
- Director/Staff **credentials**
- Child Care **In-Service Training** Record, CF-FSP 5268
- **Certifications** including first aid, and infant and child cardiopulmonary resuscitation
- **Driver’s** license (Driver Only)
- Driver’s **physical exam** record (Driver Only)
David – started in the child care industry and completed the background screening requirements 3 years ago and has remained employed.

**David does not need to be screened until his 5 year re-screening.**

Lisa - is employed in a child care facility and completed the background screening requirements 2 years ago. She takes four months for maternity leave. She has now returned to work.

**Lisa does not have to be re-screened.**

Maria – worked in the child care industry in 1999 for six months. She left the industry.

**Maria must be screened.**

Samantha – has never worked in the child care industry.

**Samantha must be screened.**
65C-22.006(5): Summary of Records

- Driver’s **Logs**
- **Parental permission** forms for field trips and food activities/special occasions
- **Disciplinary** and food/nutrition policies
- Daily **attendance**
- Record of **fire and emergency preparedness** drills
- Documentation of **first aid and CPR** training
- Posted emergency telephone numbers
- Record of **accidents and incidents**
- **Emergency** evacuation and emergency preparedness plans
- Sample meal plan and Daily menus
- Documentation of known **food allergies**
- Food acceptance log and caterer’s permit/license if applicable
- Well water system health safety records if applicable

TG - 69
The Florida Administrative Code describes the Department of Children and Families’ rules regarding the written documentation child care programs and providers must retain.
65C-22.007: Evening Child Care

(1) Hours of Care.

(2) Supervision.

(3) Exemptions.
65C-22.007: Evening Child Care

65C-22.007 (1) provides the hours that are considered “Evening Child Care”. Evening Care, as defined by statute, means child care provided during evening hours that may encompass the hours of **6:00 p.m. to 7:00 a.m.**

As specified in 65C-22.007 (2), Supervision, is it a requirement that staff remain awake at all times during evening child care? **Yes.**

65C-22.007 (3), Exemptions. Do the rules seem more relaxed for evening child care?

- **Outdoor play space is not required**; however, an open area within the existing indoor floor space designated for play that promotes the development of gross motor skills must be available.
- Credentialed staff are not required
- Credentialed director is not required

TG - 70
Key Point

The Florida Administrative Code describes the Department of Children and Families’ rules regarding the provision of evening child care.
65C-22.008: School Age Child Care

(1) Definitions.

(2) Licensure Requirements.

(3) School Age Child Care Standards.

(4) School Age Child Care Personnel Training Requirements.
65C-22.008(1): Definitions

What is a school-aged child?

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.
65C-22.008(2): Licensure Requirements

What school-aged programs are not required to be licensed?

Programs that meet one of the criteria listed in 65C-22.008(2)(c), are not required to be licensed.
What are the requirements for an outdoor play space not to be fenced?

- The children using the outdoor play area are in kindergarten or above.
- The staff-to-child ratio is exceeded by at least 1 staff member.
- Certain traffic conditions are met, or
- Written authorization by the licensing authority.

What are other differences between child care facilities and school age programs?

Student health records are not required.
65C-22.008 (4): Child Care Personnel Training Requirements

In lieu of *Child Growth and Development* and *Behavioral Observation and Screening*, what training courses may child care personnel in school age programs complete?

DCF’s online courses - *Standards for Quality Afterschool Programs* and *Quality Self-Assessment and Improvement for Afterschool Programs*; or

specialized school-age training provided by a **national organization** that includes evidence of competency or any of the other Part II training courses developed by the Department of Children and Families.
65C-22.009: Gold Seal Quality Care Program

(1) Definitions.

(2) Provider Requirements.

(3) Accrediting Association Requirements.
Where can you get a listing of approved Gold Seal Quality Care Program accrediting associations?

From the Department of Children and Families website at www.myflorida.com/childcare.

Can child care programs receive Gold Seal Quality Care designation from an inactive association?

No.
65C-22.010: Enforcement

(1) Definitions.

(2) Disciplinary Sanctions.
65C-22.010 (1): Definitions

“Standards” are requirements that must be met for licensure as a child care facility and that are identified on the CF-FSP Form 5316, Child Care Facility Standards Classification Summary.

