

6M-8.301 Standard Statewide Provider Contract for the VPK Program.

(1) No Change.

(2)(a) VPK providers that register to offer the VPK program must execute Form ~~DEL OEL~~-VPK 20, including either Form ~~DEL OEL~~-VPK 20PP or Form ~~DEL OEL~~-VPK 20PS as appropriate. A coalition must be a party to a provider agreement. A school district may sign a single provider agreement on behalf of all public school VPK providers in the district. The owner or manager of multiple private VPK providers may sign a single provider agreement on behalf of all of his or her private VPK providers.

(b) VPK providers that register to offer the VPK program must submit all forms adopted by this rule on the Statewide Information System (known as the Provider Portal) and found at <https://providerservices.floridaearlylearning.com>. Public school districts, public universities, county governments (67 Florida counties) and public hospitals may print completed documents from the Provider Portal for the purpose of having original signatures if required by the local school board or governing body; however, no changes may be made to Form ~~DEL OEL~~-VPK 20.

(3) The “State of Florida Statewide Voluntary Prekindergarten Provider Contract (Form ~~DEL OEL~~-VPK 20)” dated ~~March 2022~~ ~~April 2021~~, is hereby adopted and incorporated by reference. All VPK providers, private or public school, must execute this document to deliver the VPK program. The incorporated form is available from the Department of Education, Division Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-12823>.

(4) The “State of Florida Statewide Voluntary Prekindergarten Provider Contract Private Provider Attachment (Form ~~DEL OEL~~-VPK 20PP),” dated ~~March 2022~~ ~~April 2021~~, is hereby adopted and incorporated by reference. This attachment becomes part of the contract for all private providers that execute the contract adopted in subsection (3). The incorporated form is available from the Department of Education, Division Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-12824>.

(5) The “State of Florida Statewide Voluntary Prekindergarten Provider Contract Public School Attachment (Form ~~DEL OEL~~-VPK 20PS),” dated ~~March 2022~~ ~~April 2021~~, is hereby adopted and incorporated by reference. This attachment becomes part of the contract for all public schools that execute the contract adopted in subsection (3). The incorporated form is available from the Department of Education, Division Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-12825>.

(6) No Change.

(7) Neither a coalition nor a VPK provider may omit, supplement, or amend the terms and conditions of the Provider Contract or include any attachments, addenda, or exhibits to the contract except described in this subsection. Form ~~DEL OEL~~-VPK 20PP and Form ~~DEL OEL~~-VPK 20PS are approved attachments to the provider contract. The coalition and VPK provider may agree to amend the provider contract if the specific type of amendment is identified on Form ~~DEL OEL~~-VPK 20A (~~April 2021~~) (March 2022), titled Amendment to Statewide Voluntary Prekindergarten Provider Contract, which is hereby incorporated by reference. The incorporated form is available from the Department of Education, Division Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-42826>. Form ~~DEL OEL~~-VPK 20A shall be executed by both the coalition and the VPK provider.

(8) For the purpose of this subsection “individual associated with a provider” means an individual or family member of an individual who, regardless of compensation, holds a management position, oversees the operations of a provider, or is an officer, shareholder, beneficial owner or member of the board of directors of a provider. A provider shall not be eligible to contract to offer the VPK program if any of the following circumstances apply:

(a) through (d) No Change.

(e) The provider is currently ineligible to participate in the VPK program due to revocation of eligibility by the early learning coalition or the school district pursuant to Sections 1002.55(6), 1002.61(10), or 1002.63(9) 1002.67(4), F.S.

(f) An individual associated with the provider was, or is, associated with another provider that is currently ineligible to participate in the VPK program due to revocation of eligibility by the early learning coalition or the school district pursuant to Sections 1002.55(6), 1002.61(10), 1002.63(9), or 1002.73(4)(c)1002.67(4), 1002.55(5)(b) or 1002.75(3)(e), F.S.

(g) For providers removed from eligibility due to noncompliance with s. 1002.68, F.S., Voluntary Prekindergarten Education Program accountability specifically related to, VPK pre and post assessment or VPK readiness rates under Section 1002.67(4), F.S., the removal from eligibility applies to VPK program type (school-year or summer) and therefore, in paragraphs (e) and (f), above, ineligibility to contract is per program type.

(9) No Change.

(10) The early learning coalition may refuse to contract with a VPK provider or revoke a VPK provider's eligibility to deliver the Voluntary Prekindergarten Education Program if the prekindergarten provider has been cited for a Class I violation by the Department of Children and Families (DCF) in accordance with Rule 65C-22.010 or 65C-20.012, F.A.C. (as applicable to the provider type) or local licensing agency (as applicable to the provider location). Action taken by a coalition to revoke a provider's eligibility must be consistent with Sections 1002.55(6), 1002.61(10)(b), 1002.67(4)(b), F.S., in that the revocation is for a period of at least two (2) years but no more than five (5) years. If the coalition chooses to implement this provision the coalition must develop policies and procedures to ensure the standard is applied consistently to all potential and current VPK program providers. Each coalition shall;

(a) through (b) No Change.

(c) Ensure providers are offered due process as described in paragraph 61 60 of Form DEL OEL-VPK 20.

(11) Form DEL OEL-VPK 20B (March 2022) (April 2021), titled VPK Logotype Usage and Brand Guidelines, is hereby incorporated by reference. The incorporated form is available from the Department of Education, Division Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-12827>.

Rulemaking Authority ~~1001.213, 1002.73(1)-1002.75(1), (3)(e), 1002.79 FS. Law Implemented 1002.55(3)(i), (5), 1002.61(3)(b), 1002.63(3)(b), 1002.67(4)(b), 1002.71, 1002.72, 1002.73(1) 1002.75(1), (3)(e), 1002.91(4), (5), (7) FS. History—New 8-17-06, Amended 5-24-07, 12-21-10, Formerly 60BB-8.301, Amended 4-9-15, 12-18-16, 11-29-18, 4-15-21.~~