

STATE OF FLORIDA  
GOVERNOR  
CHARLIE CRIST

AGENCY FOR WORKFORCE  
INNOVATION  
DIRECTOR  
CYNTHIA R. LORENZO

OFFICE OF EARLY LEARNING  
(850) 921-3180  
DIRECTOR  
BRITTANY BIRKEN, PH.D.

ACCOUNTABILITY  
MANAGER  
STEPHANIE GEHRES

ELIGIBILITY SUPPORT AND  
FRAUD PREVENTION SUPERVISOR  
PAT WEYER

ELIGIBILITY REVIEW STAFF  
LATOYA SAMPSON  
CHERYL BLANTON  
GINGER TATE  
RANDY DITTY  
RODNEY MACKINNON

REGIONAL TA COORDINATOR  
JACK HAMILTON

INTERNAL QUALITY ASSURANCE  
THOMAS IMHOLT  
CELICIA BELL  
BETTY WALLACE

REPORT NO. ESFP 09-12  
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## ANNUAL SCHOOL READINESS/VOLUNTARY PREKINDERGARTEN ELIGIBILITY REVIEW OF THE EARLY LEARNING COALITION OF FLORIDA'S GATEWAY ESFP 09-12

### Background and Methodology

The Agency for Workforce Innovation (the Agency) conducted an annual School Readiness (SR) and Voluntary Prekindergarten (VPK) review of child and provider eligibility files; Enhanced Field System (EFS) data; written policies, procedures, and forms; information system security program, coalition attendance, and payment validation monitoring for the Early Learning Coalition of Florida's Gateway (the Gateway coalition, the coalition). The on-site review took place on June 15-17, 2009. The Agency's Eligibility Support and Fraud Prevention (ESFP) review team examined files from children who received services from January through March 2009 and practices of coalition operations as of March 2009. The coalition is incorporated as an educational 26 U.S.C. s. 501(c)(3) not-for-profit organization.

The coalition's practices demonstrate an overall good understanding and effective application of state and federal rules, regulations, and law.

**Does the coalition use a contractor for SR services?**  YES  NO

**Does the coalition use a contractor for VPK services?**  YES  NO

**Who provides the following early learning services to the coalition?**

SR and VPK eligibility determinations	<input checked="" type="checkbox"/> Coalition	<input type="checkbox"/> Contractor
SR and VPK child certifications	<input checked="" type="checkbox"/> Coalition	<input type="checkbox"/> Contractor
SR and VPK provider reimbursements	<input checked="" type="checkbox"/> Coalition	<input type="checkbox"/> Contractor
Child care resource and referral	<input checked="" type="checkbox"/> Coalition	<input type="checkbox"/> Contractor
Parent support	<input checked="" type="checkbox"/> Coalition	<input type="checkbox"/> Contractor

**The coalition served the following number of eligible children birth to 12 years old and children with special needs through 18 years old in fiscal year 2007-2008:**

- School Readiness programs 3,217
- VPK programs 1,128

**The SR providers included the following:**

- 660 private child care centers
- 10 public school providers
- 35 family child care homes

**The VPK providers included the following:**

- 3 faith-based child care providers
- 36 private day care centers
- 11 public school providers
- 1 private school provider

The eligibility review team requested a random sample of SR child files from all funding categories, VPK child files, and VPK classroom instructor files that were active or authorized from January through March 2009. The team reviewed documents, policies, and procedures; compared files with EFS data entry; and conducted desk reviews on the files to ensure compliance with federal and state statutes. The review team obtained sign-in/sign-out sheets and attendance sheets from the caregivers and payment records from the coalition to validate provider payments. The team interviewed eligibility determination, attendance monitoring, waitlist, and reimbursement staff.

## **Observations**

### *Accomplishments*

The coalition has a number of business practices in place for improving eligibility and instructor qualification processes. Notable accomplishments include:

- All of the VPK instructors reviewed met the educational requirements to teach in a VPK classroom.
- All of the VPK child files complied with the law.
- Effective communication occurs between the coalition and the child care providers.

### *30-Day Response*

The coalition must submit a detailed response to the Agency within 30 calendar days from the receipt of the eligibility review report. The response should demonstrate the coalition's steps to address each numbered finding. The coalition should do the following:

- Obtain missing documents and rectify incorrect documentation, e.g., incorrect referrals, obtain a corrected copy of the documentation. For missing and incorrect documentation, submit a copy with the response to support the coalition's corrections to each finding. If the coalition does not correct a file, the information missing from the file may result in a questioned cost.
- If the file is closed or there is an error within the Enhanced Field System (EFS), submit a screen print that shows the coalition closed the file or adjusted EFS.
- If a finding results in an incorrect payment, obtain and submit documentation confirming that the coalition has corrected and/or adjusted the payment in accordance with program requirements. For attendance, validate payment and correct documentation, if warranted. If the provider did not maintain the daily sign-in/sign-out sheets in accordance with guidelines, adjust payment for the reviewed period and submit proof of adjustment.

### *Findings and Recommendations*

Florida law requires the Agency to monitor and evaluate the performance of a coalition's administration of the SR and VPK programs as outlined in s. 411.01(4)(l), Florida Statutes (F.S.). This report contains observations of non-compliance with laws or rules and recommended actions for the coalition, which, if unaddressed may diminish the coalition's performance in delivering effective early learning programs. Each issue and the associated recommendation in this section of the report have a reference number. The numbered statements contain the review team's observations on performance that did not comply with state and federal requirements. The client file numbers cited in each finding refer to the client files in the post-review spreadsheet, a separate document from the eligibility review report. The recommendations address the steps that substantially correct the observed noncompliance. Some files contained more than one type of finding.