“Violations” are findings of noncompliance by the department or local licensing agency with a licensing standard; violations are classified based on their potential to cause harm to children.

A Class I violation is the most serious in nature, poses an imminent threat to a child including abuse or neglect and which could or does result in the death or serious harm to the health, safety or well-being of a child.

Class II violations are less serious in nature than Class I violations and could be anticipated to pose a threat to the health, safety or well-being of a child, although the threat is not imminent.

Class III violations are less serious in nature than either Class I or Class II violations and pose a low potential for harm to children.

TG – 73/74
65C-22.010 (2): Disciplinary Sanctions

Depending on the severity and nature of the violation, disciplinary sanctions can include:

- **Fines** up to $500 per day for each violation
- Issuance of a formal **warning letter** to take administrative action
- Suspension, denial or **revocation** of the license
Module 4: The Americans with Disabilities Act

Module Goal:
The goal of this module is to ensure child care providers understand how the American with Disabilities Act determines their roles and responsibilities as child care professionals.
Learning Objectives

• Participants will state the role of the Americans with Disabilities Act in the provision of child care in Florida.

• Participants will describe how the specific Americans with Disabilities Act provisions relate to child care in Florida.

• Participants will apply knowledge of the Americans with Disabilities Act as it relates to their daily work as child care providers.
The Americans with Disabilities Act

The Americans with Disabilities Act prohibits discrimination against people who have a disability.

What is a disability?

• A physical or mental impairment
• An illness or disease
The Americans with Disabilities Act

According to the EEOC website at http://www.eeoc.gov/types/ada.html, the ADA defines a disability as a person who:

• has a **physical** or **mental** impairment that substantially limits one or more major life activities;
• has a record of such an impairment; or
• is regarded as having such an impairment.
The ADA is a law that prohibits discrimination against people who have a physical or mental impairment.
The ADA and You

The Americans with Disabilities Act helps children with disabilities because it:

- prohibits **discrimination** in employment, public services, public accommodations and transportation
- promotes **community integration** by prohibiting discrimination based on disability
- provides related services, including **transportation** and other support services that are required to assist a child to benefit from special education
- assures **confidentiality** of records
Key Point

The ADA benefits children with disabilities by helping them get the assistance they need.
Activity: Questions and Answers about the ADA

If I hire a nurse or an aide for a child with disabilities, is that “reasonable accommodation”?

Hiring one-on-one staff may cause an “undue burden” on a program. However, there may be supports available through other means and they must be explored.
Must I accept any child who applies for my program?

You need to consider any child who applies. Be sure you don’t base your decision on a stereotypical idea of a diagnosis or label. Each child must be considered in terms of their individual needs and how difficult it would be for a program to meet those needs. These negotiations must be entered into in good faith with the program and family truly trying to find a way to accommodate the child’s needs.
Activity: Questions and Answers about the ADA

What is “reasonable accommodation”? 

Reasonable accommodation involves making physical facilities, toys, and equipment readily accessible to and usable by a child with disabilities, so that he or she may participate.
Activity: Questions and Answers about the ADA

Can I charge higher tuition for a child who is likely to require more attention than other children?

No. You may not charge more nor serve the child separately from other children. However, additional training will make it easier to include children with disabilities in your program.
Activity: Questions and Answers about the ADA

What sort of accommodations may be required of my program?

Possibly far less than you would anticipate. Young children may need relatively simple accommodations, such as establishing a diapering area in a room for older preschoolers, more tactile information for a child with a visual impairment, or large knobs glued onto puzzle pieces. If widening doors or building a ramp for wheelchair access is necessary, it may be possible to find a service organization to help make the accommodation.

