



Provider Contract Eligibility Policy

Background and Purpose:

It is the charge of every coalition to help ensure families have access to affordable, quality early care and education services. Efforts include informing and assisting parents in their efforts to choose care that provides a healthy, safe and developmentally appropriate environment for their children.

The Florida Office of Early Learning has issued statewide provider contracts. This contract includes enforcement procedures that authorize local coalitions to take action when a contracted provider fails to deliver services that meet requirements or endangers the health and safety of children. Therefore, the Coalition will include contract enforcement as an additional approach to quality improvement.

Providers need to demonstrate the capacity to meet the required elements of the contract, including their ability to meet the conditions of legal operation and licensing standards that are critical to the health and safety of the children in their care. The coalition has the right to terminate a provider's contract for cause at any time, pursuant to the School Readiness Provider Contract. **The contract eligibility requirements listed below are grounds for termination. In accordance with s.1002.88(2), F.S., if the provider's contract is terminated the coalition may revoke the provider's eligibility to deliver the School Readiness Program for a period of five years.** The only statutorily authorized period of revocation is five years unless revocation is related to program assessment scores.

***Existing providers must maintain eligibility in accordance with this ELCFG Provider Contract Eligibility Policy.**

Contract eligibility requirements for new and existing providers include the following:

1. The provider may not be eligible to contract if they have a Class I licensing violation within the past two years in accordance with rule 6M-4.610(3)(a), FAC. When considering contract eligibility, the following will be considered: 1) the severity of the violation and the impact the violation has on the health and safety of the children in care, 2) the needs of the community and 3) the number of families affected.
2. The provider is not eligible to contract if they have been placed on probation by the Child Care Licensing office.
3. The provider is not eligible to contract without a general liability insurance including coverage for transportation of children if school readiness program children are transported by the provider. The coalition must be listed as additional insured and a certificate holder on both policies. A provider must obtain and retain an insurance policy that provides a minimum of \$100,000 of coverage per occurrence and a minimum of \$300,000 general aggregate coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.



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4. The provider is not eligible to contract if the owner, director or any individual associated with the provider are on the United States Department of Agriculture National Disqualified List. If a contracted provider is placed on the list, then the Coalition must terminate the Contract for cause. In addition, if provider shares an officer or board director with a provider that is on the United States Department of Agriculture National Disqualified List, coalition must terminate the Contract for cause. * For the purpose of this policy “individual associated with the 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.
5. The provider is not eligible to contract if the owner or any individual associated with the provider has been convicted of, found guilty of, or pled guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s.414.39, F.S., within the last five (5) years. * For the purpose of this policy “individual associated with the 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.
6. The provider is not eligible to contract for a school readiness program if its program assessment score does not meet the minimum threshold score of 2.51. Beginning with the 2019-20 School Readiness Contract year and subsequent years, all School Readiness providers serving children from birth to kindergarten entry must have a program assessment conducted and meet the contract minimum threshold score of 2.51.
7. The provider is not eligible to contract for a school readiness program until a fully compliant pre-contractual health and safety inspection is conducted by DCF (Department of Children and Families). 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 school readiness contract a provider must not have any outstanding violations or issues of noncompliance pending from their most recent inspection.
8. Any provider that also has a facility(ies) in another county outside the ELCFG area must be in good standing with the Early Learning Coalition of that county. The facility’s Contractual Agreement must not have been terminated by the coalition or had their eligibility revoked.
(Any providers whose Agreement was terminated by the Coalition for non-compliance may reapply to be a contracted provider the following contract year; unless eligibility has been revoked as well. Then, provider may reapply after a period of five years.)
9. Out of County Providers must have an active Agreement in good standing with the Early Learning Coalition in their county.



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ASSOCIATED DOCUMENTATION:

1. Coalition School Readiness and VPK Contracts.
2. Associated documents produced by the Department of Children and Families (DCF), accreditation agencies, or other governmental agencies.
3. Written evidence of general liability insurance and transportation insurance.
4. Annual Health & Safety inspection report showing compliance with the requirements of Section 1002.88, F.S., and minimum standards contained within the provider-type specific health and safety checklist and corresponding handbook. Annual inspections shall be unannounced and shall take place within the contract year at a time as scheduled by the department or local licensing agency (as applicable). The process for such inspections can be found in each of the corresponding handbooks for the provider-type specific checklists adopted under this rule.
5. List of current Board of Directors if provider is INC or LLC
6. Letter or email of good standing from home coalition for out of county providers and providers with programs/facilities in other counties.

Licensing reports will be reviewed by Coalition staff for determining eligibility for all requirements above.

The Coalition Executive Director will determine, on a case-by-case basis, whether a contract may be initiated, and/or continue relative to provisions of this Provider Contract Eligibility Policy.

The Provider may request an appeal of determinations made. A Review Hearing Committee will address any appeals and make special exceptions, when appropriate. Their decision is final.

If there are changes to rule, statute or Office of Early Learning guidance, this policy will defer to those changes specific to the policies contained above.