



# Opening a Licensed Child Care Facility

Opening a licensed Child Care Facility (CCF) can be challenging and requires substantial planning and preparation. Every facility subject to licensing must meet the licensing standards established by Florida Statutes 402.301-.319 F.S., Florida Administrative Code 65C-22, F.A.C and the Child Care Facility Handbook which is incorporated by reference in rule 65C-22.001. These laws can be found at <http://www.myflfamilies.com/service-programs/child-care/laws-and-requirements>.

## **Child care facility definition:**

Section 402.302(2), Florida Statutes, defines child care facility as "...any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

- (a) Public schools and nonpublic schools and their integral programs, except as provided in s. 402.3025;
- (b) Summer camps having children in full-time residence;
- (c) Summer day camps;
- (d) Bible schools normally conducted during vacation periods; and
- (e) Operators of transient establishments, as defined in chapter 509, which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of chapter 435."

## **Things to Consider:**

### *Business Considerations*

It is recommended that you review the "Basic Steps to Opening a Child Care Facility" and "Questions to Ask Yourself" prior to initiating the licensure process at: <http://occf.fl-dcf.org/>

- Financial planning – It is important to consider the financial aspects of starting your own business. It is recommended that you have sufficient funds available to cover at least one year of operating expenses for your facility. Operating expenses include, but are not limited to, startup costs, maintenance and salaries for all employees.
- Local Zoning Office – Every applicant is responsible for obtaining local zoning approval. Inability to obtain approved electrical, plumbing, and mechanical inspections may prevent the applicant from obtaining an occupational license. In lieu of approval documentation, applicants have the option to complete an [attestation](#) acknowledging their responsibility for ensuring compliance with local government entities, Home Owner's Associations, and/or Landlord.
- Water Source – If a facility's water source is a well, it will need to be tested to indicate the well system is meeting requirements. Please check with your local Health Department to inquire about testing, fees and the requirement to maintain written records for annual review.

- Radon Testing Requirements – Florida Statute 404.056 and Chapter 64E-5 Part XII B require that indoor radon levels must be measured in licensed child care facilities located in counties designated within the [“Intermediate” or “Elevated Radon Potential”](#) areas. These include 48 counties out of 67 counties. Tests must be completed within 1 year after the child care facility starts operation. These mandatory tests are to be conducted in accordance with [Florida Statute 404.056, Chapter 64E-5 Part XII B, and Mandatory Radon Testing Protocols](#) and reported to the Department of Health on forms [DH1777](#) or [DH1778](#).
- Location - Choose Safe Places: The Florida Department of Health (FDOH) is working to make sure that early care and education (ECE) programs are located in safe places – so that children aren’t exposed to dangerous chemicals during their care. Even if an ECE program meets current state licensing regulations, children could still be exposed to environmental contamination due to location and location history. Because children are the most sensitive population, they need to be protected against harmful elements. For a free environmental assessment of your facility’s location, email the FDOH Hazardous Waste Site Health Risk Assessment Program at: [ChooseSafePlacesFlorida@flhealth.gov](mailto:ChooseSafePlacesFlorida@flhealth.gov), or call 877-798-2772. To find out more about Florida Choose Safe Places, visit: <http://www.floridahealth.gov/environmental-health/hazardous-waste-sites/safe-places.html>
- Fire Inspection – Prior to being licensed, and annually thereafter, all child care facilities must be inspected by a certified fire inspector. A current and approved fire inspection must be provided to the Department or local licensing agency to be kept on file.
- Tax Considerations – For information on tax requirements associated with operating a small business, contact the IRS at 1 (800) TAX-1040.

To learn more about the program and make an informed decision, please watch the video **“What You Need to Know About Opening A Child Care Facility”** at <http://occf.fl-dcf.org/> and review the information below.

### **Child Care Regulation in Florida:**

The Office of Child Care Regulation in the Department of Children and Families is statutorily responsible, per Florida Statutes 402.305, F.S. and Florida Administrative Code 65C-22, F.A.C., for the statewide administration of the child care licensing program in 62 of Florida’s 67 counties. The remaining five counties, Broward, Hillsborough, Palm Beach, Pinellas and Sarasota, have elected to designate a local licensing agency, per provisions in 402.306, F.S., to regulate child care licensing programs in their area. Local licensing programs must meet or exceed all standards established for the provision of child care in the State of Florida.

