

## **6M-10.001 Gold Seal Quality Care Program for Family Day Care and Large Family Child Care Homes.**

### (1) Definitions.

(a) “Child care” means the care, protection, and supervision of a child, for a period of less than twenty-four (24) hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

(b) ~~(a)~~ “Class I Violation” is an incident of noncompliance with a Class I standard as described by the Department of Children and Families (DCF) on CF-FSP Form 5316, CF-FSP Form 5318, and CF-FSP Form 5317, and CF-FSP Form 5427 or by the Division of Early Learning (DEL) on Form OEL-SR-6201, Form OEL-SR-6203, and Form OEL-SR-6205. Class I violations are the most serious in nature. ~~has the same meaning as provided for the same term in subparagraph 65C 20.012(1)(c)1., F.A.C.~~

(c) ~~(b)~~ “Class II Violation” is an incident of noncompliance with an individual Class II standard as described by the DCF on CF-FSP Form 5316, CF-FSP Form 5318, and CF-FSP Form 5317, and CF-FSP Form 5427 or by the DEL on Form OEL-SR-6201, Form OEL-SR-6203, and Form OEL-SR-6205. Class II violations are less serious in nature than Class I violations. A Class II standard violation resulting in death or serious harm to a child shall escalate to a Class I violation. ~~has the same meaning as provided for the same term in subparagraph 65C 20.012(1)(c)2., F.A.C.~~

(d) ~~(c)~~ “Class III Violation” is an incident of noncompliance with an individual Class III standard as described by the DCF on CF-FSP Form 5316, CF-FSP Form 5318, and CF-FSP Form 5317 and CF-FSP Form 5427 or by the DEL on Form OEL-SR-6201, Form OEL-SR-6203, and Form OEL-SR-6205. Class III violations are less serious in nature than Class I or Class II violations. ~~has the same meaning as provided for the same term in subparagraph 65C 20.012(1)(c)3., F.A.C.~~

(e) ~~(d)~~ Gold Seal Quality Care Provider means a child care facility, family day care home, or large family child care home regulated licensed by the DCF, Department or local licensing authority, or the Department of Defense that meets the accreditation compliance requirements in Section 1002.945(1) 402.281(1), F.S.

(f) ~~(e)~~ “Gold Seal Quality Care Accrediting Association” means an accrediting association that has applied to and been approved by the DEL Department as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 1002.945(3) 402.281(3), F.S.

### (2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation. A child care facility, licensed family day care home, or large family child care home program seeking designation as a Gold Seal Quality Care provider shall apply to the DEL Department on Form DEL-GS05 form CF FSP Form 5386, Gold Seal Quality Care Provider Application, April 2022 May 2019, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the DEL’s Department’s website at www.floridaearlylearning.com www.myflfamilies.com/childcare or from the following link: (insert link) http://www.flrules.org/Gateway/reference.asp?No=Ref 10579. Once reviewed and approved by the DEL Department, the designation will be issued in the legal name of the provider. The designation will be effective the date approved by the DEL Department through the duration of the provider’s accreditation certification, up to a maximum of five (5) years, unless terminated by the DEL Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) A child care facility, licensed family day care home, or large family child care home operating on a military installation must submit to the DEL Department copies of any inspection reports conducted by the Department of Defense within fifteen (15) 15 business days from the date of the inspection. The DEL Department will review the inspection to determine compliance with criteria for the issuance and maintenance of an active Gold Seal Quality Care Provider Designation.

(c) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name and address on the accrediting association certificate required by Form DEL-GS05 CF FSP Form 5386 must be the same as that on the provider’s license. A list of approved accrediting associations may be obtained from the DEL’s Department website at www.floridaearlylearning.com www.myflfamilies.com/childcare.

2. Be inspected for compliance with health and safety standards, as prescribed by the Department of Children and Families, the local licensing authority, or the United States, Department of Defense, prior to approval for the Gold Seal Quality Care Program to meet the criteria outlined in section 1002.945(4), F.S. The most recent inspection cannot be older than 2 years from the date of application.

~~2. Meet the criteria of Section 402.281(4), F.S.~~

(d) To renew a Gold Seal Quality Care designation, the provider must submit Form DEL-GS05 CF FSP Form 5386 at least

~~thirty (30)~~ 30 calendar days prior to expiration of the current designation. The ~~DEL Department~~ cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation. Designations are effective on the date the application is approved.

(3) Gold Seal Quality Care Enforcement.

(a) Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider's Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider's accreditation.

(b) A provider's Gold Seal designation will be terminated if the Department of Children and Families or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 1002.945(4) ~~402.281(4)~~, F.S. The termination will be effective as of the date of final agency action on the termination.

(c) The ~~DEL Department~~ will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers one hundred eighty (180) ~~180~~ calendar days from the date of notification, to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The ~~DEL Department~~ will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180-day period.

~~(4) Gold Seal Quality Care Accrediting Association Requirements.~~

~~(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:~~

~~1. Have been active and accrediting child care family day care homes and large family child care homes in Florida for a period of five years prior to submission of an application to the Department.~~

~~2. Hold an active corporation registration with the Florida Department of State to do business in Florida.~~

~~3. Submit and meet all requirements outlined on the CF FSP Form 5315, Gold Seal Quality Care Accrediting Association Application, May 2019, which is incorporated by reference. CF FSP Form 5315 may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref 10484>.~~

~~4. Submit a crosswalk of the Accrediting Association's standards with the Department's Gold Seal Quality Standards.~~

~~(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial.~~

~~(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF FSP 5390, Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, April 2015, this form is incorporated by reference and a copy of this form may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref 05509>. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref 05512>.~~

~~(d) The Department's Gold Seal Quality Care Standards are established in CF FSP Form 5388, Gold Seal Quality Care Standards for Family Day Care Homes and Large Family Child Care Homes, April 2015, incorporated by reference and copies may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref 05508>.~~

~~(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the Department or voluntarily surrendered during the approved period.~~

~~(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.~~

~~(g) The following acts or omissions are grounds for revocation of an accrediting association's approval.~~

~~1. Failure to notify the Department of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by the Department.~~

~~2. Any changes resulting in the Association's inability to meet the criteria provided in Section 402.281, F.S.~~

~~(h) A Gold Seal Accrediting Association must notify the Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a family day care home or large family child care home in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.~~

~~(i) Gold Seal Quality Care Associations must apply to renew approval by submitting CF FSP Form 5315 a minimum of six months prior to end of the five year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.~~

~~(j) An accrediting association approved under this rule must notify the Department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.~~

~~(k) The Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.~~

~~(l) An Accrediting Association approved by the Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups, and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.~~

*Rulemaking Authority 1002.945 402.284 FS. Law Implemented 1002.945 402.284 FS. History—New 5-1-08, Amended 1-13-10, 7-7-15, 10-25-17, 6-12-19, Formerly 65C-20.014, New XX-XX-XX*