

**TECHNICAL ASSISTANCE PAPER #06-04**

**SELECTED QUESTIONS AND RESPONSES:  
SUMMER VOLUNTARY PREKINDERGARTEN (VPK) EDUCATION  
PROGRAM PLANNING**

**Introduction**

This publication is intended to assist school districts and early learning coalitions in their Summer VPK planning efforts. Questions on the following topics have been compiled from conference calls, as well as e-mails and phone calls received from individuals.

- Administration of Medication
- Attendance Policies
- Children with Disabilities or Other Special Needs
- Class Size
- Contracting with Private Providers
- Discipline Policies
- Immunization
- Obligation to Serve Children
- Summer Food Service Program
- Appendix A, School District Medicaid Contact List

**Administration of Medication**

- 1. What are the procedures that must be established and staff that are required to insure appropriate administration of medication for children in VPK?**

The district's procedures, as stated in their approved School Health Services Plan, must be followed.

**Attendance Policies**

- 2. Can a school district have specific attendance policies for their summer VPK program?**

Yes. Section 1002.71(6)(a), Florida Statutes (F.S.), requires that parents, "...must agree to comply with the attendance policy of the private prekindergarten provider or district school board.... Upon enrollment of the child, the private prekindergarten provider or public school... must provide the child's parent with a copy of the...attendance policy...." Additionally, Agency for Workforce Innovation's (AWI) form VPK-01, (available at: <http://www.floridajobs.org/earlylearning/documents/VPKForm01.pdf>), includes

### **Attendance Policies (cont.)**

a statement for the parents to sign verifying that they will "...follow the provider's or school's attendance policy...."

#### **3. How many absences may a child participating in the Summer VPK program have before such absences affect funding?**

AWI's *Uniform Attendance Policy for Funding the VPK Program, OEP-PI-0029-05*, (available at:

[http://www.floridajobs.org/earlylearning/documents/OELPI002905\\_001.pdf](http://www.floridajobs.org/earlylearning/documents/OELPI002905_001.pdf))

establishes a startup period of five instructional days. If a student attends the VPK program during any day of the startup period, the private prekindergarten provider or public school is paid for all five of those instructional days. In addition, beyond the startup period, the uniform attendance policy allows a provider or school to receive payment when a student is absent from the program for up to 15 percent of the instructional days. Further, if a student is absent due to extraordinary circumstances, the provider or school may receive payment for up to 20 percent of the instructional days. For a student who begins attendance in the VPK program after the five-day startup period (i.e., delayed enrollment), this program instruction allows the provider or school to receive payment for a pro rata share of the authorized absences, based on the number of instructional days remaining when the student begins attendance in the program.

### **Children with Disabilities or Other Special Needs**

#### **4. Is the district obligated to provide specially designed instruction and related services to children with disabilities in the VPK program?**

No. VPK is not intended to be "special education" and does not provide for specially designed instruction or related services. If a child has an Individual Educational Plan (IEP), those services will be provided by the district during the regular school year and/or through extended school year (ESY) services. However, the district must make the summer VPK program accessible to a child with an IEP or special needs. For example, ramps must be available for a child in a wheelchair, large print or other special materials must be provided for a child with a visual impairment, special supports that are listed on a health plan must be addressed including positioning equipment or specialized dietary restrictions, and specialized communication or visual supports must be provided for a child with communication disorders. For additional information, please review the Technical Assistance Paper regarding VPK and Programs for Children with Disabilities at:

[http://info.fldoe.org/docushare/dsweb/Get/Document-3114/tap05\\_02a.pdf](http://info.fldoe.org/docushare/dsweb/Get/Document-3114/tap05_02a.pdf) and the Fact Sheet for Parents of Preschool Children with Disabilities or other Special Needs at:

[http://info.fldoe.org/docushare/dsweb/Get/Document-616/fact\\_sheetatt.pdf](http://info.fldoe.org/docushare/dsweb/Get/Document-616/fact_sheetatt.pdf) .

### **Children with Disabilities or Other Special Needs (cont.)**

- 5. What fund source should be used to pay for supports or services that have been determined necessary in order for a child to access the VPK program?**

Such supports or services must be paid for with VPK funds. However, districts are encouraged to work with their local health departments to provide health services needed by children who are Medicaid eligible. A listing of the school district contacts is included as Appendix A.

### **Class Size**

- 6. Can school district summer VPK programs have 20 children and two qualified teachers in a classroom to meet the child:teacher ratio requirement of section 1002.61(4), (6) (F.S.)?**

Yes. VPK programs are not subject to the class size requirements and are not included in those calculations.

### **Contracting with Private Providers**

- 7. Do the requirements, in section 1002.61(3)(a), F.S., for each district school board to, "...determine which public schools in the school district are eligible to deliver the summer prekindergarten program..." and to, "...use the educational facilities available in the public schools during the summer term for the summer prekindergarten program" prohibit districts from contracting with private providers for the summer program?**

No. Nothing should be construed to limit the school district's options for contracting with private providers to meet their requirement, under section 1002.53(6)(b), F.S., to, "...provide for the admission of every eligible child within the district whose parent enrolls the child in a summer prekindergarten program delivered by a public school."