TG - 83
The ADA and You

- You need to consider **every** child on an **individual** basis
- Using **stereotypes** to form ideas about people is not a good decision-making process
- You should consider the difficulty of meeting a need when making an enrollment decision. It may be easier than you might think
- **Negotiate** in good faith
- Determine what **community resources** are available to help you accommodate a child with special needs
- You **may not** charge more for services provided to a child with a disability
- If you need to make **adjustments** to your building, seek community assistance
## Activity: Benefits of Caring for the Child with Special Needs

<table>
<thead>
<tr>
<th>Parents / Guardians</th>
<th>Children</th>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Including a child with special needs, provides physical and emotional relief</td>
<td>Including a child with special needs, provides opportunities for social interaction for a child who may be otherwise isolated from peers</td>
<td>Including a child with special needs, creates new relationships, not just within the program, but within the community at large</td>
</tr>
<tr>
<td>Including a child with special needs, allows time for themselves and other family members</td>
<td>Including a child with special needs, helps all children in the program to form bonds with children who are different than them</td>
<td>Including a child with special needs, provides a learning experience for staff</td>
</tr>
<tr>
<td>Including a child with special needs, maximizes time for errands and other household duties</td>
<td>Including a child with special needs, gives all children in the program “real world” experience in accommodating others with different needs</td>
<td>Including a child with special needs, fulfills federal, state, and local legislative intent</td>
</tr>
<tr>
<td>Including a child with special needs, supplies expert care and the peace of mind it brings (Child care professionals have experience with many children with special needs versus the parents have experience with only their own child or children)</td>
<td>Including a child with special needs, dispels stereotypes and myths a child might have about people who are differently-abled</td>
<td></td>
</tr>
<tr>
<td>Including a child with special needs, adds a much-needed resource</td>
<td></td>
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</tbody>
</table>

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Child Care Facility Rules and Regulations
Including a child with a disability in your program allows every person in your facility to increase their skills in forming relationships with people who are different from themselves.
Key Point

When you include a child with special needs in your program, you make a positive impact on the lives of many people.
The ADA and You

Where can you find out more about serving children with special needs?

You can find out more about serving children with special needs by taking the courses **Special Needs Appropriate Practices** and **Supporting Children with Developmental Disabilities**.
Module 5: Professionalism

Module Goal:
The goal of this module is to assist child care professionals in practicing the standards of their profession.
Learning Objective

• Participants will be able to define and apply the principles of achieving and maintaining professionalism.
Professionalism

When people in a certain job are required to follow a given set of laws, must have specific training, and adhere to certain codes of conduct, what are those people called?

Professionals.
Professionalism

People who work with children in a child care setting are professionals. They:

- are **bound** by laws found in Chapter 402 of the Florida Statutes
- must **adhere** to Chapters 65C-20 or 65C-22 in the Florida Administrative Code
- must **take** training as written in rule by the Florida Department of Children and Families
- **gain** professional status through program accreditation and credentialing
- must **follow** a certain code of conduct; the Florida Statutes say they must be of good moral character and must see to the emotional and physical well-being of the children in their care
Professionalism

Who expects us to meet, and even exceed, these standards?

- **Parents and guardians**
- Employers
- Inspectors
- Local licensing agencies
- The Florida Department of Children and Families
- The Florida Legislature
- And most importantly… **children**
Key Point

Professionalism means maintaining a set of standards that are widely viewed as essential to your chosen career.
People in the child care industry are professionals. They have careers, not jobs. What are the differences between a career and a job?

- **Professional standards**
- Better pay
- Recognition of achievement by community and peers
- **Credibility and respect**
- Job security
- Pride in work
Key Point

Maintaining professionalism has many benefits that enhance one’s economic, social, and psychological wellness.

TG - 90
Maintaining Professionalism

Professionals:

- **Track** changes in laws that affect their profession.
- **Read** and submit information to professional journals, periodicals, and Web sites.
- **Join** and are active in professional associations.
- **Attend** and teach at conferences, seminars, workshops, and continuing education courses.
- **Maintain** training requirements mandated by law.
- **Mentor** newcomers to the profession.
- **Accept** work assignments that are progressively more responsible.
- **Sustain** one-on-one interactions with peers and colleagues (networking).
All professionals perform certain activities in order to remain professionals. When a professional stops doing these activities, his or her professionalism falls into decline.
Maintaining Professionalism
Using the Internet

What is the website’s address?

http://www.myflorida.com/childcare

If you do not have Internet access at work or home, where can you get access to it?

The public library offers Internet at no charge. You may also contact local community agencies for availability of internet access.

To learn more about how to use the Internet take the Department of Children and Families’ online course, Computer Technology for Child Care Professionals.
Maintaining Professionalism
Using Professional Associations

Can you name some of the benefits of joining a professional organization?

