RULEMAKING

Office of
Early Learning

Learn Early.
Learn for Life.

Questions and Answers about Rule 6M-4.620, Florida Administrative Code, Health and Safety Checklist

The health and safety checklists emerged following the 2013 Legislative Session, during which the Florida Legislature passed a law related to early learning known as House Bill 7165. As required by the legislation and in cooperation with the Department of Children and Families (DCF), the Office of Early Learning (OEL) developed the health and safety checklists for license-exempt providers including informal providers, religious-exempt providers and non-public schools. This document provides answers to commonly asked questions about the Health and Safety Checklist.

Background

1. What is a health and safety checklist?

The checklist is a list of items related to health and safety including, but not limited to, transportation, personnel, activities, equipment, medication and emergency procedures. Providers check the descriptors unique to their program/facility. The descriptors are not required, but are unique characteristics of the individual provider.

2. How were the checklists developed?

The OEL organized a health and safety implementation team representing OEL and DCF to review federal and state regulatory requirements and design three basic checklists, one for each license-exempt provider type. In August and October 2013, draft checklists were made available to more than 500 individuals and organizations across the state. Workshops were held for the proposed rule (Rule 6M-4.620) in April 2014 on seven different occasions in three different cities; two WebEx calls were also held in order to reach a broad array of stakeholders. Comments were integrated into the current checklists.

Child Care Providers

3. Who has to complete the checklist?

According to section 1002.88, Florida Statutes (F.S.), all school readiness program license-exempt providers must complete the checklist. A faith-based child care provider (religious-exempt), an informal child care provider, or a non-public school exempt from licensure that receives school readiness funds must complete a checklist.

4. Do all license exempt providers complete the same checklist?

No. A specific checklist was developed for each of the three types of license-exempt providers, taking into account each unique child care environment. All checklists will be available on the OEL website at www.floridaearlylearning.com.

5. How often must the checklist be completed; what is done with the checklist?

As specified in Rule 6M-4.620, Florida Administrative Code (FAC), the checklist must be completed annually by the provider; posted prominently on the premises in plain sight for visitors and parents; and a copy submitted annually to the provider's local early learning coalition.

6. Is there a certain date each year when the checklist must be completed?

The checklist must be completed by July 1 each year. The effective date of the rule is July 1, 2014. The first checklist must be completed, posted, and forwarded to the early learning coalition as soon as possible, but no later than August 1, 2014.

7. Do after-school programs have to complete the health and safety check list?

If the afterschool program is licensed, that program would not be required to complete and submit the health and safety checklist. If an after-school program is not licensed, exempt from licensure or excluded from licensure and receives school readiness funding, the program must complete a health and safety checklist. If you have questions about the provider's licensing status check with the local licensing authority.

<div align="center">

General

</div>

8. Where is the child care provider's health and safety checklist located?

The health and safety checklist must be displayed on the premises of the child care facility and in plain sight for parents and visitors.

9. What is a license-exempt child care facility and how does one know a child care provider is license-exempt?

A faith-based child care provider recognized as exempt from licensure by the DCF, is a religious-exempt provider. The provider is an integral part of a church or parochial school conducting regularly scheduled classes, courses of study or educational programs accredited by, or by a member of, an organization that publishes and requires compliance with its standards for health, safety and sanitation.

A non-public school is a private school defined as an individual, association, copartnership or corporation, or department, division or section of such organizations, that designates itself as an educational center. A non-public school may be licensed or license-exempt. Charter schools do not fall into this category.

Informal child care providers include family, friends and neighbors who may only care for the children of one family.

Provider information is available on the DCF website: www.myflorida.com/childcare.

10. Where is a list of license-exempt child care facilities?

A listing of license-exempt child care programs may be obtained by contacting your early learning coalition's Child Care Resource and Referral specialist. To reach the statewide Child Care Resource and Referral Network, call 1-800-357-3239. Also, the DCF website, www.myflorida.com/childcare, offers a listing of all child care providers by counties. The listing for a provider includes demographic information to include hours of operation, services offered by a program and the inspection history for the provider if regulated by the department. To access, go to the child care web page listed above and click on *Provider Search* link.

11. If a provider operates a child care program at more than one location, must a health and safety checklist be completed and posted at each location?

Yes. The provider must complete a health and safety checklist for each location. The completed checklist(s) is/are posted in plain sight of parents and visitors and sent to the coalition.

June 17, 2014