The management assistance addendum to this report is a separate document that contains recommended actions for improvement of the coalition's business practices. The Agency does not require corrective action for suggested business practices; however, the Agency highly recommends corrective action to improve the coalition's delivery of services.

**SCHOOL READINESS CLIENT FILES**

The SR program established in s. 411.01, F.S., is offered to eligible children between the ages of birth to school age. The review team examined 36 SR child files for compliance with the SR program governed by Title 45 Code of Federal Regulations (CFR), parts 98 and 99, Florida Statutes, and the Florida Administrative Code (F.A.C.). Six of the reviewed files contained one or more findings.

**SR Criteria A – Application Forms**

An SR client's file must include an application that the parent has signed and dated. A parent should sign a new application at the initial eligibility determination and with each redetermination. A parent may submit an application via mail, FAX, or electronic signature (Rule 60BB-8.201(1), F.A.C.). Agency rule provides guidelines for verification of employment and income (Rule 60BB-4.208, F.A.C.). An applicant must fully declare household circumstances and income on the application. An SR client's file must include a completed *SR Income Worksheet for Eligibility and Parent Copayments* to determine a child's eligibility and establish the applicable parent fee, based on the sliding fee scale included in the coalition's approved SR plan. A family that receives SR services must be assessed a copayment (parent fee) based on household size and family income (Rule 60BB-4.400, F.A.C.).

Household size and income must meet the state income threshold in Rule 60BB-4.208, F.A.C. A family may consist of a parent/guardian or parents/guardians living together, a parent/guardian's minor child, and any other minor child for whom the parent is legally responsible. A family may also include any other adult that the parent/guardian considers part of the family, such as an aged grandparent that the family supports. If the family counts the individual as a family member, the eligibility specialist should include any income the individual may receive as part of the total family income. If the family lives with an aunt, uncle, or grandparent who the family does not support, the specialist should not count the individual or the individual's income in the family size number. If a parent/guardian lives with a friend who is not a biological or legal parent/guardian of a minor child that is eligible for care, and the friend does not contribute money or consider themselves part of the household, then the eligibility specialist should not include the friend in the household.

For each client, does the coalition have the following information on file:

- 1. A signed and dated application?  YES  NO
- 2. A completed *SR Income Worksheet for Eligibility and Parent Copayments*?  YES  NO
  - The following client files did not comply with requirements: #1
  - The coalition has corrected the following files since the review: #1
  - The coalition still needs to correct the following files since the review: none
- 3. The household size and relationship of all household members?  YES  NO
- 4. Documentation that the household income meets the state income threshold?  YES  NO
- 5. Income calculations fully supported by appropriate documentation?  YES  NO
- 6. Documentation that the coalition has correctly determined the parent fee?  YES  NO

***The Agency recommends the following corrective action for noncompliance with SR Criteria A2:***

- Correct income documentation errors and parent fee errors, process appropriate repayments, if warranted, and provide documentation as part of the 30-day response. The miscalculation of income may result in inaccurate parent fees or ineligible clients.
  - Include case notes identifying missing information in the coalition's documentation.
  - Verify income by the source whenever possible and improve procedures to ensure that the coalition calculates, documents, and verifies income correctly.
- Collect proper supporting documentation for:

- Child support paid out of the household income by court order and then exclude the income.
- Enhance procedures to ensure that a family:
  - Has fees determined by the sliding fee scale or follow the coalition's clearly established fee guidelines.
  - Submits at least six weeks, current and consecutive, proof of income sources, which must be verified by the source whenever possible (See Desk Reference Guide and *Appendix A—Example Problems and Solutions* for more information).
- Take timely action on all changes that the household reports.

**SR Criteria B – Definition of a Parent**

Federal regulation provides the definition of a parent for the purpose of establishing a child's eligibility for services (45 CFR 98.2). A parent means a parent by blood, marriage, or adoption, and also means a legal guardian or a person standing *in loco parentis* (45 CFR 98.2 and Rule 60BB-4.100, F.A.C.). Florida law states that a parent is a parent of a student, a guardian of a student, a person in a parental relationship to a student, or a person that exercises supervisory authority over a student in place of the parent (s. 1000.21(5), F.S.). *In loco parentis* is defined as a person acting as the temporary guardian of a child (Rule 60BB-4.100, F.A.C.), which may include any blood relative or any person who has received temporary custody through a court order. A coalition should ensure that a client meets the definition of a parent.

Does each client meet the definition of a parent?  YES  NO

**SR Criteria C – Residency**

A coalition should ensure a client's file includes information that the client resides in the state. The coalition may verify residency information with documentation that includes an in-state address. There is no minimum length of time a person must reside in Florida to obtain benefits. The client may also be a temporary resident in a domestic or homeless shelter in Florida or authorized emergency management location. A TANF client must be a Florida resident and the referring agency verifies residence during a client's TANF application process (s. 414.095(2)(a), F.S.).

1. Is each applicant a resident of Florida?  YES  NO
2. If applicable, did the coalition authorize child care by county of residence?  YES  NO

**SR Criteria D – Rights and Responsibilities/Terms and Conditions**

An SR client's file should have a signed and dated *Rights and Responsibilities/Terms and Conditions* notification that includes the required minimum information. The notification form proves the coalition provided documentation that the client was provided information on parent choice. If parent choice was not included as a sign-off on the *Rights and Responsibilities/Terms and Conditions* notification, then the client file must contain documentation that the coalition explained and offered parent choice to the parent. The document should also be re-signed annually at a minimum or when the content of the form changes.

