

FILED

FEB 18 2019

DCF Department Clerk

STATE OF FLORIDA  
DEPARTMENT OF CHILDREN AND FAMILIES

DEPARTMENT OF CHILDREN AND  
FAMILIES,

Petitioner,  
v.

CASE NO. 18-6282  
RENDITION NO. DCF-19-020-FO

KIDZ LEARNING ACADEMY CHILDCARE  
CENTER,


Respondent.

\_\_\_\_\_ /

**FINAL ORDER CLOSING FILE**

THIS CAUSE is before me for entry of a final order. The Order Closing File and Relinquishing Jurisdiction, dated January 3, 2019, granted Petitioner's Motion to Close File and Relinquish Jurisdiction; the parties entered into a settlement agreement. There are no further issues between the parties. This matter is closed.

**DONE AND ORDERED** at Tallahassee, Leon County, Florida, this 12  
day of February, 2019.

  
\_\_\_\_\_  
Chad Poppell, Secretary

**NOTICE OF RIGHT TO APPEAL**

THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY A PARTY PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULES 9.110 AND 9.190, FLORIDA RULES OF APPELLATE PROCEDURE. SUCH APPEAL IS INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF CHILDREN AND FAMILIES AT 1317 WINEWOOD BOULEVARD, BUILDING 2, ROOM 204, TALLAHASSEE, FLORIDA 32399-0700, AND A SECOND COPY ALONG WITH THE FILING FEE AS PRESCRIBED BY LAW, IN THE DISTRICT COURT OF APPEAL WHERE THE PARTY RESIDES OR IN THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE OF APPEAL MUST BE FILED (RECEIVED) WITHIN 30 DAYS OF RENDITION OF THIS ORDER.<sup>1</sup>

Copies furnished to the following via U.S. Mail on date of Rendition of this Order.<sup>2</sup>

Brian Meola, Esq.  
Assistant General Counsel  
Department of Children and Families  
400 W. Robinson St.  
Orlando, FL 32801

Claudio Llado, Clerk  
Division of Administrative Hearings  
Three DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32301

Annie Parker  
Kidz Learning Academy Childcare Center  
4607 North Pine Hills Rd.  
Orlando, FL 32808

  
\_\_\_\_\_  
Lacey Kantor, Agency Clerk

<sup>1</sup> The date of the "rendition" of this Order is the date that is stamped on its first page.

<sup>2</sup> The date of "rendition" of this Order is the date that is stamped on its first page.

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF CHILDREN AND  
FAMILIES,

Petitioner,

vs.

Case No. 18-6282

KIDZ LEARNING ACADEMY CHILDCARE  
CENTER,

Respondent.

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ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause comes before the undersigned on the Petitioner's Motion to Close File and Relinquish Jurisdiction, filed January 2, 2019. The parties have executed a Settlement Agreement which was attached to the motion. The undersigned being fully advised in the premises, it is, therefore,

ORDERED that:

1. The motion is granted.
2. The final hearing scheduled for January 18, 2019, is canceled.
3. The file of the Division of Administrative Hearings is closed. Jurisdiction is relinquished to the Department of Children and Families.

DONE AND ORDERED this 3rd day of January, 2019, in  
Tallahassee, Leon County, Florida.

*Hetal Desai*

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HETAL DESAI  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675  
Fax Filing (850) 921-6847  
[www.doah.state.fl.us](http://www.doah.state.fl.us)

Filed with the Clerk of the  
Division of Administrative Hearings  
this 3rd day of January, 2019.

COPIES FURNISHED:

Lacey Kantor, Esquire  
Department of Children and Families  
Building 2, Room 204Z  
1317 Winewood Boulevard  
Tallahassee, Florida 32399-0700  
(eServed)

Brian Christopher Meola, Esquire  
Department of Children and Families  
Suite S-1129  
400 West Robinson Street  
Orlando, Florida 32801  
(eServed)

Annie Parker  
Kidz Learning Academy Childcare Center  
4607 North Pine Hills Road  
Orlando, Florida 32808

**STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS**

**DEPARTMENT OF CHILDREN AND  
FAMILIES**

**Petitioner**

**v.**

**Case No. 18-6282**

**KIDZ LEARNING ACADEMY  
CHILDCARE CENTER.,**

**Respondent.**

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

The above named parties have agreed to settle this matter on the terms and conditions that follow:

1. Kidz Learning Academy Childcare Center., C09OR0819 located at 4607 N. Pine Hills Road, Orlando, FL 32808 (hereinafter "Kidz") agrees that on or about, August 14, 2018, 2018, it was in violation of several CCF Handbook regulations.
2. As a result, the Department of Children and Families (hereinafter the "Department") investigated the violations through its child care licensing office.
3. After the investigation was completed, the Department sent an Administrative Complaint dated September 18, 2018, to Kidz, wherein the Department imposed a fine in the amount of \$375.00 and imposing one Class I violation.
4. Kidz timely requested an administrative hearing wherein it contested the imposition of the Class I violation and the \$375.00 fine set forth in the administrative complaint.

5. The parties have agreed to settle this matter.
6. Kidz agrees to a violation of CCF Handbook, Section 2.3, the Ratio Sufficient Rule, which occurred on August 14, 2018 and April 3, 2018, which are Class II violations of the Child Care Licensing Standard, CF-FSP Form 5316, 3.1, October 2017, incorporated by reference, 65C-22.010(1)(e)1, F.A.C.
7. Kidz agrees to a violation CCF Handbook, Section 2.4, Supervision Rule on August 14, 2018 and April 3, 2018, which are Class II violations of Child Care Licensing Standard, CF-FSP Form 5316, 4.1, October 2017 incorporated by reference, 65C-22.010(1)(e)1, F.A.C.
8. Kidz agrees to a violation CCF Handbook, Section 3.9.5, B., Bottles and Infant Food rule, on August 18, 2018, May 9, 2018, and April 3, 2018, which are Class III violations of Child Care Licensing Standard, CF-FSP Form 5316, 28.2, October 2017 incorporated by reference, 65C-22.010(1)(e)1, F.A.C.
9. Kidz agrees to a \$50 fine for each Class II and a \$25 fine for the Class III violation for a total fine amount of \$125.
10. The Department agrees to drop the Class I violation and the associated \$250 fine.
11. Kidz agrees to withdraw their request for an administrative hearing this matter.
12. The parties agree to pay their own attorney's fees and costs.
13. The parties enter into this agreement freely and voluntarily and intend to be bound by the terms hereof as evidenced by their signatures and effective as dated below.
14. Upon the filing of this settlement agreement with the Agency, the parties agree to the entry of a recommended order and final order approving this settlement agreement.

TERMS AND CONDITIONS ACCEPTED BY:

Annie Parker  
Annie Parker, Owner/Operator  
Representative for Respondent

1-2-19  
Date

Brian Meola  
Brian Meola, Esq.  
Attorney and Representative for the Department

1/2/19  
Date