

**6M-4.610 Statewide Provider Contract for the School Readiness Program.**

(1) General Provisions.

(a) Forms.

1. The State of Florida Statewide School Readiness (SR) Provider Contract, Form ~~DEL OEL-SR 20~~ with exhibits 1 through 7 (July ~~2022 2024~~), is hereby adopted and incorporated by reference. Form ~~DEL OEL-SR 20L~~ entitled “State of Florida Statewide School Readiness Provider Contract Licensed Provider Responsibilities” (July ~~2022 2024~~), Form ~~DEL OEL-SR 20LE~~ entitled “State of Florida Statewide School Readiness Provider Contract License Exempt Provider Responsibilities” (July ~~2022 2024~~), Form ~~DEL OEL-SR 20FFN~~ entitled “State of Florida Statewide School Readiness Provider Contract Informal Provider Responsibilities” (July ~~2022 2024~~), and Form ~~DEL OEL-SR 20A~~ entitled “State of Florida Amendment to the Statewide School Readiness Provider Contract” (July ~~2022 2024~~), are hereby adopted and incorporated by reference. A copy of Forms ~~DEL OEL-SR 20~~ including exhibits 1 through 7, ~~DEL OEL-SR 20A~~, ~~DEL OEL-SR 20FFN~~, ~~DEL OEL-SR 20LE~~, and ~~DEL OEL-SR 20L~~ may be obtained at <https://www.floridaearlylearning.com/providers/forms-for-providers> ~~http://www.floridaearlylearning.com/oel\_resources/rules\_guidance\_technical\_assistance.aspx~~ or from the Division of Early Learning, ~~325 West Gaines Street 250 Marriott Drive~~, Tallahassee, FL 32399. The incorporated forms are also available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-1406712829>.

2. The State of Florida Statewide School Readiness Provider Contract, Form DEL-SR 20 with exhibits 1 through 7 (July ~~2023 2022~~), is hereby adopted and incorporated by reference. Form DEL-SR 20L entitled “State of Florida Statewide School Readiness Provider Contract Licensed Provider Responsibilities” (July ~~2023 2022~~), Form DEL-SR 20LE entitled “State of Florida Statewide School Readiness Provider Contract License Exempt Provider Responsibilities” (July ~~2023 2022~~), Form DEL-SR 20FFN entitled “State of Florida Statewide School Readiness Provider Contract Informal Provider Responsibilities” (July ~~2023 2022~~), and Form DEL-SR 20A entitled “State of Florida Amendment to the Statewide School Readiness Provider Contract” (July ~~2023 2022~~), are hereby adopted and incorporated by reference. A copy of Forms DEL-SR 20 including exhibits 1 through 7, DEL-SR 20A, DEL-SR 20FFN, DEL-SR 20LE, and DEL-SR 20L may be obtained at <https://www.floridaearlylearning.com/providers/forms-for-providers> ~~http://www.floridaearlylearning.com/oel\_resources/rules\_guidance\_technical\_assistance.aspx~~ or from the Division of Early Learning, ~~325 West Gaines Street 250 Marriott Drive~~, Tallahassee, FL 32399. The incorporated forms are

also available at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-14067>.

(b) To request participation in the SR Program, a provider must complete a copy of the Statewide School Readiness Provider Contract, and the appropriate provider responsibility form, and submit all required documentation as indicated in the Statewide School Readiness Provider Contract to the early learning coalition under which the provider will operate. Providers shall register and execute the contract using the single statewide information system.

(c) All forms referenced in subparagraph (1)(a)1. in this rule above, must shall be used by the early learning coalitions to enter into provider contracts with an end effective date of June 30, 2022. All forms referenced reference in subparagraph (1)(a)2. in this rule above, must shall be used by the early learning coalitions to enter into provider contracts with a beginning effective date of July 1, 2023 2022 and all dates thereafter until a new contract form is subsequently adopted. All SR providers that register to offer the SR Program must execute Form DEL-SR-20 including exhibits, and Form DEL-SR 20FFN, DEL-SR 20LE<sub>2</sub>, or DEL-SR 20L for the appropriate contract year.

(d) The Statewide School Readiness Provider Contract will shall be in effect for the fiscal year in which the contract is effective. A school district may sign a single Statewide School Readiness Provider Contract on behalf of all public schools in the district offering the SR Program. The owner, officer, principal<sub>2</sub>, or other authorized representative of multiple private child care providers may sign a single Statewide School Readiness Provider Contract on behalf of all of his or her private providers within an early learning coalition service area in which the providers ~~it~~ operates.

(e) Early learning ~~A~~ coalitions must shall keep the original fully executed Statewide School Readiness Provider Contract in the coalition's records for each SR provider. Coalitions ~~An early learning coalition~~ must shall execute and retain this contract electronically in compliance with Section 668.50, F.S., the Uniform Electronic Transaction Act.