To locate child care licensing contact information statewide, please click on the following link: <http://www.dcf.state.fl.us/programs/childcare/contacts.shtml>

The 5 local licensing counties, Broward, Hillsborough, Palm Beach, Pinellas and Sarasota provide an additional link on that page for more information specific to their county.

**The following information covers general requirements only.**

### **Age Requirement:**

Operator must be 21 years of age or older.

### **Training and Credentialing Requirements:**

A license will not be issued until you have successfully completed all required training and credentialing and passed the associated competency exams.

- **Director Credential.** The facility Director must have an active Director Credential. Detailed information regarding director credentials can be found at <http://ccrain.fl-dcf.com/documents/-99/2489.pdf>
- **Staff Credential.** There must be a minimum of 1 verified Credentialed Staff member for every 20 children in care, beginning with the 20<sup>th</sup> child, if the facility operates more than 8 hours per week. Does not include programs that only provide evening or school-aged care. Detailed information regarding staff credentials can be found at <http://ccrain.fl-dcf.org/documents/-99/2484.pdf#page=1>
- **40 Hour Introductory Child Care Training.** All child care personnel must successfully complete the Department's 40 hour Introductory Child Care Training. Passage of a competency exam is required for each course. The online introductory training courses are available at <http://www.myflfamilies.com/service-programs/child-care/facilities>

The training requirement is divided into two parts.

**Part I** is comprised of 30 hours.

- ✓ Child Care Facility Rules and Regulations (FACR – 6 hours)
- ✓ Health Safety and Nutrition (HSAN – 8 hours)
- ✓ Identifying and Reporting Child Abuse and Neglect (CAAN – 4 hours)
- ✓ Child Growth and Development (CGDR – 6 hours)
- ✓ Behavioral Observation and Screening (BOSR – 6 hours)

**Part II** is comprised of 10 hours that consists of a selection from the Department's Specialized Training courses.

- ✓ Understanding Developmentally Appropriate Practices (UDAP – 5 hours)

**AND one (1) of the following:**

- ✓ Infant and Toddler Appropriate Practices (ITPR – 5 hours)
- ✓ Preschool Appropriate Practices (PSPR – 5 hours)
- ✓ School-Age Appropriate Practices (SAPR – 5 hours)

**OR**

- ✓ Special Needs Appropriate Practices (SNP – 10 hours)

- **Introductory Training for Child Care Personnel Serving School-Age Children Only.** Child care personnel working in facilities serving school-age children only or who are working exclusively with school age children in a facility serving children of different ages can meet the Part I and Part II Introductory Child Care Training by completing the following training. Passage of a competency exam is required for each course. The online introductory training courses are available at <http://www.myflfamilies.com/service-programs/child-care/facilities>

The training requirement is divided into two parts.

**Part I** is comprised of 28 hours.

- ✓ Child Care Facility Rules and Regulation (FACR – 6 hours)
- ✓ Health, Safety, and Nutrition (HSAN – 8 hours)
- ✓ Identifying and Reporting Child Abuse and Neglect (CAAN – 4 hours)
- ✓ Understanding Developmentally Appropriate Practices (UDAP – 5 hours)

- ✓ School-Age Appropriate Practices (SAPR – 5 hours)

