Report of the Child Care Standards and Improvements Work Group

Department of Children and Families

January 19, 2011
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Executive Summary

On August 31, 2010, Department of Children and Families (DCF) Secretary George H. Sheldon designated a Work Group to carefully examine child care standards and identify areas which can and must be improved and strengthened to provide a safe and nurturing environment in which the children of the State of Florida can grow and thrive.

Because our world is now one in which many children are being raised in single working parent or two working parent families, parents often rely on child care to provide care, nurturing and child development supports, and stimulation for their children for up to 10 hours a day, 5 days a week. The child care industry has become instrumental in supporting the development of many infants, toddlers and young children during the most formative time in their lives.

Recognizing this role and its impact on Florida’s children, we approached our work from the perspective that it was our job to describe what, if we were a parent, we would want for our infant, toddler and young child in child care. We wanted to develop policy and practice standards that would ensure that child care providers create and maintain an environment that fosters the healthy growth and development, physically, emotionally and cognitively, of all children under their care.

The Work Group held five face-to-face meetings and one conference call. Held in the north, central, and southern regions of the state, they provided the opportunity for stakeholders to participate on a regional level. Telephone access to these meetings was also available.

The Department of Children and Families (DCF) posted all information and reports presented to the Work Group on the DCF website (http://www.dcf.state.fl.us/initiatives/childcarestandards/) in order to fulfill the commitment of DCF to transparency in all reviews and actions. The Work Group identified recommendations in the areas identified by Secretary Sheldon.

The Work Group focused on three critical points: quality, accountability and efficiency. The Work Group recognized all child caring arrangements should be licensed and must meet minimum standards for health and safety and quality. The Quality Rating Improvement System (QRIS) was recommended as the model of quality for Florida. The Work Group further recognized that QRIS must be aligned with Florida’s Gold Seal Quality Care Program.

The Work Group made several recommendations with the understanding that there must be sufficient resources and provider capacity to implement them successfully.
The Work Group also recommended that another work group be established to specifically examine family child care home policy and practice standards so children being cared for in these settings have access to quality care. This examination should include, but not be limited to, licensing, land restrictions, quality rating criteria, staff to child ratios, training, and educational requirements. The Work Group also recommended an additional work group to define “camps” and specify requirements for summer camps.

The Work Group submitted this report with findings and recommendations to the Secretary on January 19, 2011.
Introduction

Currently, Florida has minimum standards designed to ensure the health and safety of children in formal child care settings. While some of these standards meet or exceed national standards, we can do better.


Based on research, we know what children need to support their healthy and vibrant development, whether it is in their own families, with a relative caregiver, or in a child care program.

Due to the rapid rate of brain development from birth to five, child care environments play an increasingly critical role, in partnership with parents, in creating the foundation upon which a child’s future is built.

Most parents assume that, when they place their child in a child care facility or family home care, that facility or home is licensed and will provide their child the quality support and nurturing that they, as a parent, would provide. Unfortunately, this is not always true, as many child care programs do not provide quality care in all of the domains necessary for optimal child growth and development. Parents have the right to expect quality programs and to know what they are buying.

Florida has the responsibility to create the policies and provide the oversight necessary to ensure quality programs for all children and to provide parents with the information they need to decide what child care facility or home is best suited for their child.

Florida has passed wise and meaningful legislation calling for creating quality early care and education in the context of School Readiness. However, it relies on the federal funding for working poor families, parenting teens and low income people seeking employment, which are funding streams to pay for child care while the parent is working, in school or seeking employment. Such a funding limitation is not intended to, nor will it allow the creation of an early care and education system that is designed to be quality or to support the healthy growth and development of the youngest children. All sources of funding should be explored, along with tax exemption incentives, to ensure quality child care programs in Florida.