(f) Neither an a early learning coalition nor an SR provider may omit, supplement<sub>2</sub>, or amend the terms and conditions of the Statewide School Readiness Provider Contract, except for those amendments made with the execution of Form DEL-SR 20A as appropriate for the contract year. Neither a coalition nor an ~~SR~~ provider may include any attachments, addenda<sub>2</sub>, or exhibits to the Statewide School Readiness Provider Contract except the exhibits set forth in ~~the~~ Form DEL-SR 20, Form DEL-SR 20L, Form DEL-SR 20LE, Form DEL-SR 20FFN<sub>2</sub> or and Form DEL-SR 20A as appropriate for the contract year.

(2) Inspections.

(a) Upon the effective date of this rule, and annually thereafter, all participating ~~S~~school ~~R~~eadiness ~~P~~rogram providers ~~must shall~~ receive an inspection to determine compliance with the health and safety requirements of Section 1002.88, F.S., and minimum standards adopted under Rule 6M-4.620, F.A.C. Annual inspections ~~must shall~~ be conducted by the Department of Children and Families (the department) or local licensing agency, whichever is applicable, be unannounced, and ~~shall~~ take place within the contract year at a time as scheduled by the department or local licensing agency (~~as applicable~~).

(b) For all new providers that are not regulated by the department or local licensing agency that request participation in the SR Program and have not previously provided SR Program services or have had a one year lapse in providing SR Program services, a fully compliant pre-contractual health and safety inspection must be conducted prior to the execution of a Statewide School Readiness Provider Contract. Upon determination by the early learning coalition that a provider is eligible to participate in the SR Program, ~~the an early learning~~ coalition ~~must shall~~ complete and execute the Statewide School Readiness Provider Contract with the provider.

(c) For new SR Program providers that are currently regulated by the department or local licensing agency, an inspection conducted by the department or local licensing agency within four (4) months for center-based programs and six (6) months for family child care homes prior to the execution of the Statewide School Readiness Provider Contract will be sufficient to meet the pre-contractual health and safety inspection requirement. However, prior to execution of an initial Statewide School Readiness Provider Contract a provider must not have any outstanding violations or issues of noncompliance pending from their most recent inspection. Upon determination by the coalition that a provider is eligible to participate in the SR Program, ~~the an early learning~~ coalition ~~must shall~~ complete and execute the Statewide School Readiness Provider Contract with the provider.

(3) School Readiness Program Ineligibility. 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 ~~will shall~~ not be eligible to contract to offer the SR program if any of the following circumstances apply:

(a) The early learning coalition may refuse to contract with a SR provider or revoke a SR provider’s eligibility to deliver the School Readiness Program if the provider has been cited for a Class ~~I~~ violation by the department or

local licensing agency, as applicable, in accordance with Rules 6M-4.620, ~~and~~ 65C-22.010, or 65C-20.012, F.A.C. (as applicable to the provider type). Action taken by the a coalition to revoke a provider's eligibility must be consistent with Section 1002.88(2)(a) and (b), F.S., in that the revocation is for a period of five (5) years. If the coalition chooses to implement this provision the coalition must develop policies and procedures, in accordance with Element V. Monitoring in Form DEL OEL-SR 115, as incorporated by reference in Rule 6M-9.115, F.A.C., to ensure the standard is applied consistently to all potential and current SR program providers. Each coalition must: ~~shall~~;

1. through 2. No change.

3. Ensure providers are offered due process as described in Exhibit 7 of Form DEL-SR 20.

(b) through (c) No change.

(d) The provider has been terminated from participation in the SR program due to fraud and is currently not eligible to participate in the ~~school readiness~~ program;

(e) An individual associated with the provider was, or is, associated with another provider that has been terminated from participation in the SR program due to fraud and is currently not eligible to participate in the ~~school readiness~~ program;

(f) The provider is currently ineligible to participate in the SR program pursuant to Section 1002.88(2), F.S.

(g) An individual associated with the provider was, or is, associated with another provider that is currently ineligible to participate in the SR program pursuant to Section 1002.88(2), F.S.

(4) Transfer of ownership. In the event of a change of ownership, sale, sale of assets, conveyance of ownership, or other transfer of ownership interest, the SR provider must ~~shall~~ notify the early learning coalition no later than thirty (30) calendar days prior to the transfer of ownership. The coalition and the new owner must ~~shall~~ execute a new contract for SR services, provided the new owner meets the eligibility requirements set forth in ~~pursuant to~~ subsection (2) of this rule, and section 1002.88, F.S., and is not disqualified from contracting pursuant to subsection (3) of this rule. Upon a request to contract due to a transfer of ownership, the coalition will ~~shall~~ have up to thirty (30) calendar days to execute or decline the contract. This timeline may be extended if all prerequisite requirements have not been met.

*Rulemaking Authority ~~1002.79, 1001.02(1)m, (2)(n), 1002.82(2)(m) FS. Law Implemented 1002.82(2)(m), (8), 1002.82, 1002.84(9), (11), (16), (18), 1002.85(2)(h), 1002.87(2), 1002.88, 1002.91, 1002.97(3) FS. History—New 2-~~*

*18-15, Amended 12-18-16, 11-29-18, 12-17-19, 4-15-21, 3-20-22,*