DIVISION OF
Early Learning
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School Readiness Program Health and Safety Standards Handbook

September 2023

This handbook is intended to be used in conjunction with Sections 1002.82-1002.88, Florida Statutes, and Chapter 6M-4, Florida Administrative Code.
This handbook is incorporated by reference in 6M-4.620, Florida Administrative Code.

Form DEL-SR 6200A (September 2023)
Rule 6M-4.620, F.A.C.

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1 Introduction

The School Readiness Program is funded primarily by the federal Child Care and Development Block Grant (CCDBG). As the designated lead agency for the State of Florida, the Department of Education, the Division of Early Learning (DEL) administers the School Readiness Program at the state level. In accordance with section 1002.82(1), Florida Statutes (F.S.), DEL must comply with all lead agency responsibilities pursuant to federal law.

In accordance with DEL's responsibility to establish health and safety standards and training requirements for the School Readiness Program, this handbook is intended to be used by School Readiness providers in conjunction with the School Readiness Program Health and Safety Checklist and the Department of Children and Families (DCF) handbooks and classification summaries for monitoring compliance with program standards. This handbook defines and clarifies School Readiness-specific standards and requirements outlined in the School Readiness Program Health and Safety Checklist, regardless of whether the provider currently receives funds.

Nothing in this handbook exempts School Readiness providers from adhering to additional health and safety and/or training requirements required by DCF, Local Licensing Agencies (LLA), Department of Education, Department of Health, or others. Where local standards are more restrictive than those in this handbook, programs must adhere to the more restrictive standard.

1.1 Inspections

To ensure consistent statewide application of established child care and School Readiness health and safety standards, DCF and LLAs (as applicable) are designated as the inspection authorities for the School Readiness Program. In accordance with s. 402.311(2), F.S., all School Readiness providers must provide DCF or the LLA (as applicable) access to all areas of the program's facilities, personnel, and records necessary to ensure compliance with health and safety standards.

To be eligible to deliver the School Readiness Program, a provider must have a pre-contractual inspection conducted by DCF or LLA (as applicable) to ensure compliance with health and safety standards established pursuant to ss. 1002.82, and 1002.88, F.S. Upon initiation of a School Readiness provider contract, notification will be sent to DCF or the LLA, as appropriate, indicating the need for a pre-contractual inspection to be completed for that provider within forty-five (45) days of receipt of notification. Providers who have been inspected by DCF or the LLA while children were in care within the four (4) months prior to initiation of a School Readiness contract do not need to complete an additional pre-contractual inspection. However, prior to execution of an initial School Readiness contract, the provider must not have any outstanding violations or issues of noncompliance pending from its most recent inspection conducted while children were in care.

Within ten (10) days of completion of the pre-contractual inspection, DCF or LLA will submit the results to both the provider and the appropriate early learning coalition. Once the coalition receives the results of the inspection indicating full compliance with School Readiness Program health and safety standards, and all other program requirements are met, the coalition may proceed with

entering into a contract for School Readiness services with the provider. “Full compliance” means there are no outstanding issues of non-compliance; any violations noted during the pre-contractual inspection have been brought into compliance.

1.2 Definitions

The following definitions are applicable to Rule 6M-4.620, Florida Administrative Code (F.A.C.), and this incorporated form:

“Active Credential” refers to any of the following: Florida Child Care Professional Credential (FCCPC); Florida Department of Education Child Care Apprenticeship Certificate (CCAC); Florida Department of Education Early Childhood Professional Certificate (ECPC); Florida Department of Education School-Age Professional Certificate (SAPC); National Early Childhood Credential (NECC, CDA or equivalent); or Florida Child Care Staff Credential, each as defined and recognized by the Florida Department of Children and Families pursuant to Rule 65C-22.001, F.A.C. The candidate’s status as “active” indicates the awarded credential or certification signifying requirements have been met.