Charge to the Work Group

The objective of the Work Group was to make recommendations for legislative or administrative reforms that would ensure that Florida has the highest quality child care
for all Florida children. To accomplish this objective, and pursuant to the Secretary’s directive, we examined:

- Licensure requirements, including:
  - Staff training requirements
  - Adult-to-child ratios
  - Health and safety regulations
- Quality of care to promote child readiness and well-being
- Higher quality standards and quality improvement efforts
- Efficiencies of services between governmental agencies
- Parental communication

Members of the Work Group and Support Staff

Chairperson:
Tana Ebbole, CEO, Children’s Services Council of Palm Beach County

Members:
Dr. Brittany Birken, Director, Office of Early Learning, Agency for Workforce Innovation
Tom Clendenning, Assistant Director, Agency for Workforce Innovation
Debbie Conley, Director of Quality Initiatives, The Children’s Forum
Dr. Lisa Conti, Director, Division of Environmental Health, Department of Health
Pam Davis, Executive Director, Early Head Start Program, Kids Incorporated
Ed Feaver, Consultant and Former DCF Secretary
Dr. Alisa S. Ghazvini, Child Development Consultant
Stuart Greenberg, Director, Office of Early Learning and Just Read Florida, Department of Education
Dr. Barbara Hodges, Executive Director, Florida Council of Independent Schools
Honorable Cindy Lederman, Judge, 11th Judicial Circuit
Barbara Lynn, Director, Community Presbyterian Preschool & Kindergarten
Danny Lyons, Executive Director, Florida Alliance of Boys and Girls Clubs
Susan Main, Executive Director, Early Learning Coalition of Duval
Dr. Pamela C. Phelps, Director, The Creative Preschool, Creative Center for Childhood Research and Training
Lois Scott, Program Manager, One Stop and Program Support, Agency for Workforce Innovation
Linda Stoller, Manager, Hillsborough County Child Care Licensing
Tammy Tener, Executive Director, Florida Family Child Care Homes Association
Meetings of the Work Group

In preparing their recommendations, the Work Group held five meetings and one conference call:

- September 21, 2010 in Tallahassee at the DCF Central Office
- October 1, 2010 in Tampa at the DCF Circuit 13 Office
- October 18, 2010 in Boynton Beach at the Children’s Services Council Office
- November 1, 2010 in Tallahassee at the DCF Central Office
- November 29, 2010 in Tallahassee at the DCF Central Office
- December 28, 2010 conference call
Recommendations of the Work Group

Licensure Requirements

a. General Comments
Licensure requirements for child care are provided in Chapters 402.26 – 402.319, Florida Statutes (FS). Section 402.315, FS, allows for exemptions from licensure. Currently, Florida law requires most child care facilities to be licensed by and family care homes to be registered with the Department of Children and Families. However, there are certain types of child care facilities for which licensure is not required. The definition of child care and child care facility in Sections 402.302(1) and (2), FS, is that it:

- supplements parental care and health supervision,
- is on a regular basis, but less than 24 hours,
- requires a payment, fee or grant, and
- includes care for 5 or more children (for child care facilities).

b. Findings and Recommendations
(1) Eliminate exemptions
Findings: Section 402.316, FS, provides exemptions from licensure for religious child care programs that are an integral part of a church or parochial school and who are accredited by, or by a member of, an organization which publishes and requires compliance with its standards for health, safety and sanitation. Sections 402.3025 and 402.3045, FS, require the Department of Children and Families distinguish child care programs from after-school and public and non-public schools programs.

Recommendations:
- Require all programs caring for children that meet the definition above be licensed to meet the health and safety requirements.
- Adopt the standards for licensing school age care as identified by the Florida Afterschool Network, to include, but not limited to, health safety and nutrition; program environment; family and community involvement; and communication and interaction.

Commentary: This requirement is for minimum health and safety standards only and is not intended to restrict religious beliefs or doctrines. This is not intended to interfere with programs that are part of the educational day for public or non-public schools.
(2) Summer camp requirements

Findings: Summer camps are currently exempt from licensure, s. 402.302 (2) (c), FS.

Recommendations:

- A separate work group be established to develop a definition of “camps” and requirements for summer camps.
- In the absence of licensure, require legally exempted programs to provide for on-site verification of background screenings.

