65C-13.011 Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes.

Section 409.175(11)(a)2., F.S., makes it unlawful for any person to make a willful or intentional misstatement on any license application or other document required to be filed in connection with an application for a license. Such a violation is a misdemeanor of the first degree, punishable as provided in Section 775.082 or 775.083, F.S. Applicants who make such willful or intentional misstatements will have their license denied or revoked. The department has applied the recommended standards of the American Public Welfare Association when establishing the following standards. Any exceptions to the following standards must be for good cause and must be approved in writing by the district Children and Families Program Office prior to the exceptions being implemented.

1. Family Composition.
   a. It is most desirable for the substitute care family to include two parents in order to maximize opportunities for the care and nurturing of children. This is especially true for families that provide emergency shelter care. Emergency shelter care providers are required to be available to receive children 24 hours a day. A single person may only be licensed if they have a relief person who can assist with the children. The relief person must be approved by the department and meet the screening requirements of Chapter 85-54, Laws of Florida.

   b. In instances when a child is well-established in a two-parent family foster family and the parents’ marriage dissolves, the child may remain in the single parent home if his needs can continue to be met by the remaining parent.

   c. Single parent families may be selected when they can effectively meet the particular needs of a child.

2. Number of Children in a Family.
   a. Limitations in regard to the number and ages of children to be served in a substitute care family are based on observations of the stamina, capacities, and skills of the substitute care parents, the physical accommodations, and the effect of the number and ages of the children upon the equilibrium and interrelationships of family members. However, there should be no more than two infants, under two years old, in a substitute care family, including the family’s birth children.

   b. Generally there should be no more than five children in a home, including the substitute care parents’ own children. This criteria may be varied for good cause and with the written approval of the Family Safety and Preservation program office. If a family has the emotional and physical capacity to nurture more than five children, it is not against policy to establish a capacity above the rule of five. A family must have the physical room and emotional capacity to provide this care.

   c. A family substitute home may be utilized by more than one program office, provided that such joint utilization is agreed upon by the substitute care parents and the program offices involved, and that the needs of all the children placed in such jointly used family home can best be met through such placement. However, the maximum capacity of the home must be limited to the standard for the more restrictive of the two programs and should not exceed five in most cases.

   d. A family cannot hold dual licensure to provide day care and residential care to children simultaneously.

3. Age. The age of substitute care parents must be considered in relation to psychological maturity, health, physical energy, flexibility, ability to care for a specific child and probable duration of placement of a specific child.

4. Income. Substitute care parents must have sufficient income to assure their stability and the security of their own family without relying on board payments. The substitute family must have sufficient income to absorb four to six weeks of a foster child’s care until a board payment is received.

5. Employment. It is preferable that one of the substitute care parents not be employed outside of the home if they provide emergency shelter care or care for children under school age. Exceptions may be granted for emergency shelter care parents if the work schedule allows for one parent to be in the home while the other parent is at work. An exemption may also be granted in order not to split sibling groups or preclude a placement.

6. Day Care. If both parents are employed outside of the home, the department will not rule them out from providing substitute care. Day care for the department’s children must be with a licensed day care provider. Families who wish to use a family day care provider but live in a county that does not license family day care providers must have an abuse registry and criminal records check on the day care candidates. These clearances are the responsibility of the licensing staff. Cost of day care must be assumed by the substitute care parents. The department has published a pamphlet entitled “How to Choose Quality Day Care,” HRS/PI 175-21. Licensing staff must share this document with any substitute parent using or considering the use of child day care. Children placed in foster care or emergency shelter care are eligible for placement in Title XX day care on a priority basis at no cost to the substitute care provider if a determination of eligibility is made by the contract provider who handles subsidized day care. Staff are encouraged
to explore this resource to determine if a child is eligible on a case-by-case basis.

(7) Health History. Applicants are required to share health history on each member of the household including physical, mental health and other treatments received which may impair their ability to care for children. If there is a question regarding the physical, mental or emotional health of any member of the household and possible injurious effects on a child, the applicant, upon the department’s request, must supply clinical reports and evaluations.

(8) Religion. A substitute care parent must be willing to provide the opportunity for a child’s participation in the faith of his choice or that requested by the birth family. A parent whose religious preference or other connections preclude the use of a licensed medical physician for the department’s children may not be licensed.

(9) Screening. Substitute care parents must meet the screening requirements as stated in paragraph 65C-13.009(6)(b), F.A.C., of this chapter.

(10) Physical Facilities.

(a) The home must have access to schools, churches, medical care, recreation and community facilities.

(b) Because of the need for frequent parent child visits, the home must be located within reasonable proximity of the direct service unit providing foster care services.

(11) Physical Environment.

(a) The home must be comparable to other homes in the neighborhood in which it is located.

(b) The home and premises must be free from objects, materials, and conditions which constitute a danger to children.

(c) The home must be inspected and approved by a representative of the local health program office prior to licensing and annually thereafter. Inspections cover sanitation, health, fire prevention and safety.

(12) Play Area and Equipment.

(a) The home must have a safe outdoor play area as part of the property or within reasonable walking distance.

(b) Children who are placed in family foster homes or emergency shelter family homes that have swimming pools should be taught how to swim and be instructed in water safety as appropriate to their age.

