

CHAPTER 65C-20

FAMILY DAY CARE STANDARDS AND LARGE FAMILY CHILD CARE HOMES

- 65C-20.008 Application
- 65C-20.012 Enforcement
- 65C-20.014 Gold Seal Quality Care Program

65C-20.008 Application.

(1) Application for a license or for renewal of a license to operate a family day care home must be made on CF-FSP Form 5133, (insert date) October 2017, Application for a License to Operate a Family Day Care Home, which is incorporated by reference. CF-FSP Form 5133 may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX 08748>.

(2) Application for a license or for renewal of a license to operate a large family child care home must be made on CF-FSP Form 5238, (insert date) October 2017, Application for a License to Operate a Large Family Child Care Home, which is incorporated by reference. CF-FSP Form 5238 may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX 08749>. A license to operate a large family child care home may be used to operate a family day care home when the number of children in care meets the definition of a family day care home. A license to operate a family day care home cannot be used to operate a large family child care home.

(3) through (4) No change.

(5) The Department may issue a provisional license allowing a home to operate for a designated period of time while working to correct one or more licensing standard(s) not met, provided the operator is making adequate provisions to ensure the health and safety of the children in care. A provisional license may not be issued as the initial license and is not a disciplinary sanction.

(6) During the hours of operation, the family day care home or large family child care home must not be used for any business or purpose unrelated to providing child care that can interfere with compliance with child care standards or permit the presence of individuals who do not meet screening and training requirements when children are present.

~~(7)~~(6) Family Day Care Home and Large Family Child Care Home Standards. Family Day Care Homes and Large Family Child Care Homes must follow the standards found in the "Family Day Care Home and Large Family Child Care Home ~~Licensing~~ Handbook," (insert date) October 2017, incorporated herein by reference. The handbook may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX 08752>.

~~(8)(7)~~ No change.

Rulemaking Authority 402.309, 402.313, 402.305, 402.3131 FS. Law Implemented 402.309, 402.302(13), 402.313, 402.305, 402.3131 FS. History—New 7-2-98, Amended 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, 10-25-17 Amended _____

65C-20.012 Enforcement.

This rule establishes the grounds under which the Department may issue an administrative fine, deny, suspend, revoke a license or registration or place a licensee or registrant on probation status as well as uniform system of procedures to impose disciplinary sanctions.

(1) Definitions.

(a) through (d) No change.

(e) “Violation” is a noncompliance with a licensing standard as described in an inspection report resulting from an inspection under Section 402.311, F.S., as follows with regard to Class I, Class II, and Class III Violations.

1. “Class I Violation” is an incident of noncompliance with a Class I standard as described on CF-FSP Form 5318, (insert date) ~~October 2017~~, Family Day Care Home Standards Classifications Summary and CF-FSP Form 5317, (insert date) ~~October 2017~~, Large Family Child Care Home Standards Classification Summary, which is incorporated by reference. A copy of CF-FSP Forms 5318 and 5317 may be obtained from the Department’s website www.myflfamilies.com/childcare or from the following links: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX 08753>, and <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX 08754>. However, any violation of a Class II standard that results in death or serious harm to a child shall escalate to a Class I violation. Class I violations are the most serious in nature.

2. through 3. No change.

(2) No change.

(3) Disciplinary Sanctions.

(a) through (d) No change.

(e) Disciplinary sanctions for licensing violations shall be progressively enforced as follows:

1. Class I Violations.

a. For the first and second violation of a Class I standard, the Department shall, upon applying the factors in Section 402.310(1)(a)1, ~~402.310(1)(e)~~, F.S., impose a fine not less than \$100.00 nor more than \$500.00 per day for each violation, and may impose other disciplinary sanctions in addition to the fine.

b. No change.

2. through 3. No change.

(4) through (5) No change.

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65C-20.014 Gold Seal Quality Care Program.

(1) No change.

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation.

A 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 Department on form CF-FSP Form 5386, Gold Seal Quality Care Provider Application, (insert date) ~~April 2015~~, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX 05507>. Once reviewed and approved by the Department, the designation will be issued in the legal name of the provider. The designation will be effective the date approved by the Department through the duration of the provider's accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) A licensed family day care home or large family child care home operating on a military installation must submit to the Department copies of any inspection reports conducted by the Department of Defense within 15 business days from the date of the inspection. The 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 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 Department website at www.myflfamilies.com/childcare.

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

(c) is relettered (d) No change.

(3) No change.

(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 ~~programs~~ in Florida for a period of five years prior to submission of an application to the Department.

2. No change.

3. Submit and meet all requirements outlined on the CF-FSP Form 5315, Gold Seal Quality Care Accrediting Association Application, (insert date) ~~April 2015~~, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX> ~~05506~~.

4. No change.

(b) through (c) No change.

(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. ~~This form includes the United States Department of Agriculture's Food Program (USDA's CACFP) guidelines, N-050-06 Child Care Food Program Meal Pattern for Children, August 2013, and Adult Care Food Program Adult Meal Pattern, November 20, 2012. This form and the USDA's CACFP guidelines are,~~ incorporated by reference and copies may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following ~~link~~ links: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05508>, ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-05510>~~, and ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-05511>~~.

(e) through (l) No change.

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History—New 5-1-08, Amended 1-13-10, 7-7-15, 10-25-17
Amended