Commentary: Licensure of this broad category of care requires further exploration, based on the recommendations above. While background screening is currently required for summer camps, the requirements should support and elaborate on those statutory mandates.

(3) Family day care home requirements

Findings: Section 402.313, FS, defines family day care homes and minimally requires registration of homes in lieu of licensure.

Recommendation:

A separate work group be established to fully define the requirements of family day care homes to include licensure, ratios, staff training, educational programming, parental communication, and infant-toddler containment.

(4) New category in licensing

Findings: Section 402.305, FS, provides licensing standards for child care facilities specific to health and safety. To blend programming with the physical environment, a new category in licensure is recommended.

Recommendation:

Add a new standard in licensing, titled Educational Programming Requirements. For licensure purposes, it is intended to validate child care arrangements are using appropriate tools to ensure educational programming is an integral part of operating a program to include such things as:

- adult - child interaction,
- child screening,
- developmental learning standards, and
- parental communication.

Commentary: During the early formative years, adult-child interactions are pivotal to child development leading to adult success. Adding this as a minimum licensing standard is critical to school readiness and child well-being. Again, this is not intended to restrict religious beliefs or doctrines, but is intended to promote quality.
(5) Background screening
Findings: Chapter 435, FS, provides requirements for background screening. Each employee working in child care facilities must complete Level 2 background screening. An applicant will be disqualified from employment if there are certain offenses on the applicant’s criminal record. Currently, information in the Florida Abuse Hotline’s data system may not be used for employment purposes.

Recommendation:
Revise the statute to include a record check of Florida Safe Families Network for all applicants and, if it is found that the individual’s child (or children) had been adjudicated dependent or had their parental rights terminated, the applicant would be disqualified for employment in a child care setting.

Commentary: Individuals working with children should not have had abuse or neglect issues within their own family, as they are the role models for child in care.

(6) Infant/Toddler containment
Findings: There are currently no Florida Statutes that address infant-toddler containment issues.

Recommendation:
Time in confining equipment (such as cribs, high chairs, playpens, and seats) should be restricted primarily to napping and care routines (such as eating and diaper-changing).

Commentary: Infants and toddlers should be free to play on the floor, creep, crawl, and walk for most of their awake time. This is important for development of fine and gross motor skills, as well as enhancing interactions with caregivers and other infants-toddlers. In additional to being a licensure requirement, this is extremely important for quality care and programming.

Staff Training Requirements

a. General Comments:
Section 402.305(2), FS, provides minimum training requirements for child care personnel.

b. Findings and Recommendations:

(1) Staff training
Findings: In child care facilities, child care personnel are required by statute to complete 40 hours of training, to begin within 90 days of employment and complete within the first year, and 30 hours for family child care homes. The statute outlines topics that are required, as well as requiring a competency examination.

Recommendation:
Increase total hours of training within the first year to 90 hours, as described below:

- Require 20 hours of pre-service age appropriate training prior to entering the classroom to determine if the applicant (or new employee) is properly suited to work with young children and understands her/his basic responsibilities.
- Require 70 additional hours in the first year of service, to be completed within 12 months.

Commentary: While everyone supports additional training, there were two schools of thought with regard to implementation. The majority supported the recommendation requiring training prior to entering the classroom. A comment raised relative to prospective teachers incurring the cost for training before employment was at issue. It was suggested that this training could be paid for by the provider with employment contingent upon successful completion, or the new training could be completed upon hire. All training should be age appropriate and Florida Afterschool Network (FAN) standards should be incorporated for school age personnel.

(2) Staff training content

Findings: Statute currently requires specific topics for child care personnel, to include rules and regulations; health safety and nutrition; identifying and reporting child abuse and neglect; child growth and development; and behavioral observation.