- For each client, does the coalition have the following information on file:
1. A parent's signed and dated notification of the *Rights/Terms*?  YES  NO
  2. Documentation that the coalition has informed a parent of parental choice in choosing a facility?  YES  NO

**SR Criteria E – Child Age and Citizenship**

In accordance with state and federal regulations, a child must be under the age of 13, or up to age 19 if physically or mentally unable to care for themselves or under court supervision (45 CFR 98.20), to be eligible for the SR program (s. 411.01(6), F.S., and Rule 60BB-4.200, F.A.C.). A child must be a U.S. citizen or an alien lawfully entered for permanent residence, in order to qualify for SR services (CCDF-ACF-PI-2008-01). If a child was born outside of the U.S., the coalition must ensure that documentation to support the child's citizenship status is in the client file.

1. Is each child younger than 13 years or younger than 19 years and physically or mentally incapable of caring for himself or herself?  YES  NO
2. Is each child a U.S. citizen or a qualified eligible alien?  YES  NO

**SR Criteria F – Immunization**

A coalition should ensure that a child receiving services under CCDF is age-appropriately immunized or exempt from immunization. A coalition should have a procedure in place to review a Department of Children and Families (DCF) Licensing Department's monitoring report of an SR provider (s. 411.01(4)(j), F.S.). The Agency has only exempted children whose parents object to immunization on religious grounds and children with a medical condition that contraindicates immunization (s. 6.7, CCDF Plan and 45 CFR 98.41(a)(1)).

Has the coalition ensured that each child receiving services under CCDF is age-appropriately immunized or does the child fall under an allowable exemption?  YES  NO  NA

**SR Criteria G – Eligibility Period and Redetermination**

A coalition must provide services to a client within the eligibility period. Eligibility begins only after the coalition has established all factors of eligibility. A coalition should redetermine eligibility annually, at a minimum, with an additional fifty percent of client files redetermined during the same fiscal year through a statistically valid random sample (Rule 60BB-4.209, F.A.C.). A coalition must stop all funding at the redetermination due date if the coalition has not yet fully reestablished eligibility with the coalition's redetermination policy.

1. Did the coalition provide services within the eligibility period for each child?  YES  NO
2. Did the coalition redetermine/reauthorize each case before the end of the authorization period?  YES  NO

**SR Criteria H – Referrals (if applicable)**

A child's eligibility for SR services is based on a documented referral. For all partner referral programs, the coalition should have a documented referral and ensure the coalition approves child care for the period authorized on the referral, if the authorized period is within program guidelines and the child meets SR program guidelines (Rule 60BB 4.202, F.A.C.). At-Risk referrals cannot exceed a six-month period of eligibility (Rule 60BB 4.201, F.A.C.). **NOTE:** Once determined eligible for SR services, a child remains eligible until kindergarten age as long as the qualifying circumstance continues within the time limit for welfare transition services, as long as the parent complies with all statutory requirements, and as long as the family's income is at or below 200% of the federal poverty level (Rule 60BB-4.201-203, F.A.C.).

1. Is there a documented referral on file for each client (child)?  YES  NO
2. Does the current referral form include the authorized eligibility period?  YES  NO
3. Does the current referral form include the authorized hours of care?  YES  NO
  - The following client files did not comply with requirements: #17
  - The coalition has corrected the following files since the review: #17
  - The coalition still needs to correct the following files: none

**The Agency recommends the following corrective action for noncompliance of SR Criteria H3:** See *Appendix A—Example Problems and Solutions* for more information.

- Ensure that a referral form is signed, dated, current, and contains all of the following information before the coalition authorizes care:
- Number of hours of care authorized. The hours of care should correspond to the authorized care period: for example full-time or part-time. The Agency does not require the coalition to demonstrate actual times of care

unless the coalition has established a local procedure that requires notation of actual times. Most referrals include the total number of hours for the week.

**SR Criteria I – Priority Groups**

The Agency may review a coalition's policies for priorities and interview employees to determine if a coalition or contractor is following procedures to ensure priority consideration for an At-Risk child or TANF recipient. The coalition should not place an At-Risk child or TANF recipient on a waiting list. A coalition's eligibility determination should be timely, seven days from authorization for TANF and ten days from receipt for At-Risk programs (Rule 60BB-4.201-4.207, F.A.C.).

Each family that receives SR services shall be assessed a copayment based on family size and the family's income, according to the sliding fee scale included in the coalition's approved SR plan. A copayment may be temporarily reduced to the minimum fee (Rule 60BB-4.400(1)(a)2, F.A.C.) or waived for a foster parent and a family participating in an At-Risk program (Rule 60BB-4.400(1)(c), F.A.C.) on a case-by-case basis during an event that limits a parent's ability to pay. The normal way to accomplish this is for the referring case manager to check a box on the referral or any other written form requesting the fee reduction.

1. Did the coalition serve each SR child in accordance with the state designated priority groups?  YES  NO
2. When applicable, did the coalition verify a specific event that limited a parent's ability to pay before the coalition waived the parent fee?  YES  NO

**SR Criteria J – Purpose for Care**

A child's eligibility for child care services depends on an established purpose for care (45 CFR 98.20 and Rule 60BB-4.200, F.A.C.). Without a purpose for care a child may not be eligible for SR services. The Agency has established standard codes (*Office of Early Learning Standard Codes*) to categorize specific eligibility groups that are critical to the ability of the Agency and the Agency's stakeholders to properly report on federal programs. Additionally, law requires a parent to have a purpose for care as defined within the standard codes for each funding category to receive the funding. The Agency's standardization of codes ensures uniform and accurate data reporting on local, state, and federal reports. The coalition's incorrect use of codes affects the accuracy of reporting, payments, and reimbursements. The coalition must ensure that each parent or guardian living in the same household of any child that requests funding has a purpose for care.