**Part II** is comprised of 12 hours and must be met by completing training identified in either a. or b. below.

- a. Successful completion of competency examinations for the following course:
    - School-Age Program Quality Standards and Self-Assessment (SALT - 12 hours)
  - b. Completion of specialized school-age training, provided by a national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).
- **Literacy Training.** All child care personnel, must complete a single course of training in early literacy and language development of children ages birth to five years. The course must be a minimum of 5-clock-hours or 0.5 Continuing Education Units (CEUs) and may be fulfilled through one of the following sources:
    - ✓ One of the Department’s web based courses: Early Literacy Birth to Three or Emergent Literacy for VPK Instructors  
**OR**
    - ✓ An approved literacy course. A list of approved courses can be found here <http://ccrain.fl-dcf.org/documents/-99/560.pdf#page=1>  
**OR**
    - ✓ One college level early literacy course (for credit or non-credit) if taken within the last five years.
  - **Annual In-service Training.** Upon completion of Part I and Part II introductory training requirements, child care facility personnel must complete a minimum of 10 clock-hours or 1 Continuing Education Unit (CEU) of in-service training annually during the State’s fiscal year which begins July 1 and ends June 30. For more information, see <http://ccrain.fl-dcf.org/documents/6/91.pdf#page=1>
  - **Pediatric CPR/First Aid Training.** Each child care facility must have at least one staff member onsite and during field trips with a current and valid certification in first aid training and pediatric cardiopulmonary resuscitation (CPR) procedures. CPR training may be classroom or online instruction, and must include an on-site instructor-based skills assessment that is documented by a certified CPR instructor. Documentation of the online course and onsite assessment must be maintained on file at the facility.
  - **Safe Sleep/Shaken Baby Syndrome Training.** Child care personnel who work in a facility that offers care to infants must have training regarding guidance on safe sleep practices and preventing shaken baby syndrome. One of the following courses must be completed:
    - DCF Health, Safety and Nutrition (HSAN – 8 hours)  
**OR**
    - DCF Safe Sleep Practices for Child Care (SAFE – 1 hour)  
**OR**
    - Early Learning Florida’s Safe Sleep Practices (SSPELFL – 1 hour)

- **Fire Extinguisher Training.** All child care personnel must complete training in the use and operation of a fire extinguisher. This training is not offered by the Department.

To learn more about training requirements including online training, instructor-based courses, or to schedule competency exams, please visit <http://ccrain.fl-dcf.com/documents/-99/2485.pdf>

**Background Screening Requirements:**

Any person meeting the definition of “child care personnel” is subject to background screening. This includes owners, operators, employees and volunteers working in a child care facility. Any member of the operator’s family over the age of 12 when the child care facility is located in, or adjacent to, the operator’s home, must be screened. Child enrichment service providers, such as dance, karate, gymnastics, tutoring etc. are also subject to screening. All individuals requiring screening must be cleared prior to licensure, employment, volunteering or fulfilling any other role in a child care program. The screening components below will be completed as part of your application process:

- **Federal Bureau of Investigation (FBI) and Florida Department of Law Enforcement (FDLE).** Required for all child care personnel. All electronic fingerprinting must be submitted and processed through the Background Screening Clearinghouse.
  - a) Instructions for registering as user in the Clearinghouse can be found at [http://www.dcf.state.fl.us/programs/backgroundscreening/docs/ClearinghousePortal\\_UserRegistrationGuide\\_DCF.pdf](http://www.dcf.state.fl.us/programs/backgroundscreening/docs/ClearinghousePortal_UserRegistrationGuide_DCF.pdf)
  - b) Guidance on initiating screenings through the Clearinghouse can be found at [http://www.dcf.state.fl.us/programs/backgroundscreening/docs/Clearinghouse\\_Results\\_InstructionGuide\\_DCF.pdf](http://www.dcf.state.fl.us/programs/backgroundscreening/docs/Clearinghouse_Results_InstructionGuide_DCF.pdf)

**IMPORTANT!** Owners or operators must initiate all screenings through the Clearinghouse prior to fingerprinting. Failure to initiate the screening prior to fingerprinting may result in screening delays, an invalid screening, or the individual may have to be re-fingerprinted at an additional cost.

- **Out of State Criminal Record Checks.** Required for all child care personnel that have lived outside of the state of Florida in the preceding five years.
  - a) The background screening unit is able to utilize the FBI criminal history results to satisfy the out-of-state criminal record check requirement for individuals whose out-of-state residency was in a state that participates in the FBI National Fingerprint File (NFF) program. A list of states participating in the National Fingerprint File (NFF) program can be found at <https://www.fbi.gov/services/cjis/compact-council/interstate-identification-index-iii-national-fingerprint-file-nff>
  - b) If the individual’s prior state of residency **does not participate** in the FBI National Fingerprint File (NFF) program, an out of state criminal history record must be submitted to background screening unit for review. The results may be faxed to: (850) 487-6030, emailed to: [bgs.outofstate.admin@myflfamilies.com](mailto:bgs.outofstate.admin@myflfamilies.com) or mailed to: Department of Children and Families Background Screening Program 1317 Winewood Boulevard, Building 6 Floor 3, Tallahassee, Florida 32399-0700. Nationwide criminal history record request information can be found at <http://www.dcf.state.fl.us/programs/backgroundscreening/docs/BackgroundScreening-CHR-AHContact-List.pdf>
- **Child Abuse and Neglect Registry Checks.** Required for all child care personnel that have lived outside of the state of Florida in the preceding five years. Nationwide abuse and neglect registry record request information can be found at