Recommendations:

- 20 hours of pre-service training content should include:
  - Child growth and development – instructor-led, to include an emphasis on adult-child interactions,
  - Identifying child abuse and neglect, and
  - Rules and regulations.
- 70 hour training should be determined by the current statewide professional development initiative work group, which is composed of cross-agency representation, community advocates, higher education personnel, and child care providers. A portion of the 70 hours should include a minimum of 8 hours of mentoring.
- In-service training should be increased from the current 10 hours to 24 hours annually.

Commentary: Training should be tied to core competencies, as defined by the professional development initiative workgroup. The training registry (under development by AWI and DCF) should be utilized for trainers, approved courses, continuing education units and credentialing. It is further encouraged that all training be designed for articulation to college level early childhood education programs and community colleges should coordinate training for professional
development. Funding for training should be explored to benefit both the employer and the employee

**Adult-to-Child Ratios and Group Size**

**a. General Comments:**
Section 402.305(4), FS, provides staff-to-children ratios in child care facilities. Currently, Florida Statutes outline the minimum number of child care personnel required for classrooms, based on the age of the child. The statutes do not address group size.

**b. Findings and Recommendations:**

1. **Adult-to-child ratios**

   **Findings:** Section 402.305(4), FS, provides staff-to-children ratios in child care facilities. The current statutory requirements for staff-to-children are:
   
   - Birth-12 mo. 1:4
   - 1 year olds 1:6
   - 2 year olds 1:11
   - 3 year olds 1:15
   - 4 year olds 1:20
   - 5 year olds 1:25

   **Recommendations:**
   Adult-to-child ratios for each age group should be:
   
   - Birth-12 mo. - 1:4
   - 1 year olds - 1:6
   - 2 year olds - 1:8
   - 3 year olds - 1:12
   - 4 year olds - 1:15
   - 5 year olds/afterschool Kindergarten – 1:15 ratio
   - Grades 1-5 – 1:20 ratio (not more than 20)
   - Multi-age group will use the lower ratio when Kindergarten children are involved.

   **Commentary:** These ratios promote the optimal developmental opportunities for children by reducing the number of children per caregiver and, in turn, promoting better and more frequent interaction.
(2) Group size
Findings: Group size is not currently addressed in Florida Statutes. This should be included in Section 402.305, FS.

Recommendations:
The maximum number of children for each age group should be two times the staff-to-child ratio (with a minimum of 2 staff members):

- Birth-12 mo. - 8
- 1 year olds - 12
- 2 year olds - 16
- 3 year olds - 24
- 4 year olds - 30
- Kindergarten - 30
- Grades 1-5 - 40
- Group size does not apply to outside time.

Commentary: The number of children assigned to a caregiver or team of caregivers in a specific space promotes optimal development. Staff to child ratios are integrally tied to group size. Appropriate and sufficient group size allows for the support and guidance of a child, while encouraging independence, therefore staffing must be sufficiently.

Health and Safety Regulations

a. General Comments
Section 402.305(7) and (8), FS, provides limited licensing authority for food hygiene in child care facilities.

b. Findings and Recommendations
(1) Food hygiene inspections
Findings: During the 2010 Legislative session, a bill was passed removing the food hygiene inspections in child care facilities function from the Department of Health. This function was not placed with any other agency.

Recommendations:
- Reinstate the authority of the Department of Health, or an appropriate agency, to conduct food hygiene inspections.
- As legislation is drafted, include language ensuring collaboration and cooperation between the food hygiene inspection agency and licensing agencies.
• Ensure currently exempted child care programs are included for food hygiene inspections.

Commentary: The potential for food borne illnesses and food hygiene related non-compliance issues requires staff with biological and environmental sciences backgrounds. Individuals with this training and expertise exist in other agencies with a more health focused mission and should be called upon to perform this valuable service to protect the health of children in care and the public health of the community.

(2) Food safety training requirements
Findings: Section 402.305(7) and (8), FS, provides limited licensing authority for food hygiene in child care facilities.

Recommendations:
• Require a food handling course for all child care facility staff.
• Require food service management certification for at least one person (lead kitchen person or the director).

