

**6M-10.001 Gold Seal Quality Care Program.**

(1) Definitions.

(a) No change.

(b) “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 and CF FSP Form 5427 in Rule 65C 22.010, F.A.C., and CF FSP Form 5318, and CF FSP Form 5317 in Rule 65C 20.012, F.A.C.~~ or the local licensing agency. Class I violations are the most serious in nature.

(c) “Class II Violation” is an incident of noncompliance with an individual Class II standard as described by the DCF ~~on CF FSP Form 5316 and CF FSP Form 5427 in Rule 65C 22.010, F.A.C., CF FSP Form 5318, and CF FSP Form 5317 in Rule 65C 20.012, F.A.C.~~ or the local licensing agency. 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.

(d) “Class III Violation” is an incident of noncompliance with an individual Class III standard as described by the DCF ~~on CF FSP Form 5316 and CF FSP Form 5427 in Rule 65C 22.010, F.A.C., CF FSP Form 5318, and CF FSP Form 5317 in Rule 65C 20.012, F.A.C.~~ or the local licensing agency. Class III violations are less serious in nature than Class I or Class II violations.

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

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

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

(g) “Violation” means noncompliance with a licensing standard as described in an inspection report resulting from an inspection under Section 402.311, 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 seeking designation as a Gold Seal Quality Care provider ~~must shall~~ apply to the DEL on Form DEL-GS05, Gold Seal Quality Care Provider Application, ~~February 2023~~ ~~May 2022~~, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the DEL's website at [www.floridaearlylearning.com](http://www.floridaearlylearning.com) or from the following link:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-14188>. Once reviewed and approved by the DEL, the designation will be issued in the legal name of the provider. The designation will be effective on the date approved by the DEL through the duration of the provider's accreditation certification, up to a maximum of five (5) years, unless terminated by the DEL 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 copies of any inspection reports conducted by the United States Department of Defense within fifteen (15) business days from the date of the inspection. The DEL will review the inspection to determine compliance with criteria for the issuance and maintenance of an active Gold Seal Quality Care Provider ~~d~~Designation.

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

1. Be operational and attended by children for a minimum of one (1) year. Providers with other locations that are in good standing with the accrediting association, that meet the criteria outlined in Section 1002.945(4), F.S., is inspected for health and safety standards as prescribed by the DCF, the local licensing agency, or the United States Department of Defense, and that have been operational with children in attendance for a minimum of one (1) year shall be exempt from the one (1) year requirement at any new locations.

2. ~~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 must be the same as that on the provider's license. A list of approved accrediting associations may be obtained from the DEL's website at [www.floridaearlylearning.com](http://www.floridaearlylearning.com).

3. ~~2.~~ Be inspected for compliance with health and safety standards, as prescribed by the DCF, the local licensing agency authority, or the United States, Department of Defense, prior to approval for the Gold Seal Quality Care Program and to meet the criteria outlined in Section 1002.945(4), F.S. The most recent inspection cannot be older

than two (2) years from the date of application.

(d) To renew a Gold Seal Quality Care designation, the provider must submit Form DEL-GS05 at least thirty (30) calendar days prior to expiration of the current designation. The DEL cannot guarantee that 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 Quality Care designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal Quality Care 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 Quality Care designation will be terminated if the Department of Children and Families, ~~or~~ local licensing agency, or the United States Department of Defense determines the provider has committed a disqualifying minimum standards violation as defined in Section 1002.945(4), F.S. The termination will be effective as of the date of final agency action on the termination. Providers are eligible to reapply for the Gold Seal Quality Care Program in accordance with the timeframes specified in Section 1002.945(4), F.S.

(c) ~~The DEL will notify providers that are accredited by a Gold Seal Quality Care Accrediting Association that has lost its status as an approved accrediting association entity and will be notified by the DEL and be afforded~~ afford one year ~~such providers one hundred eighty (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 will thereafter terminate the Gold Seal Quality Care designation of any provider that is not accredited by an approved accrediting association at the conclusion of the one (1) year 180-day period.

(d) ~~In the event that a provider receives notice that the Department intends to revoke the current Gold Seal designation, or deny the provider's application for a Gold Seal designation, as a result of a Class I violation being committed within the preceding two (2) years of receiving the notice, the provider may request that the Department recommend to the State Board that the provider be permitted to maintain its Gold Seal designation based on the grounds established in Section 1002.945(4)(b), F.S.~~

1. The provider must submit a written request and the following documentation to the Department:

~~a. The owner of the child care facility, family day care home, or large family child care home, which may be an individual, partnership, limited liability company (LLC), corporation, or other business or ownership entity recognized by the State of Florida, must provide documentation of being continuously in business and licensed or license exempt by the DCF, the local licensing authority, or the United States, Department of Defense for at least five (5) years prior to date of the notice; and~~

~~b. The child care facility, family day care home, or large family child care home must provide documentation of inspections that support there are no other Class I violations recorded by the DCF, the local licensing authority, or the United States, Department of Defense.~~

~~2. The provider must submit the written request and documentation within twenty one (21) days of the date of the notice. The Department may request additional information from providers to supplement their request to address any deficiencies identified by the Department.~~

*Rulemaking Authority 1002.945 FS. Law Implemented 1002.945 FS. History—New 5-1-08, Amended 1-13-10, 7-7-15, 10-25-17, 6-12-19, Formerly 65C-20.014, Amended 5-3-22.*