[http://www.dcf.state.fl.us/programs/backgroundscreening/docs/Clearinghouse\\_Results\\_InstructionGuide\\_DCF.pdf](http://www.dcf.state.fl.us/programs/backgroundscreening/docs/Clearinghouse_Results_InstructionGuide_DCF.pdf)

- **Sex Offender Registry Checks.** Required for all child care personnel that have lived outside of the state of Florida in the preceding five years. For nationwide sex offender searches, please visit <https://www.nsopw.gov/>
- **Juvenile Records Check (FDLE).** Required for members of the operator's family who are 12 to 17 years of age who have direct contact with children in care or when the child care facility is located in, or adjacent to, the operator's home. Request must be submitted online through the [FDLE public portal](#). The ORI number FL721911Z must be used at the time of request. Complete instructions on how to request a juvenile record can be at <http://ccrain.fl-dcf.org/documents/6/1019.pdf#page=1>
- **Child Care Attestation of Good Moral Character (AGMC).** Required for all child care personnel. This form can be found at <http://ccrain.fl-dcf.org/documents/6/78.pdf>
- **Employment History Checks.** Required for all child care personnel. A sample form can be viewed at <http://ccrain.fl-dcf.org/documents/6/324.pdf>
- **Central Abuse Hotline Records Search (CAHRS).** Required for the owner/designated representative, director and adult household members located in or adjacent to the facility. This form can be found at <http://ccrain.fl-dcf.org/documents/6/1005.pdf>
- **Mandatory Abuse and Neglect Reporting Requirements Form.** Required for child care personnel and adult household members located within or adjacent to facility. This form must be completed on an annual basis and can be found at <http://ccrain.fl-dcf.org/documents/6/96.pdf>

#### **Licensed Capacity:**

The licensed capacity of a child care facility is based on indoor and outdoor square footage and other factors. The licensed capacity will be determined by the most restrictive of the following:

1. Indoor square footage
  2. Outdoor square footage
  3. Sewer/septic capacity (as determined by Environmental Health)
  4. Number of toilets/wash basins
- Must have a minimum of 35 square feet of usable indoor floor space for each child unless the facility was continuously licensed with no break in licensure since October 1, 1992 (then 20 square feet per child).
  - Outdoor play space is calculated at a minimum of 45 square feet per child for one half of the licensed capacity minus the children from birth to age one.
  - An applicant seeking an Urban Child Care Facility designation, in addition to the above requirements, must:
    - a) Obtain written documentation from the local governing body (municipality) that confirms the geographical area has been declared urban, and
    - b) Consult with the licensing staff to verify that the required outdoor play space does not exist or cannot be made available. Urban designation will not be granted if it is determined that outdoor play space is available.

- A child care facility with a licensed capacity of one to fifteen children is required to have one toilet and one wash basin. The facility must have one additional toilet and wash basin for every additional 30 children.

**Number of Children Allowed – Staff-to-Child Ratios:**

The term “staff-to-child ratio” refers to the number of child care personnel that have responsibility for the direct supervision of a particular group of children in care. Staff-to-child ratios are as follows:

- For infants from birth to 1 year of age, there must be 1 staff member for every 4 infants (1:4).
- For children 1 year of age there must be 1 staff member for every 6 children (1:6).
- For children 2 years of age there must be 1 staff member for every 11 children (1:11).
- For children 3 years of age there must be 1 staff member for every 15 children (1:15).
- For children 4 years of age there must be 1 staff member for every 20 children (1:20).
- For children 5 years of age or older, there must be 1 staff member for every 25 children (1:25).
- In mixed age groups, where infants are included, 1 staff member shall be responsible for no more than 4 children of any age group.
- Similarly, in mixed age groups, where children 1 year of age are included, 1 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.

**Additional Considerations:**

As a child care provider, you will need to consider these services. These additional services are not required for licensure however to meet the needs of the families in your community this may be something to consider.

