

# Early Learning Coalition

of Pinellas County, Inc.

<b>Policy:</b> <b>ELCPC-71.2</b>	<b>Title: Voluntary Prekindergarten (VPK) Provider Enforcement Policy</b>	
	<b>Review Date:</b> <b>April 2018</b>	<b>Next Review Date:</b> <b>April 2020</b>

**References:** Statewide VPK Provider Contract  
 OEL-VPK 20,  
 OEL-20PP,  
 OEL-20PS,  
 Chapter 1002, Part V, F.S.,  
 Chapter 1002.91, F.S.  
 Chapter 414.39, F.S.  
 6M-8, F.A.C.

**Purpose:** To outline enforcement actions with Voluntary Prekindergarten (VPK) providers who are fail to comply with the terms of the Statewide VPK Provider Contract.

**Background:**

This Coalition policy and procedure is inclusive to all VPK Provider settings: licensed child care centers, licensed family child care homes, and licensed-exempt providers receiving VPK funding.

**Policy:**

**Corrective Action**

If the Coalition determines a provider has failed to comply with the provisions governing the VPK Program as described in paragraph 5. or the requirements of the VPK Contract, and the Coalition concludes that corrective action will resolve the failure to comply, the Coalition will notify the provider in writing. The notice will identify the specific requirement(s) which the provider failed to meet and describe how the provider failed to meet each requirement. In addition, the notice will provide a detailed description of any required corrective action and a deadline for completion of the corrective action. Finally, the notice will state that the provider may request a review of the determination as described in the Due Process procedures. Coalition staff will verify satisfactory completion of corrective action and provide confirmation in writing to the provider.

## **Financial Consequences**

Noncompliance related to insurance, reporting suspected abuse or neglect, child attendance documentation, child ratios, accreditation, instructional hours, notification requirements, and staff qualifications will result in nonpayment for VPK funded children for the affected days.

## **Terminations**

### *Termination for Cause*

In the event of a termination for cause, providers will be notified ten (10) business days prior to the effective date. Parents of VPK funded children will be notified at least five (5) business days prior to the termination date that the funding for this Provider's program will cease. CCR&R staff will assist parents in finding another approved VPK provider. Parents will be subject to the VPK re-enrollment requirements in OEL Rule 6M-8, F.A.C. Parents choosing to keep their child enrolled with the terminated provider will forfeit their VPK services.

Note: "No loss" letters will not be considered as a form of corrective action for lapses in general liability insurance. Any lapse in coverage, non-renewal or cancellation of general liability insurance will result in corrective action and non-reimbursable days.

### *Emergency Termination*

The Coalition must immediately terminate a provider's VPK Provider Contract upon notification from Child Care Licensing that actions or inactions of a provider pose an immediate and serious danger to the health, safety or welfare of children.

Other violations involving emergency termination include failure to maintain status as an eligible child care provider and failure to obtain written approval from the Coalition prior to transferring or assigning the Contract to another entity, corporation, or owner.

In the event of an emergency termination, the Coalition will notify the provider by sending the provider written notice of emergency termination at least twenty-four (24) hours prior to termination. CCR&R staff will assist parents in finding another approved VPK provider. Parents will be subject to the VPK re-enrollment requirements in OEL Rule 6M-8, F.A.C. Parents choosing to keep their child enrolled with the terminated provider will forfeit their VPK services.

### *Revocation of Eligibility*

A provider whose VPK Provider Contract has been terminated due to violations of Florida Statute or provider misconduct will be ineligible to execute a new VPK Provider Contract for five (5) years from the date of termination.

### *Probationary Licenses*

A provider whose license is on a probation status is not eligible to begin a VPK program. A provider may apply for a Contract once their license is removed from probation status.