1. Does each parent/guardian meet the purpose for care requirement?  YES  NO
  - The following client files did not comply with requirements: #12
  - The coalition has corrected the following files since the review: #12
  - The coalition still needs to correct the following files: none
2. Does the purpose for care match the billing group authorized and does the household meet the state requirements for the approved billing group for each file?  YES  NO
  - The following client files did not comply with requirements: #14
  - The coalition has corrected the following files since the review: #14
  - The coalition still needs to correct the following files: none
3. Does the authorized hours of care meet the definition of the unit of care (amount of care is related to activity plus reasonable travel time) for each child?  YES  NO

***The Agency recommends the following corrective action for noncompliance of SR Criteria J1 and 2:***

- Ensure a family has an established purpose for care before eligibility determination.
- Clearly document the purpose for care for files in error. When the file is initiated by a referral, the referral should indicate what purpose for care the referring case manager is authorizing child care services.
- Verify and document the corrected billing group for each file in error.

- Assign all future authorized files to the correct billing group according to the *Office of Early Learning Standard Codes*.

**SR Criteria K – Provider Requirements**

A provider must be eligible to legally provide child care services in order to receive payment. A parent may choose from a variety of eligible child care types, including: center-based; group home; family; in-home; or other child care provider type that is licensed, regulated, or registered under state or local law and satisfies state and local requirements (45 CFR 98.41 and 98.2). In addition, an eligible child care provider can also be 18 years old or older and provide child care services only to an eligible child who is related by marriage, blood, or court decree as the grandchild, great grandchild, sibling that does not live with the provider, niece, or nephew, as long as the provider complies with requirements (45 CFR 98.2).

1. Is each provider a legally operating provider type?  YES  NO
2. Has each legally operating provider met the regulatory requirements?  YES  NO

**VOLUNTARY PREKINDERGARTEN PROVIDER FILES**

A coalition administers the VPK program through the service delivery of a VPK provider. Even after a coalition has determined that a provider is eligible to deliver the program, a coalition has an ongoing duty to verify the provider's compliance with the Florida Statutes, state rules, and procedures of the coalition. A VPK provider must be licensed or exempt from licensure, accredited, or hold a Gold Seal Quality Care designation (s. 1002.55, F.S.). A VPK provider must also meet additional requirements for credentials and background screenings of instructors, minimum and maximum class size limits, VPK director credentials, and a developmentally appropriate curriculum. The Agency review team examined 38 VPK classroom instructor's credentials and qualifications within ten child care provider sites to establish whether all instructors were qualified before the coalition authorized the instructors to enter the classroom. Two of the thirty-eight provider files reviewed contained one or more findings.

**VPK Criteria A –Provider Operating Status**

A coalition must follow procedures for classroom registration (Rule 60BB-8.300, F.A.C.). Before delivering instruction or receiving payment for the VPK program, a VPK provider must submit a completed and signed *Form AWT-VPK 10, 11, and 20*. A provider must submit *Form AWT-VPK 10* (Statewide Provider Application) to the coalition in the county of the VPK provider's site. If a VPK provider has more than one VPK site, the provider must submit a separate *Form AWT-VPK 10* for each site. Once a coalition determines a VPK provider eligible, the provider does not have to resubmit the form unless the provider needs to update information on the form, which should be done within 14 calendar days after the change.

A provider must submit *Form AWT-VPK 11* (Class Registration Application) to the coalition annually. If the VPK provider has more than one VPK class, the provider must submit a separate *Form AWT-VPK 11* with supporting documents for each class. If any change that would affect the information the provider supplied on the *Form AWT-VPK 11* occurs, the provider must submit an updated form to the coalition within 14 calendar days after the change.

The coalition must ensure that both the coalition and the VPK provider sign a *Form AWT-VPK 20* (Statewide VPK Provider Agreement) before the coalition pays the provider (Rule 60BB 8.301, F.A.C.). The coalition is not obligated to pay for costs the provider incurs before the agreement's beginning date or after the agreement's ending date.

A VPK provider must have a VPK director who has a VPK director credential that meets or exceeds the minimum standards adopted under s. 1002.57, F.S. A VPK director who earned a director credential on or before December 31, 2006 is exempt from completing additional requirements to obtain a VPK endorsement. A director who received a director credential on or after January 1, 2007 must complete a series of requirements to receive a VPK endorsement.

The VPK legislation (s. 1002.69(5), F.S.) requires the Department of Education (DOE) to calculate kindergarten readiness rates annually for each VPK provider. The State Board of Education, responsible for setting the minimum readiness rate, set the minimum readiness rate at 211 for program year 2006-2007 during their meeting on February 19, 2008. A VPK provider has 21 calendar days from the State Board's adoption of the minimum readiness rate (until March 11, 2008 for the 2006-2007 rates) to acknowledge status as a low performing provider by utilizing the [www.ImproveVPK.org](http://www.ImproveVPK.org) website. The review team requests documentation and improvement plans for low performing providers as part of the annual eligibility review.