- Transportation – Prior to offering transportation services, child care providers should notify the local licensing office to ensure compliance with all transportation requirements. If you choose to provide transportation you must have a driver with a valid Florida driver’s license, an annual physical examination and valid certificate(s) of course completion of First Aid and Infant and Child Cardiopulmonary Resuscitation (CPR) procedures. All vehicles, including privately owned passenger vehicles that are regularly used to transport children shall be inspected annually by a mechanic, have adequate liability insurance and have appropriate child safety restraints/seat belts. Additionally, a transportation log must be correctly completed by the driver and one other staff member and be maintained. We recommend taking the Department’s Transportation Safety course which provides information about licensing requirements and best practices designed to help keep children safe while passengers in child care program vehicles. To access this course, go to <https://www.myflfamilies.com/service-programs/child-care/> and select “Training & Credentialing.” For more information, please refer to the Transportation Fact Sheet located at <http://ccrain.fl-dcf.org/documents/7/216.pdf>
- Food Preparation – Any facility providing meals/snacks will be required to meet all food hygiene requirements as per the Child Care Facility Handbook Section 3.9.
- Infant Care/ Crib Requirements – If you provide care for children under the age of one, they must be in an individual crib, porta crib, or playpen with sides. No double or multi-deck cribs, cots or beds may be used. All cribs must meet regulations as outlined in Title 16, Parts 1219, 1220 & 1221 Code of Federal Regulations. An overview of these regulations can be viewed at <http://www.cpsc.gov//PageFiles/113345/5023.pdf>

- Night Care – Child care provided during evening hours of 6:00 p.m. to 7:00 a.m. is considered night care. Staff must remain awake during all times. Each child in care must be provided safe and sanitary bedding to be used when sleeping. Sleep bedding includes beds, cribs, or mattresses (air mattress or a foam mattress are prohibited).

### **Application:**

**IMPORTANT!** Contact your local child care licensing office for guidance and further direction before completing an application for a license to operate a child care facility. Once all requirements are met the application process will begin.

- Complete the application which can be downloaded at <http://ccrain.fl-dcf.com/documents/6/54.pdf#page=1>.
- An application fee of \$1 per child based on the licensed capacity with a minimum charge of \$25 and maximum charge of \$100 for both initial applications and annual renewals.  
**NOTE!** The licensed capacity will be determined by your local child care licensing office. The amount of the application fee will be given to you.
- Mail completed application, including fee and supporting documentation, to the local Child Care Regulation office in your area located at <http://www.dcf.state.fl.us/programs/childcare/contacts.shtml>

### **Processing the Application:**

Once your application is ready to be processed it will be assigned to a licensing counselor for review, if one has not been previously assigned.

- If the application is incomplete, it will be returned to you within 30 days. The returned application will contain a cover letter detailing the remaining information/corrections needed prior to resubmission.
- If the application is complete, a pre-licensure inspection will be conducted on your facility. It is expected that your facility will meet all licensure requirements at that time. Should you fail to achieve compliance in any area, technical assistance will be provided and additional direction given. The inspection process will be repeated once you are ready to try again. Please note, you will not be approved for a license until all noncompliant issues are resolved.
- Once a **complete** application is received it will be processed within 90 days. You will receive a Child Care Facility license to operate once your application is approved and all licensing requirements are met. If you are denied, you will receive a letter advising you of the reason for the denial and providing you with additional information on your right to appeal.

### **Upon Licensure:**

Once your license is approved you can expect the following:

- You will be licensed for a period of 1 year.
- During the licensure year you will receive a minimum of 3 onsite inspections.
- No later than 90 days prior to your license expiration, you will be notified that your license will soon expire. A completed application for renewal must be submitted to the licensing office no later than 45 Days prior to your license expiration date. \*
- You must submit a new application if you wish to continue to provide child care at your Child Care Facility.

**\*Reminder:** Pursuant to 65C-22.001(1)(d), F.A.C., failure to submit a completed application for renewal of an annual license at least 45 days prior to the expiration date of the current license constitutes a licensing violation.

**Additional Information:**

If you have further questions or require additional information, please contact the local Child Care Regulation office in your area at <http://www.dcf.state.fl.us/programs/childcare/contacts.shtml>