

FILED

JUN 18 2019

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES

DCF Department Clerk

DEPARTMENT OF CHILDREN AND
FAMILIES,

Petitioner,

CASE NOS. 19-1060, 19-1061,
19-1062, 19-1065

v.

RENDITION NO. DCF-19- 111 -FO

GALLOPS FAMILY CENTER, INC.,

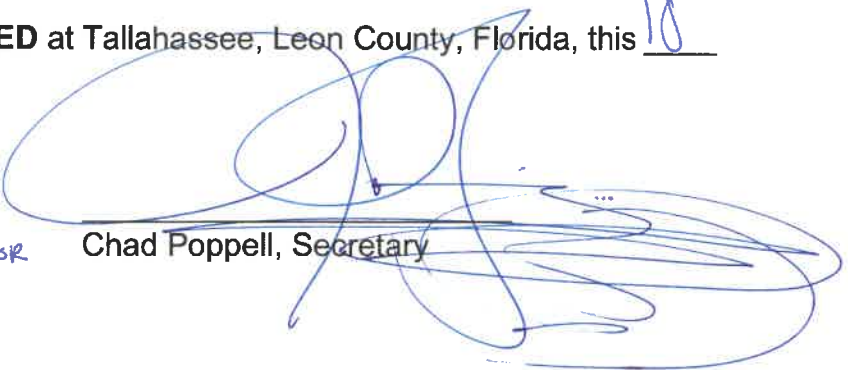
Respondent.

_____ /

FINAL ORDER CLOSING FILE

THIS CAUSE is before me for entry of a final order. The Order Closing Files and Relinquishing Jurisdiction, May 21, 2019, stated the parties filed a Stipulated Notice of Settlement and Motion to Cancel Final Hearing and Relinquish Jurisdiction to the Department. There are no further issues between the parties. This matter is closed.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this 18th
day of June, 2019.

For 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.¹

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

Camille Larson, Esq.
Assistant General Counsel
Department of Children and Families
2383 Phillips Rd.
Tallahassee, FL 32308

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

Thomas F. Congdon, Esq.
8112 Blue Quill Tr.
Tallahassee, FL 32312



Lacey Kantor, Agency Clerk

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

² 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,

**Case Nos. 19-1060
19-1061
19-1062
19-1065**

vs.

GALLOP'S FAMILY CENTER, INC.

Respondent.


SETTLEMENT AGREEMENT

Petitioner, Department of Children and Families (herein after the "Department"), and Respondent, Gallop's Family Center, Inc., hereby agree to the following in order to settle this matter:


- a. The parties agree that no benefit will come from further litigation in this matter. Both parties have already incurred a loss of time related to litigation. In order to resolve this matter, the parties agree that the final hearing will be canceled.
- b. This matter was pending in response to four administrative complaints issued by the Department. The parties agree that the fines contained in those complaints have already been satisfied and therefore no further fines will be due to the Department in relation to these four administrative complaints at issue here.
- c. The four Class II violations as related to concerns for ratio of childcare personnel to children in the facility will remain.
- d. In response to the fourth ratio violation as cited by the Department, the Respondent shall be issued a probationary license. The probationary license shall run from January 7, 2019 to July 7, 2019. If no further ratio violations are cited prior to July 7, 2019, then the Respondent shall be issued a regular license to operate on July 8, 2019.
- e. Should Respondent be cited for a fifth Class II ratio violation, the Department agrees that it will not pursue administrative action to revoke the Respondent's license based on the Class II ratio violation. However, the Department may seek administrative action to suspend Respondent's license, up to one full business day. Respondent shall be provided the opportunity to select the day facility operations will be suspended.

- f. The citation related to the late application for the renewal application will remain in place.
- g. The citation as to the violation for in-service training requirements shall remain in place.
- h. The citation as to the violation related to initial training for childcare personnel shall remain in place.
- i. The citation as to the violation related to a physical examination on file for all drivers of all facility vans shall remain in place.
- j. The Department shall remove the violation related to the improper storage of cleaning supplies as cited on November 14, 2018. The Respondent agrees to further train all employees regarding the safe use and storage of cleaning supplies and will look into installing more shelving or hooks for the placement of the cleaning supplies when not in direct use to ensure that no children can access said cleaning supplies.
- k. The Respondent will not request further recourse or appellate review of this matter.
- l. All parties agree to incur their own costs and legal fees.

Reviewed and agreed upon by:


Miatta Jalaber
Florida Department of Children and Families
Northwest Region – Program Safety Manager
Child Care Regulation

5/22/19
Date


Kristal Franklin
Owner and Operator
Gallop's Family Center

5 22 19
Date