1. Is each provider a legally operating provider eligible to deliver the VPK program and licensed or accredited by an Agency-approved accrediting body?  YES  NO
2. Is there a signed/dated *Statewide Provider Registration Application* on file for each provider?  YES  NO
3. Is there a signed/dated *Class Registration Application* on file for each class?  YES  NO
4. Is there a completed *Statewide Provider Agreement* in the file?  YES  NO
5. Does the private VPK provider have a director with a valid director credential for the full classroom period, and, if applicable, the VPK Director Endorsement?  YES  NO
6. Has the coalition approved an improvement plan for each low performing provider reviewed?  YES  NO
  - How many low performing VPK providers did the coalition report to DOE? Six low performing providers were reported to DOE and two of the six were in the review sample requested by the Agency.
  - Did each plan identify provider needs assessment instruments, target areas, and completion dates, as well as indicate the coalition or school district's review and approval dates of the plan?  YES  NO

**VPK Criteria B – Instructor Eligibility**

A VPK provider must have, for each VPK class, at least one VPK instructor who holds a Child Development Associate (CDA) or an equivalent or higher, and has demonstrated successful completion of an emergent literacy training course. Law requires a VPK instructor who has not completed DCF approved training in early literacy and language development prior to November 1, 2005, to complete an approved Emergent Literacy training course (s. 1002.55(3)(c)2, F.S.). A VPK instructor must be of good moral character, must complete a level 2 background screening before entering the classroom and re-screening every five years, and must not be ineligible to teach in a public school because the instructor's educator certificate is suspended or revoked (s. 1002.55(3)(d), F.S.). As of January 1, 2007, the *Good Moral Character Attestation* became an attestation and must be updated annually (Rule 65C-22.006(4)(d)1.c., F.A.C.). A level 2 background screening includes fingerprinting, a Florida Department of Law Enforcement (FDLE) statewide criminal and juvenile records check, a Federal Bureau of Investigation (FBI) federal criminal records check, and a local criminal records check through local law enforcement agencies (s. 1002.55(3)(d), F.S., and s. 435.04, F.S., and *Form AWI-VPK 20 VPK Statewide Provider Agreement*).

Statute defines time limits on validity for VPK coursework and/or credential requirements. All instructors must have valid credentials before entering a VPK classroom and maintain valid credentials while acting as a VPK instructor.

1. Does each VPK lead instructor meet the educational requirements?  YES  NO
2. Does each lead, secondary, and substitute instructor for each class offered by a private provider have evidence of a current *Good Moral Character (GMC) Attestation*?  YES  NO
3. Does each VPK instructor have evidence of current level 2 and local screenings?  YES  NO
  - The following provider files did not comply with requirements: Local: #12
  - The coalition has corrected the following files since the review: #12
  - The coalition still needs to correct the following files: none

**The Agency recommends the following corrective action for noncompliance of VPK Criteria B3:** Ensure each VPK classroom instructor has completed a level 2 screening before entering the classroom and re-screening every five years.

**VPK Criteria C –Classroom Eligibility**

According to Rule 60BB-8.451(1)(a), F.A.C., “a school-year program may not begin instruction more than 14 days before Labor Day.” Rule 60BB-8.400(3), F.A.C., states that a VPK class must be composed of at least four children enrolled in the VPK program and cannot exceed 18 children for a school-year program or 10 children for a summer program. A coalition may not issue the initial prepayment for a VPK class unless the class meets the minimum class size. If a mixed group of VPK and non-VPK children are in a class, both groups count toward the 18-child or 10-child maximum class size. A VPK class may not exceed the maximum class size in enrollment or attendance on a particular day (Rule 60BB-8.400(3), F.A.C.).

Before the coalition authorizes payment, does each classroom have the following?

1. A minimum of 4 VPK children?  YES  NO
2. A minimum of 4 VPK children enrolled at the beginning of the program, but does not exceed 18 children, for the school year program?  YES  NO
3. A minimum of 4 VPK children enrolled at the beginning of the program, but does not exceed 10 children, for the summer program?  YES  NO
4. A class schedule that complies with rule?  YES  NO
5. A VPK class calendar entered in EFS that reflects either 540 hours or 300 hours?  YES  NO

**VOLUNTARY PREKINDERGARTEN CHILD FILES**

The VPK law requires the Agency to adopt procedures that govern the enrollment and eligibility determination of a child in the VPK program by a coalition or school district (s. 1002.75(2)(a), F.S.). A coalition determines the eligibility of a child in accordance with Rule 60BB-8.200, F.A.C. The review team has examined thirty VPK child files for compliance. None of the reviewed files contained findings.

**VPK Criteria D – VPK Child Application**

A child who resides in Florida and will be 4-years-old on or before September 1 is eligible for the VPK program during that program year (s. 1002.53, F.S., and Rule 60BB-8.200(2)(a), F.A.C.). A parent who enrolls a child in VPK must complete and submit an application to the coalition as established under s. 1002.53(4)(a), F.S.

1. Is there a signed and dated application (*Form AWI-VPK 01*) on file for the client?  YES  NO
2. Is the child (client) four years of age on or before September 1 of the program year and is appropriate documentation in the file?  YES  NO
3. Does each applicant reside in Florida and is appropriate documentation in the file?  YES  NO

**VPK Criteria E – Eligibility Determination**

A coalition determines a child's eligibility face-to-face with the child's parent unless the coalition is not required, under Rule 60BB-8.201(4)(b), F.A.C., to conduct a parent-orientation session or exhibit a parent-orientation video for the child's parent. Once the coalition determines that a child is eligible for the VPK program, the coalition issues the child's parent a Certificate of Eligibility (COE) (*Form AWT-VPK 02*), either completed by the coalition as a paper form or as an electronically generated and printed form using the Enhanced Field System (EFS) (Rule 60BB-8.202, F.A.C.)(1)(c). The form must be signed by the provider and the parent. To enroll an eligible child, the VPK provider admitting the child must submit the child's COE to the coalition.

A coalition must provide a parent enrolling a child in the VPK program with a profile of every VPK provider within the coalition's county or multicounty region to assist the parent in selecting a VPK program (s. 1002.53(5)(a) and (b), F.S.). The profile must include, at a minimum, the following information about a VPK provider:

- Services
- Curriculum
- Instructor credentials
- Instructor-to-student ratio
- Kindergarten readiness rate, based upon the most recent available results of the statewide kindergarten screening.