“Child Care Personnel” refers to any person employed by, or who volunteers at a School Readiness provider for an average of ten (10) or more hours per month and who works directly with children to implement program activities, or is unsupervised with children in care at any time during the program’s hours of operation. Drivers employed exclusively for transportation purposes are not included in this definiton for purposes of pre-service training, provided they meet all screening and transportation requirements and are supervised at all times by a staff member who has completed pre-service training.

“Group Size” refers to the maximum number of children, by age, that can be in a single classroom at any given time.

“Home” refers to all Family Day Care Homes, Large Family Child Care Homes, and Informal Providers.

“Informal Provider” refers to any entity, unlicensed or registered, caring for two or fewer unrelated School Readiness children at one time and in the home of either the child or the provider. Informal childcare typically refers to care provided by grandparents, other relatives, friends, or neighbors.

“Lead Teacher” refers to personnel in a classroom responsible for the overall instruction of students and management of the classroom.

“Operator” refers to the director, on-site administrator, or other individual, who has the primary responsibility for the day-to-day operation, supervision, and administration of a School Readiness Program.

“Preservice Training” refers to training requirements completed prior to unsupervised contact with or care of children participating in the School Readiness Program, or within 90 days of employment at a program facility. Child care personnel are not allowed to have unsupervised contact with or care of children prior to completion of preservice training requirements.

“Ratio” refers to the number of staff members required per number of children in care, by age group.

“School-age Child” refers to any child who is at least five years old by September 1 and who is

enrolled in a kindergarten program or grades one through five.

"School-Age Program" means any program participating in the School Readiness Program and serving only school-aged children in before-school, after-school, or out-of-school time.

"School Readiness Provider" or "Provider" refers to any entity contracted with an early learning coalition to provide School Readiness Program services.

"Volunteer" refers to any person who provides services to, for, or at a program with no promise of compensation.

2 General Requirements

School Readiness providers must comply with the health and safety standards and requirements set by DCF and DEL's health and safety requirements in this Handbook and Form DEL-SR 6200B, School Readiness Program Health and Safety Checklist.

2.1 Health and Safety

DCF health and safety requirements are outlined below by provider type:

A. Licensed child care facilities must comply with Rules 65C-22.001, 65C-22.007, 65C-22.008, and 65C-22.010, F.A.C.
B. License-exempt child care facilities must comply with Rule 65C-22.001(6), F.A.C., Child Care Facility Handbook (October 2021), and Rule 65C-22.010(1)(e)1., F.A.C., CF-FSP Form 5316, Child Care Facility Standards Classification Summary (October 2021) standards 2–32, 35–45, 47, and sub-standards 1.4, 33.4–33.5, 33.7-33.10, 46.1-46.4, and 46.7.
C. Licensed school-age child care facilities must comply with Rules 65C-22.008 and 22.010, F.A.C.
D. License-exempt school-age child care facilities must comply with Rule 65C-22.008(5), F.A.C., School-Age Child Care Facility Handbook (October 2021), and Rule 65C-22.010(1)(e)1., F.A.C., CF-FSP Form 5427, School-Age Child Care Facility Standards Classification Summary (October 2021) standards 2-27, 30–38, 40, and sub-standards 1.4, 28.2, 28.4–28.9, 39.1–39.4, and 39.7.
E. Licensed family day care homes and large family child care homes must comply with Rules 65C-20.008 and 65C-20.012, F.A.C.
F. Registered family day care homes and informal providers must comply with Rule 65C-20.008(7), F.A.C., Family Day Care Home and Large Family Child Care Home Handbook, Rule 65C-20.012(1)(h)1., F.A.C., CF-FSP Form 5318, Family Day Care Home Standards Classification Summary (May 2019) standards 1-3, 5-6, 8-32, 34-35, sub-standards 4.2-4.3, 7.5-7.10, 33.1-33.3, 33.5-33.6, 33.8-33.11, and CF-FSP 5317, Large Family Child Care Home Standards Classification Summary (October 2021) standard 4.