(c) Swimming pools must have a barrier on all four sides of at least four feet. The barrier may consist of a house plus a fence on the remaining three sides or a four-sided fence. All access through the barrier must have one of the following safety features: alarm, key lock, self-locking doors or a bolt lock that is not accessible to children. When the swimming pool is not in use, all entry points must be locked. Above ground pools must have steps or ladders leading to it secured, locked, or removed when the pool is not in use. Hot tubs and spas shall be required to have a safety cover that is locked when not in use.

(d) Swimming pools must be equipped with one of the following life saving devices:

1. Ring buoy;
2. Rescue tube; or
3. Other appropriate flotation device with a rope attached which is sufficient length to cover the area.

(e) When children are using the pool or participating in water activities, the following standards will apply:

1. Children who are not proficient in swimming shall not be allowed in the pool or pool area without wearing a life jacket or approved floating device, unless engaged in swimming lessons;
2. Direct adult supervision shall be required when children are using the swimming pool, spa or hot tub, or are in the pool area.
3. All high risk recreation, boating, water sports, or contact sports shall have direct adult supervision.

(g) As a prerequisite to licensure, foster and emergency shelter parents who have swimming pools will be required to complete a basic water safety course administered by the American Red Cross, YMCA or other national organization.

(13) Interior Environment.

(a) The home must have sufficient space, be comfortably furnished, and be accessible to all members of the family.

(b) Each child must be provided with adequate storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

(c) A substitute care parent should allow children to participate in decorating their bedrooms so that the area reflects their personal tastes and expressions.

(d) Each child must have his own bed and each infant his own crib. In order to ensure desirable privacy, children in substitute care must not share a bedroom with any adult, except for infants 12 months or younger. Any child over three years of age must not share a bedroom with a child of the opposite sex. Although this standard does not necessarily apply to children reared in their own homes, it is an essential safeguard for children because the nature of their early experiences may affect the development of their
sexual attitudes and subsequent behavior.

(e) Usually it is not acceptable for children of any age to sleep on a living room sofa or a fold-away bed. It can be tried in exceptional situations when it is temporarily necessary and can be managed without damage to the child. However, the substitute care parent and the counselor will evaluate the effects on the child at frequent intervals.

(f) The following sleeping arrangements are not permitted:
1. Children sharing a bed with an adult.
2. Children of different sexes over the age three sleeping in the same room.
3. Children sharing a bedroom with an adult, except for children 12 months old and under.

(g) The home must be clean and free of hazards to the health and physical well-being of the family.

(h) The home must have a continuous supply of clean drinking water approved by the local health program office. If the water is not from a standard city water supply, the substitute care parents must have the water tested and approved.

(i) The home must have an adequate supply of hot water for bathing and dish washing. Hot water accessible to children must not exceed 120 degrees Fahrenheit, 43 degrees Celsius, at the outlet.

14 Foster Home Safety.

(a) All medications, poisonous chemicals, and cleaning materials must be in a locked place and inaccessible to children.
(b) Alcoholic beverages should be stored out of the reach of small children. To avoid access to alcoholic beverages by older children, it is recommended that these beverages be kept in a locked place.
(c) If the substitute care parents own a gun, the ammunition and unloaded firearm must be kept separately in locked cabinets.
(d) Pets in the foster home must be vaccinated and their vaccinations must be current.
(e) The substitute care parents must have a method to restrict children’s access to large pets or potentially dangerous animals.
(f) Transportation and access to a telephone must be immediately available for use in emergencies.

15 Fire Safety.

(a) The home must be safe from fire hazards. All combustible items must be stored away from sources of heat.
(b) The home must not be heated by unvented gas heaters.
(c) The substitute care parents must have an evacuation plan posted in a conspicuous place and must share it with each child. The substitute care parents must conduct periodic fire drills to make sure all the children understand the procedures. Fire drills should be held at least every six months. The date of the fire drill should be recorded and reviewed at the time of relicensure.
(d) All fireplaces, space heaters, steam radiators, and hot surfaces must be shielded against accidental contact.
(e) Bedrooms in basement and above the second floor must have either a window or door with approved means of exit.
(f) The home should be equipped with the following:
1. Operating smoke alarm in each sleeping area;
2. Operating heat detection alarm in the area of the furnace or main heating source; and
3. Portable chemical fire extinguisher in the kitchen size 2A10BC.
4. If the home is equipped with burglar bars, the caregiver must demonstrate that:
   a. The burglar bars can be released to allow exit; or
   b. That other means of exit are readily available from each sleeping area.
(g) The approval of mobile homes is dependent upon the regulations of the local health program office.

16 Transportation Safety.

(a) Substitute parents must have transportation available 24 hours a day. All vehicles used to transport children must be in safe condition, in compliance with applicable motor vehicle laws of the state, and equipped with seat belts and approved car seats for children under the age of four years.
(b) The substitute care parents must have all vehicles owned by them insured to include liability for transporting children. Insurance policies should be available for inspection by the department at the time of licensure and relicensure.
(c) If the substitute parents drive they must have a valid drivers license. The substitute care parents must allow foster children to be transported only by persons possessing a valid drivers license.
(d) The substitute parent must not transport foster children in vehicles such as truck beds, motorcycles, or any other method of transportation which would be dangerous to the child.

17 Medical Care. Substitute care parents must be able to understand and willing to carry out home medical care prescribed by a licensed physician. Medication should not be given without first consulting the physician. Families whose religious convictions
preclude the use of licensed physicians on behalf of foster children cannot be used for the care of children in the care of the department.