Commentary: The food safety training courses already exist and may be used to meet the in-service training requirements for all child care personnel.

Quality of Care to Promote School Readiness and Child Well-being

a. General Comments
Section 411.01, FS, provides school readiness and subsidy requirements under the purview of the Agency for Workforce Innovation (AWI). School readiness programs are designed to increase children’s chances of future educational success and becoming productive members of society. The intent is to provide developmentally appropriate, research-based programs that include parents and provide prevention for children at-risk of future school failure.

b. Findings and Recommendations
(1) Incentives for quality improvement and accepting subsidized child care
Findings: Early Learning Coalitions, under the auspice of the Agency for Workforce Innovation, administer subsidized child care in Florida.

Recommendations:
In order to take care of our most vulnerable children birth-5, the following are required:
• Federal and state funding adequate to enable quality programs to be implemented, to include children from low income families.
• Providers have the skill sets required to provide quality care.
• Children have continuity of care to develop to their full potential.
Commentary: Integrated funding should be available to support the professional development of providers, ensuring appropriate knowledge, skills and abilities to fully develop children into successful adults.

(2) Subsidized child care eligibility
Findings: The current eligibility period for subsidized child care is 6 months. This is a federal requirement.

Recommendation:
The eligibility redetermination should be every 12 months, rather than 6 months.

Commentary: The longer eligibility period will provide continuity for the child and promote their development and success. The Agency for Workforce Innovation is currently requesting the extension of this eligibility redetermination to 12 months.

(3) Subsidized child care transfers
Findings: Section 1002.71, FS, authorizes percentage of funds and program transfers within the voluntary prekindergarten program, including any applicable hardships.

Recommendation:
Only one transfer for a subsidized child should be allowed in a 12 month period (mirroring the VPK policy), with any further transfers requiring a hardship exception (expedited) and a redetermination of eligibility.

Commentary: There is currently disparity between the subsidized child care program and the voluntary prekindergarten program with regard to children’s ability to move from one program to another. Continuity of care is critical to a child’s development and limiting the number of times a subsidized or school readiness child moves is an important factor and should be similar for all children, regardless of age.

Higher Quality Standards and Quality Improvement Efforts

a. General Comments
Section 411.01, FS, places school readiness and subsidy requirements under the purview of the Agency for Workforce Innovation (AWI). During the 2010 Legislative session, this section was amended to clarify that the Agency for Workforce Innovation is charged with improving the educational quality of child care program providers receiving publically funded school readiness dollars.

b. Findings and Recommendations

(1) Tying together licensing, quality rating and accreditation
Findings: Section 411.01, FS, was amended in 2010 to provide the Agency for Workforce Innovation authority to promulgate a quality rating and improvement system (QRIS) for early education programs in Florida.
Recommendations:

- Quality rating and improvement system (QRIS) would be voluntary.
- The licensing standards, as recommended by this Work Group, should be the base building blocks for QRIS standards and should be the first star in the QRIS.

Commentary: QRIS is a national trend where licensure must be a part of the process for the success of and improvement in the overall quality of care. As Florida’s QRIS system is being developed, looking to other states for lessons learned will be instrumental in facilitating the implementation and success of Florida’s model.

(2) Aligning accreditation with QRIS and the Gold Seal Quality Care Program

Findings: Section 411.01, FS, was amended in 2010 to provide the Agency for Workforce Innovation authority to promulgate a quality rating and improvement system (QRIS) for early education programs in Florida. Section 402.281, FS, provides requirements for the Gold Seal Quality Care Program administered by the Department of Children and Families.

Recommendations:

- The quality standards for QRIS and Gold Seal should be aligned.
- The quality standards for the 5th star in the QRIS should qualify a participating provider for the full Gold Seal reimbursement.
- An evaluation process that utilizes research based tools must be implemented to ensure validation/accountability of quality over time, as well as well trained and qualified assessors.