The DCF handbooks and classification summaries are available at https://www.myflfamilies.com/services/child-family/child-care/child-care-laws-and-requirements.

2.2 Group Size

Children benefit from social interactions with peers. However, larger groups are generally associated with fewer positive interactions and developmental outcomes. Group size requirements work to raise program quality by increasing individual attention and interaction for each child in care. In addition to the following maximum group sizes within each classroom, as defined in this handbook, all School Readiness providers must adhere to ratio requirements and minimum square footage requirements outlined in s. 402.302 (8) and (11), F.S., and s. 402.305 (4) and (6), F.S., at all times while children are in care.

2.2.1 Facility Group Size

A. For infants from birth up to 12 months of age, group size may not exceed twelve (12) children in a single classroom. For infant classrooms operating with 9 to 12 children, there must be two designated lead teachers, and two of the three child care personnel assigned to that classroom must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For infant classrooms operating with 5 to 8 children, there must be one designated lead teacher, and one of the two child care personnel assigned to that classroom must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For infant classrooms operating with 4 or fewer children, the child care personnel is not required to have an active credential.
B. For children 1 year up to 24 months of age, group size may not exceed twelve (12) children in a single classroom. For classrooms operating with 7 to 12 children, there must be one designated lead teacher, and one of the two child care personnel must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For classrooms operating with 6 or fewer children, the child care personnel is not required to have an active credential.
C. For children 2 years up to 3 years of age, group size may not exceed twenty-two (22) children in a single classroom. For classrooms operating with 12 to 22 children, there must be one designated lead teacher, and one of the two child care personnel must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For classrooms operating with 11 or fewer children, the child care personnel is not required to have an active credential.
D. For children 3 years up to 4 years of age, group size may not exceed thirty (30) children in a single classroom. For classrooms operating with 16 to 30 children, there must be one designated lead teacher, and one of the two child care personnel must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For classrooms operating with 15 or fewer children, the child care personnel is not required to have an active credential.

E. For children 4 years up to 5 years of age, group size may not exceed forty (40) children in a single classroom. For classrooms operating with 21 to 40 children, there must be one designated lead teacher, and one of the two child care personnel must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For classrooms operating with 20 or fewer children, the child care personnel is not required to have an active credential.

F. For school-age children, group size may not exceed fifty (50) children in a single classroom. For classrooms operating with 26 to 50 children, there must be one designated lead teacher, and one of the two child care personnel must possess, at a minimum, an active credential pursuant to s. 402.305(3), F.S. For classrooms operating with 25 or fewer children, the child care personnel is not required to have an active credential.

G. In groups of mixed age ranges, where children under two years of age are included, the group size may not exceed twelve (12) children.

H. In groups of mixed age ranges, where children two years of age or older are included, the group size for the majority population present within the group applies.

I. Group size requirements do not apply during times of outdoor play, dining, special assemblies/events, or napping and sleeping provided ratios and applicable square footage requirements are maintained at all times.

J. Active credential requirements do not apply during times when group size requirements do not apply, provided supervision and ratio are maintained at all times.

K. All new lead teachers will have one year from the start of employment or from designation as a lead teacher to obtain an active credential or its equivalent. However, they must show documentation of enrollment in credential courses within six months of employment or designation as a lead teacher. The program must maintain proper documentation of lead teacher designations and employment for review by the inspection authority.

Summary of Ratio/Group Size/Active Credential Requirements					
Age Group	**Ratios**	**Maximum Group Size**	**No Active Credential Required***	**1 Active Credential Required***	**2 Active Credentials Required***
Birth to 12 months	1:4	12	1-4 children	5-8 children	9-12 children
One Year Olds	1:6	12	1-6 children	7-12 children	N/A
Two Year Olds	1:11	22	1-11 children	12-22 children	N/A
Three Year Olds	1:15	30	1-15 children	16-30 children	N/A
Four Year Olds	1:20	40	1-20 children	21-40 children	N/A
School-Age	1:25	50	1-25 children	26-50 children	N/A

2.2.2 Family Day Care Homes/Informal Provider Ratio and Group Size

A family day care home is allowed to provide care for **one** of the following groups of

children, which includes household children under 13 years of age:

A. A maximum of four children from birth to 12 months of age.
B. A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
C. A maximum of six children if all are older than 12 months of age.
D. A maximum of 10 children if no more than five are preschool age and, of those five, no more than two are under 12 months of age.

