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## Office of Early Learning VPK Rules Update July 9, 2009

### SUMMARY

The Agency for Workforce Innovation is currently going through the rule promulgation process under chapter 120, Florida Statutes, to adopt the following proposed rules governing provider payment under Florida's Voluntary Prekindergarten Education Program (VPK). The proposed rules are:

1. Uniform Attendance Policy for Funding the VPK Program
2. Advance Payment and Reconciliation for the Voluntary Prekindergarten Education Program

### ATTENDANCE POLICY

The Agency's proposed VPK Uniform Attendance Policy differs from the current attendance rule in several ways and is designed to implement changes to the state VPK laws made by the Legislature. The proposed rule would result in providers being paid the full base student allocation (BSA) for the time a child attends their VPK program unless a child misses more than 20% of the program. For those cases where a child goes over the 20% absence threshold, the provider will not be paid for those days under any circumstances.

Under the revised attendance policy, providers will continue to be responsible for turning in the required monthly attendance roster as well as completing and retaining the Long or Short Attendance Verification forms containing the parent's signatures. While coalitions will continue to be required to enter child absence data into the EFS systems, providers will no longer be required to obtain or keep "mommy notes" to document a child's absence.

Providers will continue to have the option of being paid after they have offered services or to receive advance payments (prepayments) as described below. Providers which opt-out of receiving advance payments will be paid monthly after services are rendered. The "80-20 formula" will be applied monthly and at the end of the class. The 80-20 formula will be calculated within the state's statewide information management system and ensure that a minimum of 80% of a provider's payment for any single child is made for days the child attends the program; a maximum of 20% of the provider's payment per student can be for days the child is absent. After a VPK class has concluded, a reconciliation calculation will be made by applying the same formula to the whole program year. In other words, if a child is absent for more than 20% in one month but is absent for less than 20% of the entire program, the provider will receive a reconciliation payment at the end of the program. This formula **may** result in additional funds being due to a provider after the program concludes.

## **ADVANCE PAYMENT**

The Agency's proposed VPK Advance Payment process includes the following:

- (a) Each VPK provider may choose to receive advance payments for VPK classes it offers during the program year.
- (b) The VPK provider must notify its early learning coalition regarding whether or not it has chosen to receive advance payments at the time it signs its contract for the upcoming program year. (If a provider has already signed paperwork and not notified the coalition, the provider should do so as soon as possible.) Under the proposed rule, providers cannot opt-in or opt-out of receiving advance payments after classes begin.
- (c) Each early learning coalition shall make advance payments to VPK providers no later than the last day of the month prior to the month for which the provider is receiving an advance payment. As a specific example, a coalition must make April advance payments no later than March 31.
- (d) Providers that choose to accept monthly advance payments shall receive an advance payment for each month of the VPK class(es).
- (e) Each advance payment shall be equal to the sum of the number of instructional hours each student enrolled in the class is scheduled to attend in the month multiplied by 95% of the VPK hourly rate. The VPK hourly rate shall be equal to the county's allocation per child divided by the total number of hours in the VPK program type (school-year or summer) being offered.
- (f) Reconciliation of the advance payment against student attendance will occur monthly. The 80-20 formula described above will be used to determine the total payment amount the provider has earned based on attendance. Because of the time required to process attendance rosters, the reconciliation for the first advance payment may alter the payment for the third month of the class in the same way that prepayments are currently processed. In other words, a provider which receives an advance payment for April will submit its roster in May. The coalition will process the roster in May and compare the amount the provider earned to the amount of the provider's advance payment. If the provider was overpaid or underpaid for April, the coalition will adjust the amount of the provider's advance payment for June.
- (g) After each class has ended, the 80-20 formula will be applied for the entire class period. This calculation may reveal that additional funds are due to the provider **or** may reveal that the provider received an overpayment.