Commentary: Achieving quality can be met in a variety of ways. As Florida moves toward the development of a QRIS system, it is important to support, enhance, and ensure all quality programs work together to improve care for children. Aligning currently existing quality systems is important for success. All systems should be funded appropriately, promote high standards, and utilize highly qualified and well prepared staff.

Efficiencies of Services Among Governmental Agencies

a. General Comments:

Section 411.01, FS, 2010 amendment states that the Agency for Workforce Innovation, in cooperation with the Department of Education and Early Learning Coalitions, should coordinate with the Child Care Services Program Office of the Department of Children and Family Services to minimize duplicating interagency activities, health and safety monitoring, and acquiring and composing data pertaining to child care training and credentialing.
b. Findings and Recommendations:

(1) Regulatory and programmatic functions

Findings: There are currently two Offices of Early Learning, one at the Agency for Workforce Innovation (School Readiness) and one within the Department of Education (Voluntary Prekindergarten). Additionally, the regulatory functions are housed within the Department of Children and Families.

Recommendations:

- Combine the two offices of early learning into one state entity to implement, assess, and develop policy relative to quality early childhood education and care.
- Include Gold Seal and QRIS under the newly defined single office of early learning.
- Distinguish regulatory policy/functions (licensing) from quality programmatic and policy functions.

Commentary: For continuity, accountability and uniformity, the offices of early learning in the Agency for Workforce Innovation and the Department of Education should be aligned as one entity for the development of quality policy and programming. However, where it specifically should reside is not something within the purview of this work group. Additionally, the Work Group believes responsibility for programmatic policy functions should be organizationally distinguished from regulatory functions, which, as in the case of Tennessee, are located in the same agency.

(2) Cross program efficiencies of inclusion specialists

Findings: Policies pertaining to inclusion in early education settings are under the auspices of the Agency for Workforce Innovation and are administered locally by Early Learning Coalitions.

Recommendation:

There should be stronger linkage between inclusion specialists with early identification/intervention specialists to maximize resources and services for children.

Commentary: There are currently systems in place addressing inclusion, and it is our intent to strengthen these existing systems through coordination and collaboration with the Warm Line, the Child Care Resource & Referral Network, Central Directory, and other current existing initiatives to better serve children.

Parental Communication

a. General Comments:

Section 402.305, FS, provides minimum standards for access to child care facilities by parents. The statute only speaks to physical access to the facility by parents or guardians while their children are in care.
b. Findings and Recommendations:

(1) Report card for Florida

Findings: The Department of Children and Families child care licensing website provides licensure reports related to child care providers throughout the state. These reports are accessible by the public. Information for parents about these programs to assist them in selecting quality child care for their children is not currently readily available.

Recommendations:
A report card for Florida parents should be made available online and at the child care home or facility, to include at a minimum:

- Program type, name, address (demographics)
- Services provided
- Accreditation (if any)
- Type program participating in (i.e., school readiness, head start)
- Type and name of curriculum used
- Minimum 2 year licensing history
- Credential for facility or home staff who interact with the children
- QRIS or Gold Seal rating (specify if these evaluation systems are not available in the county where the facility or home is located)
- Commonly asked parent questions.

Commentary: The Department of Children and Families is in the process of pulling together preliminary information from what is currently available to begin the report for parents to assist in selecting quality care. This activity will be a collaborative effort involving the Child Care Resource and Referral Network through the Agency for Workforce Innovation, along with information from the Early Learning Coalitions. The overall purpose is to help inform parents about quality programming and improve communication and will be an ongoing work in progress.

(2) School-age parental communications

Findings: The Department has rule writing authority for many aspects of health and safety of children in care, including school-age. This Work Group has recommended the creation of a new licensing category to include parental and family communication.

Recommendation:
The new educational programming requirements section, as recommended by this Work Group, should include school age programs.
Commentary: We endorse the family and community involvement standards of Florida Afterschool Network (FAN) guidelines. Those guidelines include providing opportunities for family involvement and public/private partnerships. These guidelines are appropriate for any age group and should be included in any standards developed relative to parental communication, regardless of age group.