2.2.3 Large Family Child Care Homes Ratio and Group Size

A large family child care home is allowed to provide care for **one** of the following groups of children, which includes household children under 13 years of age:

A. A maximum of eight children from birth to 24 months of age.
B. A maximum of 12 children, with no more than four children under 24 months of age.

2.2.4 School-Age Program Ratio and Group Size

A. For school-age children, group size may not exceed fifty (50) children in a single classroom.
B. Group size requirements do not apply during times of outdoor play, provided that ratios and the applicable square footage requirements are maintained at all times.
C. Group size requirements do not apply during sedentary activities for school-age programs, provided that supervision and ratio requirements are maintained at all times.

2.3 Planned/Unplanned Activities

All School Readiness providers must comply with planned activity requirements in DCF Rules 65C-22.001(6) and 65C-20.008(7), F.A.C., as applicable. Family day care homes and informal providers must meet the planned activity requirements outlined in the Family Day Care Home and Large Family Child Care Home Handbook and the Planned Activity standards in CF-FSP Form 5317, Large Family Child Care Home Standards Classification Summary.

2.4 Fire Safety & Emergency Preparedness

All School Readiness providers must comply with fire safety and emergency preparedness requirements in DCF Rules 65C-22.001(6) and 65C-20.008(7), F.A.C., as applicable.

A. After a fire or any man-made or natural disaster, in addition to notifying the inspection authority, the operator must notify the local early learning coalition within 24 hours of operational status.
B. Emergency
    1. The School Readiness provider must notify their local early learning coalition and inspection authority of any incident or unusual occurrence that is threatening to the health, safety, or welfare of the children or child care personnel. The School Readiness provider must have a written plan for reporting to the early learning coalition and managing any incident or unusual

occurrence that is threatening to the health, safety, or welfare of the children or child care personnel.

2. Licensed child care providers must adhere to the DCF requirement for a corded operable phone in section 7.12 of the Family Day Care Home and Large Family Child Care Home Handbook and in section 3.8.1 of the Child care Facility Handbook. License exempt and informal providers must have at least one operable telephone on the premises, whether corded or mobile.

2.5 Accidents/Incidents

In addition to reporting to the inspection authority, the School Readiness provider must report any incidents of serious injury or death to the appropriate early learning coalition in accordance with the Statewide School Readiness Provider Contract. The provider may also report the incident to law enforcement, if applicable.

3 Training Requirements

Training requirements of this section do not apply to child care personnel who do not work directly with children, such as cooks, bookkeepers, and janitors who are considered "other personnel". Training is required for "other personnel" if they at any time fill in for classroom child care personnel and are in direct care of children.

3.1 Preservice Timeframes

The preservice training requirements listed below must be completed by all child care personnel, within 90 days of initial employment with any School Readiness provider. This timeframe does not start over if personnel change employment to another School Readiness provider within this initial 90 days. Personnel who have not completed all preservice training requirements are not allowed any unsupervised contact with or care of children in a School Readiness Program.

3.2 Training Courses

All child care personnel must successfully complete one of the following sets of preservice training coursework:

A. DCF-approved online or in-person child care training courses listed below, as evidenced by successful completion of the in-service examination at the end of the course with a weighted score of 70 or better. Information on training course access and availability can be found on the Department of Children and Families' website at www.myflfamilies.com/childcare or by contacting the DCF Child Care Training Information Center toll free at 1-888-352-2842. School Readiness providers will complete each of the following:

- ✓ Health, Safety and Nutrition;
- ✓ Identifying and Reporting Child Abuse and Neglect;
- ✓ Child Growth and Development; and
- ✓ Behavioral Observation and Screening.