Florida law provides the minimum elements required for the provider profile. The Agency is currently working with DCF to develop a standard provider profile within the Child Care Information System (CCIS).

1. Did the coalition issue a COE to each eligible child and obtain appropriate signatures?  YES  NO
  2. Does each file contain evidence of a parent orientation session for each child, if required?  YES  NO
  3. Does the provider profile of all the VPK providers in the county or multi-county region that is given to a parent upon enrollment comply with statutory requirements?  YES  NO
  4. Did any parents request information on other programs?  YES  NO
- Do the files reflect that the coalition responded to parents' requests for more information?
- YES  NO
5. Does the coalition ensure that each VPK provider complies with the antidiscrimination terms?  YES  NO

**VPK Criteria F – Child Enrollment**

A parent may enroll a child in a 540-hour school-year or a 300-hour summer VPK program. The Agency's Office of Early Learning issued guidance that indicates that after instruction has begun for a VPK class an eligible child may still enroll in the VPK program and begin instruction in a VPK class, if at least 10 percent of the class' instructional hours remain (54 hours for a school-year program or 30 hours for a summer program) (s. 1002.53(3), F.S., OEL-PI 510.027). The coalition should maintain documentation indicating that a parent who chooses delayed enrollment was fully informed of enrollment options and may do so by requesting that a parent who chooses delayed enrollment sign an *Informed Parental Consent for Delayed Enrollment* form (*Form AWT-VPK 04*). VPK law prohibits a child from enrolling in more than one program type (s. 1002.53(3), F.S.) or from being reported for funding purposes as more than one full-time equivalent (FTE) student (s. 1002.71(2), F.S.).

The law allows a one-time opportunity for re-enrollment with full funding in another VPK program for good cause or because of an extreme hardship (s. 1002.71(4), F.S.). In order to maintain appropriate documentation regarding reenrollments, a coalition may request that a parent complete a *Reenrollment Application* (*Form AWT-VPK 05*) and attach documentation of an extreme hardship, if applicable. If the child is reenrolled with a coalition other than the coalition of the previous enrollment, the coalition may also request that a parent complete and resubmit the *Child Application* (*Form AWT-VPK 01*). The coalition should follow the procedures for registration, eligibility determination, and enrollment of the child in the VPK program (Rule 60BB-8.202, F.A.C.). The coalition does not have to repeat the face-to-face parent consultation performed by the coalition of the previous enrollment.

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Does the coalition have the following information on file for applicable clients:

1. An *Informed Parental Consent for Delayed Enrollment* indicating that the parent was fully informed of the potential loss of program hours for delayed enrollment?  YES  NO
2. A *Reenrollment Application* and evidence of compliance with law for reenrollment?  YES  NO
3. An *Informed Parental Consent for Provider Transfers and Class Transfers* form (*Form AWI-VPK 06*) of compliance with law for reenrollment?  YES  NO

**ADMINISTRATIVE CRITERIA**

**Administrative Criteria A - Attendance Monitoring and Payment Validation**

The coalition and the coalition's contractors should have a well-defined procedure for attendance monitoring. An SR provider must maintain daily attendance documentation, which at a minimum, must include a sign-in/sign-out process that the coalition approves to validate the attendance data (Rule 60BB-4.502(1), F.A.C.). A coalition must implement a records retention policy ensuring that all documentation is maintained in accordance with sub-grant award provisions (Rule 60BB-4.502 (2), F.A.C.). The coalition must conduct monitoring activities to ensure the accuracy of payments of the monthly reimbursement requests (Rule 60BB-4.502 (3), F.A.C.).

A coalition pays a VPK provider based on payment for attendance and payment for absences (Rule 60BB-8.204, F.A.C.). A VPK provider must keep a daily record of a child's attendance in the VPK program and require the parent of a VPK child to verify monthly the child's attendance for the prior month as follows (Rule 60BB-8.305(2), F.A.C.):

- **Form AWI-VPK 03S (Child Attendance and Parental Choice Certificate Short Form).** The parent may use the short form if the VPK provider records daily attendance using a paper sign-in/sign-out log that records the date, child's name, and signature of the parent or other person dropping off or picking up the child to, or from, the VPK site or an electronic attendance-tracking system that records the date, time, child's name, and electronic signature, card swipe, entry of a personal identification number, or similar daily action taken by the parent or other person dropping off or picking up the child from the VPK site.
- **Form AWI-VPK 03L (Child Attendance and Parental Choice Certificate Long Form).** If the provider does not maintain daily sign-in/sign-out logs, the parent must complete *Form AWI-VPK 03L* that indicates which days the child was in attendance for that month.

A coalition shall give a VPK provider a monthly roster, prepared by using the Agency's statewide information system, that lists each child enrolled in the VPK provider's program and includes blank spaces for a provider to certify a child's attendance for the calendar month. A VPK provider must certify and submit the monthly attendance of a child enrolled in the provider's VPK program to ensure payment from the coalition. The coalition may not pay the final payment for the program year until the provider submits a final verification of the annual cumulative attendance of each child enrolled in the program, which certifies the paid hours of attendance of each child enrolled for the program year (Rule 60BB-8.305(3), F.A.C.).

A coalition should follow general provisions for reimbursement of holidays and absences (Rule 60BB-4.500(1), F.A.C.). A recognized holiday as approved by a local coalition shall not be counted as an absence for the purpose of reimbursement. The Agency shall include a reimbursement to a provider of full-time and part-time care for up to twelve (12) recognized holidays per year. A coalition/contractor shall authorize reimbursement for no more than three absences per calendar month per child, except in the event of extraordinary circumstances in which case the coalition or the coalition's designee shall provide written approval for payment based on written documentation provided by the parent justifying the excessive absence for up to an additional seven days (Rule 60BB-4.500(2), F.A.C.).