• They present opportunities for networking.
• They usually publish a newsletter, magazine, website, or have some other way of conveying news and information.
• They offer chances to improve knowledge skills and ability through training, workshops, seminars, and conferences.
• They often recognize excellence in the field through awards and other honors.
Maintaining Professionalism
Using Professional Associations

Several of the websites listed above belong to professional organizations. Which ones are they?

• **National Association for the Education of Young Children**
• National Association for Family Child Care
• National Association for Regulatory Administration
• The Children’s Forum
Maintaining Professionalism
Using Professional Associations

To find associations that serve child care professionals:

• Visit the library and ask to see the Encyclopedia of Associations, a reference book that lists thousands of associations.

• Use an Internet search engine, such as Google (www.google.com), Yahoo (www.yahoo.com), or Ask.com (www.ask.com).

• Ask your colleagues. This includes your local licensing agency, local child care trainers, and the Department of Children and Families.
Maintaining Professionalism Using Continuing Education

Where can you review the latest information about the Department of Children and Families’ minimum training standards for certification for child care professionals and licensing for child care programs?

By visiting Department of Children and Families’ website at www.myflorida.com/childcare, and selecting either “Training and Credentialing” or “Laws and Requirements”. If using the participant’s guide is suggested, remind the students that their guides will become dated as time passes, and information contained therein about legislation, rules and regulations may be revised.
Knowing what you need to achieve your professional goals will help you choose training for either annual in-service training or child care credentials and renewals.
Maintaining Professionalism through a Professional Development Plan

The elements of a Professional Development Plan are:

- **A goal.** What is your “dream job”? Be as specific as possible. Don’t write, “To work in child care.” Instead, write something like this: “To become a facility director in a program that has 10 employees.”

- **A list of the credentials and competencies** for that job. If you want to be a director, you will write down all the credentials a director needs to have, and any other skills and abilities you will need to excel at that work.

- **A list of the knowledge, skills and abilities you already have.** Carefully evaluate your current ability to achieve your goal.

- **A list of the knowledge, skills, and abilities you need but do not currently have.** This list becomes **your objectives** for achieving your goal.

- **A timeline** for achieving each of your objectives. Include the start date and end date for every course you will take.

- **A list of the barriers** to achieving your objectives, and your plan for **overcoming** these barriers.
Maintaining Professionalism by Following Ethical Standards

How do we know if we meet the standard of possessing “good moral character” as the term applies to our profession?

Moral character is an evaluation of a person’s **moral and mental qualities**. Examples of how a child care professional exhibits good moral character is by being honest and trustworthy, showing mature judgment and a fair approach to discipline, and acting in the best interest of children.
Maintaining Professionalism by Following Ethical Standards

Code of Ethical Conduct and Statement of Commitment

• A position statement of the National Association for the Education of Young Children
• Revised April 2005
• Endorsed by the Association for Childhood Education International
• Sections include:
  – Preamble
  – Core Values
  – Conceptual Framework
Maintaining Professionalism by Following Ethical Standards

NAEYC includes people who do not work directly with children in the Code’s provisions. Why?

They are included because they are responsible for program monitoring, licensing, and holding programs accountable.
## Statement of Commitment

As an individual who works with young children, I commit myself to furthering the values of early childhood education as they are reflected in the ideals and principles of the NAEYC Code of Ethical Conduct. To the best of my ability I will:

- Never harm children.
- Ensure that programs for young children are based on current knowledge and research of child development and early childhood education.
- Respect and support families in their task of nurturing children.
- Respect colleagues in early childhood care and education and support them in maintaining the NAEYC Code of Ethical Conduct.
- Serve as an advocate for children, their families, and their teachers in community and society.
- Stay informed of and maintain high standards of professional conduct.
- Engage in an ongoing process of self-reflection, realizing that personal characteristics, biases, and beliefs have an impact on children and families.
- Be open to new ideas and be willing to learn from the suggestions of others.
- Continue to learn, grow, and contribute as a professional.
- Honor the ideals and principles of the NAEYC Code of Ethical Conduct.
Maintaining Professionalism by Reading Professional Literature

There is one book about our profession that is acknowledged as being one of the best. What is it?

*Caring for Our Children: National Health and Safety Performance Standards Guidelines for Out-of-Home Child Care Programs*