OR

B. The below-listed School Readiness health and safety courses, as evidenced by successful completion of the examination at the end of the modules with a weighted score of 70 or better. Course access can be found in the Florida Early Childhood Professional Development Registry website at www.myflfamilies.com/childcare after January 1, 2024.
   - ✓ Child Development in the School Readiness Program;
   - ✓ Health and Nutrition in the School Readiness Program;
   - ✓ Safe Sleep Practices in Child Care (not required for school-age only programs);
   - ✓ Safety Practices in the School Readiness Program; and
   - ✓ Transportation Safety in Child Care Programs (if applicable).

OR

C. The below-listed Early Learning Florida – University of Florida (ELFL) health and safety modules as evidenced by successful completion of the examination at the end of the modules with a weighted score of 70 or better. Personnel that have the ELFL modules on their training transcript, prior to January 1, 2024, are not required to complete the new School Readiness health and safety training courses listed in 3.2 B. above.
   - ✓ Health and Sanitation;
   - ✓ Safety of the Environment;
   - ✓ Precautions in Transporting Children (if applicable);
   - ✓ Safe Sleep Practices (not required for school-age only programs);
   - ✓ Child Safety and Prevention;
   - ✓ Planning for Emergencies; and
   - ✓ Prevention of Child Abuse and Supporting Children in Trauma

   And any of the following developmentally appropriate practices modules completed through Early Learning Florida (as applicable):
   - ✓ Supporting the Social-Emotional Development of Infants/Toddlers;
   - ✓ Supporting the Social-Emotional Development of Preschool Children; or
   - ✓ Supporting the Social-Emotional Development of Mixed-Age Group Care

D. Child care personnel employed by a public school district may show verification of completion of a course covering identification and prevention of child abuse and neglect, which has been approved and administered by the school district, to meet the course requirement(s) above on the same subject matter.

E. All child care personnel who work at a School Readiness provider that offers care to infants must have training within 30 days of employment regarding guidance on safe sleep practices, preventing shaken baby syndrome and abusive head trauma; recognition of signs and symptoms of shaken baby syndrome and abusive head trauma; strategies for coping with crying, fussing, or distraught children and the development and vulnerabilities of the brain in infancy. Documentation of training

must be maintained on the training transcript in the child care personnel file. This requirement may be satisfied by completing one of the following:

- ✓ DCF's Health, Safety & Nutrition course
- ✓ DCF's Safe Sleep Practices for Child Care course
- ✓ (ELFL) Safe Sleep Practices in Child Care course
- ✓ Safe Sleep Practices in Child Care (beginning January 1, 2024)

F. First Aid and Pediatric Cardiopulmonary Resuscitation

1. All child care personnel must have a current and valid certificate(s) of course completion for first aid and pediatric cardiopulmonary resuscitation (CPR) training within 90 days of hire.
2. By December 31, 2024, all child care personnel must have obtained pediatric CPR and first aid training.
3. Certificates of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years. Documentation of course completion must be maintained at the School Readiness provider site and be available for review by the inspection authority.

G. Transportation Training

All child care personnel participating in the transportation of children must have training regarding guidance on safe transportation practices prior to participating in transportation of children. For child care personnel to satisfy this requirement, the training must be accomplished through DCF's Transportation Safety course or the School Readiness Transportation Safety in Child Care Programs course, or prior completion of Early Learning Florida (ELFL) Precautions in Transporting Children. Child care personnel working at a School Readiness provider currently providing transportation must complete training within 90 days of the date of hire. Documentation of training must be maintained on the training transcript in the child care personnel file.