The Agency team reviewed the files of 38 SR children and 30 VPK children for payment validation for the month of March 2009. The team also evaluated the records for absences according to the Agency's attendance rule. The team compared attendance records and noted any discrepancies. See the attached payment validation spreadsheet for specific client record detail.

1. Did the coalition pay each provider for a child's attendance in accordance with SR rule?  YES  NO
2. Did the coalition pay each provider for a child's attendance in accordance with VPK rule?  YES  NO

**Administrative Criteria B - Written Policies, Procedures, and Forms**

The coalition has developed policies, procedures, and forms to help guide eligibility counselors in determining eligibility for the SR and VPK programs, administering VPK provider qualification services, and fostering communication with the families served. OMB Circular A-133, Subpart C .300(b) requires recipients and subrecipients maintain internal controls over federal programs and implicitly promotes the expectation that staff who perform eligibility functions should never perform reimbursement functions, unless mitigating internal controls have been put in place. By separating these duties or implementing mitigating internal controls, the coalition may reduce the risk of a program's liability.

1. Does the coalition/contractor have well-defined eligibility procedures?  YES  NO

The coalition has the following:

- Well defined School Readiness Policy and Procedures Manual
- Screen prints placed in the VPK child files that verify changes that occur in the cases such as provider transfers.
- A detailed VPK Policies and Procedures Manual

2. Does the coalition/contractor have effective parent communications?  YES  NO

The coalition has the following:

- A *Voluntary Pre-Kindergarten Parental Acknowledgement Form* that lists the parent's rights and responsibilities and verifies the parent received information on other programs.
- An *Approval Form for Fee Reduction/Waiver* that is completed when a fee waiver or reduction is requested.

3. Does the coalition/contractor ensure separation of duties?  YES  NO

The coalition has the following:

- Eligibility specialists that do not issue payments to the child care providers.
- Controls in place to reduce the potential for fraud through eligibility file reviews, which are completed monthly and random attendance audits.

**Administrative Criteria D - Data Security**

In accordance with a coalition's grant agreement, the coalition shall comply with the Computer-Related Crimes Act, Chapter 815, F.S., and demonstrate due diligence in safeguarding the coalition's information resources by establishing policies and procedures for information systems security that contain criteria and standards according to the Agency's Policy 5.02, Information Systems Security Program. The coalition shall develop specific protocols that include at a minimum the Agency's 5.02 protocols #4 - Security Training and Awareness, #11 - Access Control, #12 - Identification and Authentication, #16 - Personnel Security, #22 - Mobile Computing, #25 - Remote Access, #30 - Database Security, #31 - Media Management, and #32 - Password Management. All Agency employees, contract employees, vendors, and others who do business with the Agency must comply with the provisions of the policy. On July 1, 2008, the Agency assigned the ESFP unit to monitor a coalition's compliance with the information systems policies. The coalition was evaluated for compliance using the *EFS Data Security Review Checklist*.

1. Did the coalition comply with the data security protocols?  YES  NO

**Administrative Criteria E – EFS Data Accuracy**

The law requires each coalition to use the Enhanced Field System (EFS), the “single statewide information system” established by the Agency under s. 411.01(5)(c)1.e., F.S. The review team compared 36 SR and 30 VPK child eligibility files against the EFS database records for accuracy of entry, timeliness of processing actions, case history note narrations, and data security. In addition, the files were reviewed for correct parent fees, eligibility dates, family income, household size, and correct demographic data. The team reviewed EFS data to ensure that the data matched the application.

The coalition should use the EFS database to establish eligibility for child care funding. EFS data should accurately reflect the most current household circumstances that the applicant presented to the coalition. EFS data is the basis for reimbursement records and federal reports.

1. Does the information in each SR child file match the information in EFS?  YES  NO
  - The following client files did not comply with requirements: #11 and 20
  - The coalition has corrected the following files since the review: #11 and 20
  - The coalition still needs to correct the following files: none
  
2. Does the information in each VPK child file match the information in EFS?  YES  NO
  
3. Does the information in each VPK provider file match the information in EFS?  YES  NO
  - The following client files did not comply with requirements: #18
  - The coalition has corrected the following files since the review: #18
  - The coalition still needs to correct the following files: none

***The Agency recommends the following corrective action for noncompliance of EFS data accuracy criteria:***

- Ensure case narrations and documentation within the eligibility files reflect the information contained in EFS.
- Ensure accurate data entry in the EFS database and data entered into EFS agrees with information that the client gives in the most current application or notification of changes.

**AGENCY FOLLOW-UP REQUIRED**

Regional Technical Assistance Coordinators will continue to be available for on-site technical assistance. Additionally, the review team and other Agency resources are available to assist the coalition as needed.

## Appendix A—Example Problems and Solutions

### Income Calculation and Verification

Before the coalition authorizes funding, an SR parent must be able to document six current and consecutive weeks of earnings. The coalition cannot deny placement to a child under protective investigation or protective services, even if the family refuses to provide proof of income. The family's annual income is calculated by using the documented six weeks' gross income. The six weeks' earnings must represent future earnings.