3.3 Annual In-Service Training

Upon successful completion of preservice training requirements, all child care personnel must complete the annual ten (10) clock-hours or one (1) CEU of in-service training concentrating on children ages birth through 12 as required in Rule 65C-22.001(6), F.A.C., Child Care Facility Handbook (October 2021), Rule 65C-22.008(5), F.A.C., School-Age Child Care Facility Handbook (October 2021), or Rule 65C-20.008(7), F.A.C., Family Day Care Home and Large Family Child Care Home Handbook (October 2021), as applicable.

A. Child care personnel employed in a licensed or licensed-exempt child care facility or school-age program must record in-service training on CF-FSP Form 5268, Child Care In-Service Training Record (October 2017), which is incorporated by reference in 65C-22.001(7)(i), F.A.C., and maintain documentation in the child care facility's personnel records.

B. Child care personnel employed in a family day care home or large family child care home or informal providers must record in-service training on CF-FSP Form 5268A,

In-Service Training Record-Family Day Care Home/Large Family Child Care Home (October 2017), which is incorporated by reference in 65C-20.008(8)(a), F.A.C., and maintain documentation at the home.

3.4 Break in Service

A. In the event an individual leaves a School Readiness provider while in compliance with the training requirements described in this section and returns to employment either at the same or a different School Readiness provider site, he or she will be given 90 days to comply with any new training requirements established during the gap in employment.

B. In the event an individual leaves the School Readiness provider while not in compliance with the training requirements described in this section and intends to return to employment either at the same or a different School Readiness provider, he or she must comply with the training requirements described in this section prior to reemployment, in addition to any new training requirements that may have been established during the gap in employment.

3.5 Documentation of Training

The DCF training transcript is the only acceptable verification of successful completion of training requirements and must be included in every personnel record maintained at the School Readiness provider. Any course completion certificate not documented on the DCF training transcript must be uploaded into the Florida Pathways (Registry), which may be accessed from DCF's website at www.myflfamilies.com/childcare. Courses completed that have not been verified will be considered invalid, requiring that the course(s) be retaken. Until the coursework is retaken and completed, child care personnel will be out of compliance with the mandatory training standard.

4 Record Keeping

School Readiness providers must maintain documentation required in Rule 65C-22.001(6), F.A.C., Child Care Facility Handbook (October 2021), Rule 65C-22.008(5), F.A.C., School-Age Child Care Facility Handbook (October 2021), or Rule 65C-20.008(7), F.A.C., Family Day Care Home and Large Family Child Care Home Handbook (October 2021), as applicable, and in accordance with the Statewide School Readiness Provider Contract. All required documentation must be available during the hours of operation for review by the inspection authority.

5 Access/Child Safety

A. A School Readiness provider that refuses permission for entry or inspection will have its Statewide School Readiness Provider Contract terminated, pursuant to s. 1002.82(2)(i), F.S.

B. Failure to perform the duties of a mandatory reporter pursuant to s. 39.201, F.S., constitutes a violation of the child safety standards, and providers will be referred to their local early learning coalition for corrective action, pursuant to the Statewide School Readiness Provider Contract.

6 Enforcement

This section adheres to the enforcement terms for the Statewide School Readiness Provider Contract, incorporated by reference in Rule 6M-4.610, F.A.C.

6.1 Definitions

For purposes of this section:

- ✓ **"Day"** means a weekday, excluding weekends and holidays.
- ✓ **"Corrective Action Notice"** refers to the written notice from an early learning coalition to a School Readiness provider of its failure to comply with the provisions governing the School Readiness Program or the requirements of the Statewide School Readiness Provider Contract, identifying the specific requirement(s) which the provider failed to meet and how the provider failed to meet each requirement. In addition, the notice must provide a detailed description of the required corrective action and set a deadline for completion of the corrective action. The notice must also include a statement that the provider may request a review of the determination in accordance with the due process procedures established in the School Readiness contract.
- ✓ **"Probation"** is a status indicating a provider's School Readiness contract is in jeopardy of being terminated or not renewed due to violations of School Readiness Program standards. If the early learning coalition concludes the School Readiness provider has received a corrective action notice for the same violation two or more times or if the corrective action plan is not completed within the prescribed timelines, the provider shall be placed on probation for a period up to six (6) months. The coalition must notify the provider in writing of the terms of probation and associated timelines for compliance.
- ✓ **"Standards"** refer to health and safety and training requirements for the operation of a School Readiness Program facility provided in statute or in rule.
- ✓ **"Termination and revocation"** refers to a School Readiness provider's inability to offer the School Readiness Program due to contract termination by the coalition for health and safety violations cited by DCF or the LLA, as applicable.
- ✓ **"Violation"** means a finding of noncompliance by DCF or the LLA of a School Readiness Program health and safety or training standard.
- ✓ **"Class I Violation"** is an incident of noncompliance with a Class I standard as described in Form DEL SR-6200B, School Readiness Program Health and Safety Checklist (September 2023). Class I violations are those violations which are most serious in

nature, pose an imminent threat to a child, including abuse or neglect, and which could or do result in death or serious harm to the health, safety, or well-being of a child.

- ✓ **"Class II Violation"** is an incident of noncompliance with a Class II standard as described in Form DEL SR-6200B. Class II violations are those violations which are less serious in nature than Class I violations and could be anticipated to pose a threat to the health, safety, or well-being of a child, although the threat is not imminent. A violation of a Class II standard that results in death or serious harm to a child shall escalate to a Class I violation.
- ✓ **"Class III Violation"** is an incident of noncompliance with a Class III standard as described in Form DEL SR-6200B. Class III violations are those violations which are less serious in nature than either Class I or Class II violations and pose a low potential for harm to children.

6.2 Noncompliance Determination

A. Each standard violation has an assigned classification based on the nature or severity of the violation(s) as identified in Form DEL SR-6200B.

B. DCF or the LLA will follow up with the School Readiness provider (on-site, if necessary) to ensure all issues of noncompliance relating to the health, safety, and well-being of children in care are brought into compliance within the following estimated timeframes:

1. Class I Violations should be corrected at time of inspection, or within the timeframe recommended by the inspection authority.
2. Class II Violations should be corrected within seven (7) days of inspection, or within the timeframe recommended by the inspection authority.
3. Class III Violations should be corrected within 14 days of inspection, or within the timeframe recommended by the inspection authority.

All issues of noncompliance will be referred by DCF or the LLA to the early learning coalition for enforcement in accordance with the provisions of the School Readiness contract.

C. Enforcement of disciplinary actions will be applied progressively for each standard violation. In addition, School Readiness providers will be offered technical assistance in conjunction with any disciplinary action. The early learning coalition must take into consideration the actions taken by the provider to correct the violation when determining the appropriate disciplinary action, as provided for in the Statewide School Readiness Provider Contract. Disciplinary actions for violations that occur within a two-year period will be progressively enforced as follows, unless the violation standing alone is sufficient to establish termination for cause:

1. Class I Violations
   a. For the first and second violation of a Class I standard, the early learning coalition must place the School Readiness provider's

contract on probation status for a period not to exceed six (6) months.

b. For subsequent and accumulated violations of the same Class I standard or for failure to comply with the terms of probation, the early learning coalition must consider terminating the provider's contract.

c. Pursuant to s. 1002.88(2)(b), F.S., the coalition may refuse to contract with the provider or revoke the provider's eligibility to deliver the School Readiness Program if the provider was cited for a Class I violation.

2. Class II Violations

a. For the first violation of a Class II standard, the early learning coalition must provide technical assistance.

b. For the second violation of the same Class II standard, the early learning coalition must issue a corrective action notice identifying specific corrective action items to bring the School Readiness provider into compliance with standards within seven (7) days or within the timeframe recommended by the inspection authority.

c. For the third violation of the same Class II standard or failure to comply with the terms of the corrective action notice, the early learning coalition must place the School Readiness provider's contract on probation status for a period not to exceed six (6) months.

d. For subsequent and accumulated violations of the same Class II standard or for failure to comply with the terms of probation, the early learning coalition must consider terminating the School Readiness provider's contract.

e. If a School Readiness provider receives a combination of four or more different class II violations within the same contract year, the early learning coalition may place the provider on a corrective action plan if the early learning coalition concludes corrective action will resolve the failure to comply.

f. If a School Readiness provider receives a combination of five or more different class II violations within the same contract year, the early learning coalition may place the provider on probation. For subsequent and accumulated violations of the Class II standard or for failure to comply with the terms of probation, the coalition must consider terminating the School Readiness provider's contract.