- If the calculated income does not reflect six weeks of documented gross income, the notes in the case file should contain an explanation of the difference. Examples of acceptable explanations include: new job, beginning week, change in rate of pay, explanations about amounts and effective dates, and changes in hours explaining what the new hours are and the effective dates. Case notes should contain contact information for an employer and verification of any change in income, such as a written statement from the employer or third party about the change.
- Sometimes an unusual circumstance occurs, such as a factory closure for a one-week period. If a factory closes one week a year, and the closure occurred during the most recent six weeks, the coalition should exclude the closure period from the average and enter an appropriate case note explanation. The coalition should use the gross income to calculate eligibility.

The same requirement for six weeks of earnings and documentation by the income source applies to unearned income (including child support) that the household receives. The parent cannot self-declare income to establish eligibility for SR funding. The use of a notarized statement for child support only establishes the identity of the absent parent or third party making the declaration; the coalition cannot accept the statement to support the validity of the statement.

- If a parent establishes disability and receives Supplemental Security Income (SSI), the parent must also provide a doctor's statement that the parent's disability requires child care assistance.
- The coalition should not calculate income from a parent who does not work a traditional annual period by using a 52-week or 26-biweekly multiplication factor. Example: a school or Head Start employee may work 20 or 21 biweekly pay periods so annual income would be based on actual months worked within the year. The calculation of the parent's annual income must match the parent's pay periods.
- If a parent receives child support (or any unearned income), the parent must be able to document the last six weeks of payment for the calculation of future income. If the parent receives child support only once per month, the coalition should verify and average two months of payments to determine future income. The coalition should verify child support by the source (absent parent, clerk of the court, or someone outside the recipient household).
- If six weeks of documented child support is not available, or if there are gaps in payment, the eligibility specialist should explain the situation in the record's case notes. The coalition must verify income. In the case of child support paid through the clerk of court, the coalition may access the clerk of court's website to verify the income. If child support is paid voluntarily, the coalition should obtain a written or oral statement from the absent parent as proof of the amount, period, and frequency of payment. As a last alternative, the coalition may obtain an attestation about the amount of child support received, from the parent who is enrolling the child, under the penalty of perjury for false statements, which is a first degree misdemeanor and punishable by a definite term of imprisonment not exceeding one year and/or a fine not exceeding \$1,000 pursuant to ss.837.055, or 775.082, or 775.083, Florida Statutes.
- The coalition should obtain an annual award letter to establish receipt of government benefits. The coalition should not, under any circumstances, accept a recipient's statement as documentation of how much and how often the recipient receives income (Rule 60BB-4.208(2), F.A.C.).

### Age Verification Problems and Solutions

Before the coalition authorizes funding, a parent must provide appropriate documents that verify a child's age. The coalition must maintain documents in a child's file that follow state guidelines. If a coalition uses an immunization form to establish the age of a child, the form must contain the child's name, date of birth, and be signed by a medical professional. (Exception: The coalition should allow a parent/guardian of an At-Risk child ten days to provide age verification. Case managers should receive a copy of the 10-day request.)

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Referral Verification and Completion Problems and Solutions

All referral forms should indicate the following: which agency/case worker made the referral, who was referred by listing the name of the parent/guardian(s) and children, the demographics including but not limited to the dates of birth for the child or children, the social security number, the category for funding, and the authorized referral period. The referral should show the number of hours authorized, establish the purpose for care, and sign the referral form as the authorizing agency/case worker.

A family whose Temporary Assistance for Needy Families (TANF) funding is closed because a household member is working may be eligible to receive Transitional Child Care (TCC). TCC may be available for up to two years after the TANF case closes. The referring partner must write the dates for the two-year period on the referral form. The coalition should not authorize TCC beyond the two-year period unless the parent or guardian re-qualifies for cash assistance.

If the referral is an At-Risk referral, the child or children must be part of an open At-Risk PI/PS case. The referring case manager may continue a referral for a child under protective supervision for six months after the case is closed. The referral form must contain the authorization for the six-month extension. If the referring case manager requests a reduced fee, the coalition should document the request and the decision regarding the request in the case record. Coalition procedures must identify how and when a coalition can authorize a reduced fee.

Purpose for Care

When a parent requests funding for a child, each parent/guardian living in the same household must meet one of the defined purposes for care (Rule 60BB-4.100(22)(a-d), F.A.C.). To establish a purpose for care for a parent/guardian, the coalition must verify one of the following purposes for care:

- **Working.** The parent/guardian must be working a minimum of 20 hours per week.
- **In job training or an educational program.** The parent/guardian must be attending training or an educational program for 20 hours per week or more.
- **Both working and in training.** The parent/guardian must be both working and training for 20 hours per week or more.
- **Looking for work (must be supported by documentation and time-limited).** If a parent/guardian who has received TANF and is receiving child care assistance is no longer qualified for a purpose for care, the parent/guardian may have up to 30 days to re-establish a purpose for care. The coalition cannot authorize new funding once a parent's eligibility period ends unless the coalition can re-establish a purpose for care.
- **Receiving disability.** A parent or guardian is receiving benefits under the Supplemental Security Income SSI program.
- **Under protection.** The person requesting care is the parent/guardian of one or more At-Risk children.

Funding Categories

Examples of funding category findings are the following:

- The case manager checks "relative caregiver" but the guardian is a foster parent. In this situation the coalition needs to clarify with the case manager.
- The case manager checks "TCC" but a review of the referral TCC period shows that the parent is in the second year of TCC. The contractor should assign the billing code based on clients being in the first or second year of TCC eligibility in this situation.
- The family receives RCG (\$242 for one child from birth to 5 years old, \$249 for one child from 6 to 12 years old, or \$298 for one child within age 13-17) payment, but was placed in BG1-14R or BG3-28A instead of the correct billing group, which is BG3R-RCG.
- The family receives \$241 in TANF but is placed in BG3 RCG instead of the correct billing group, which is BG3 28A.