3. Class III Violations

a. For the first and second violation of a Class III standard, technical assistance must be provided.
b. For the third and fourth violation of the same Class III standard, the early learning coalition must issue a corrective action notice.
c. For the sixth and seventh violation of the same Class III standard or failure to comply with the terms of the corrective action notice, the early learning coalition must place the School Readiness provider's contract on probation status for a period not to exceed six (6) months.
d. For subsequent and accumulated violations of the same Class III standard or for failure to comply with the terms of probation, the early learning coalition must consider terminating the School Readiness provider's contract.
e. If a School Readiness provider receives a combination of six or more different class III violations within the same contract year, the early learning coalition may place the School Readiness provider on a corrective action plan if the early learning coalition concludes corrective action will resolve the failure to comply.

6.3 Probationary Status

A. If a School Readiness provider receives a combination of five or more different class II violations within the same contract year, the early learning coalition may place the provider on probation. For subsequent and accumulated violations of a Class III standard or for failure to comply with the terms of probation, the coalition must consider terminating the provider's contract. Probation may require the provider to comply with specific conditions intended to ensure that the provider comes into and maintains compliance with School Readiness Program standards. Examples of such conditions include: a deadline to remedy an existing violation; a specified period during which compliance with program standards must be strictly maintained; training or staff development; monitoring or technical assistance; and specified conditions under which the program must operate during the probationary period.
B. The early learning coalition must notify the School Readiness provider in writing of the terms and duration of the probation, including required timelines.
C. The terms of the probation must correlate to the basis of the corrective action.
D. If the School Readiness provider has not satisfactorily completed the terms of its probation by the end of the contract term, the provider will still be held accountable for the terms of the probation of the previous contract if the provider remains eligible to deliver the School Readiness Program and executes a new contract with the early learning coalition.

6.4 Termination and Revocation of Eligibility

A. The early learning coalition has the right to terminate a School Readiness provider's contract for cause at any time, pursuant to the Statewide School Readiness Provider Contract. The following are grounds for termination for cause:
    1. Action, or lack of action, which threatens the health, safety or welfare of children; or
    2. Material failure to comply with the terms of the provider's contract, including failure to implement corrective action or comply with the terms of probation.
    3. The refusal to accept any notice described above and in accordance with the School Readiness contract which the early learning coalition is required to send provider.
    4. The refusal to allow entry or inspection by the DCF or LLA (as applicable).
    5. Any violation of a Class I health and safety standard by the applicable licensing authority.
    6. Accumulation of health and safety violations.

B. The early learning coalition has the right to revoke a provider's eligibility pursuant to the School Readiness Provider Contract based on health and safety violations.
    1. Revocation of eligibility must be for a period of five (5) years.
    2. When determining whether to revoke a provider's eligibility, the coalition must consider the following factors:
        a. Severity of the provider's actions leading to contract termination.
        b. Health, safety, and welfare of the children enrolled with the provider.
        c. Financial impact of the provider's actions.
        d. Impact of eligibility revocation on the local community.
        e. Consistency with the coalition's actions against other providers with the same violations.
        f. The length of time the provider has contracted with the coalition.
        g. Whether the provider previously violated the terms of the Statewide School Readiness Provider Contract and prior contracts with the early learning coalition.

C. The early learning coalition must notify the provider of its intent to revoke the provider's eligibility at the time it provides written notice of intent to terminate the provider's contract.