- 8. If a district provider initially has ten or more VPK students but enrollment drops to less than ten, can the district contract with a private provider and transfer their students to them for the remainder of the program?**

Yes. If a district provider's enrollment is not sufficient to make the summer VPK program cost effective, an alternative is to contract with a private provider. It is advisable to inform parents of the possibility of this occurring when they register their child for Summer VPK.

### **Discipline Policies**

#### **9. Should a school district have specific discipline policies for their summer VPK program?**

Yes. Nothing in the implementing legislation prohibits the development and enforcement of such policies. However, such policies should be carefully crafted given the age of these children.

### **Immunization**

#### **10. Must a child who turns five during his or her VPK program have the immunizations required for entry into kindergarten in order to continue in the VPK program?**

No. Although a child must have a valid Certification of Immunization Form (DH 680) to attend VPK, additional immunizations would not be required until the child enters kindergarten.

### **Obligation to Serve Children**

#### **11. Are school districts required to provide a Summer VPK program to every eligible child within the district?**

Yes. Although section 1002.61(6), F.S., states, "Notwithstanding ss. 1002.55(3)(e) and 1002.63(7), each prekindergarten class in the summer prekindergarten program...must be composed of at least 4 students but may not exceed 10 students," section 1002.53(6)(b), F.S., states, "Each school district may limit the number of students admitted by any public school for enrollment in the program; however, the school district must provide for the admission of every eligible child within the district whose parent enrolls the child in a summer prekindergarten program delivered by a public school." An option for meeting this requirement is for the school district to contract with a private provider to provide VPK services (see questions 7 and 8).

### **Summer Food Service Program (SFSP)**

Although compliance with section 1002.61, F.S., does not address a summer food service program for VPK students, the Ms. Willie Ann Glenn Act's requirements stipulate that each school district must sponsor a summer nutrition program beginning in the summer of 2006 and must operate sites with specific guidelines based on each school's percentage of students eligible for Free/Reduced Lunch.

#### **12. Is a school district required to operate a summer food program if they only run a VPK program in the summer?**

In accordance with section 1006.0606, F.S., Ms. Willie Ann Glenn (WAG) Act, each school district shall develop a plan by May 1, 2006, to sponsor a

## **Summer Food Service Program (cont.)**

summer nutrition program beginning in the summer of 2006 to operate sites in the school district as follows:

- Within five miles of at least one elementary school at which 50% of more of the students are eligible for free or reduced-price school meals and for the duration of 35 consecutive days; **and**
- Within ten miles of each elementary school at which 50% or more of the students are eligible for free or reduced-price school meals.

To comply with this act and the requirements for VPK (s.1002.61, F.S.), it may be advantageous to determine the site(s) that qualify for the WAG Act, and then incorporate your VPK sites there as well. Then all children receiving a meal could receive a free meal, which the district could claim for reimbursement.

For additional information regarding the WAG Act, please contact the DOE Food & Nutrition Management office at 1-800-504-6609. For more information regarding the SFSP, you may call the number listed above and/or access the following link: <http://www.fns.usda.gov/cnd/summer/about/faq.html>

### **13. Can the site running 35 days in accordance with the Willie Ann Glenn Act be a non-school site operated by the school district?**

Yes. The site operated in accordance with this act may be operated by the school district in a school or non-school site. Any not-for-profit entity may serve as a site or sponsor.

### **14. How would VPK be affected by the Seamless Summer program?**

Under the Seamless Summer program option, which is under the NSLP, all sites must be “open sites,” which means students who are 0-18 years-of-age and students who may or may not be receiving educational services must be served meals. Seamless Summer is an option to consider, versus the National School Lunch Program (NSLP) or SFSP, because it reduces the amount of paperwork and time necessary to determine eligibility on a one-to-one basis. For more information regarding Seamless Summer, please reference the following link:

[http://www.fns.usda.gov/cnd/seamless\\_summer.htm](http://www.fns.usda.gov/cnd/seamless_summer.htm)

### **15. A school district provides summer education for four weeks and a recreation department goes in conjunction with the district to extend their educational program three weeks. If the SFSP was only contracted for 6 weeks, can a waiver for the seventh week be requested?**

## **Summer Food Service Program (cont.)**

There are no federal guidelines that stipulate how long a site must run under SFSP or Seamless. The only stipulation in reference to length of operation is in the WAG Act which states one site must operate 35 consecutive days. A site may be under the operation of a school district for the first few weeks, and then the same site can later operate under another sponsorship to equal the 35 consecutive days. The state agency cannot grant waivers to the 35 consecutive day requirement under the WAG Act.

**Note:** A site cannot operate under more than one sponsorship at the same time.

**16. If a school district is contracted to provide meals for a local Parks and Recreation Department through the SFSP, and if the Parks & Recreation Department is willing to provide meals for VPK students, would the school district be in compliance with the WAG Act?**

Yes, as long as the mileage requirement(s) is met.

**17. Are the criteria used to determine eligibility for SFSP or Seamless Summer different than the criteria used to determine eligibility under the NSLP?**

Yes. Eligibility under NSLP is based on the individual child's family income. Under NSLP it is determined whether a child will qualify for a free meal, reduced-price meal, or paid. Under Seamless and SFSP, the "site" becomes qualified. Sponsors can qualify a site by using census data, DOE Survey 3 data, or by taking income applications. If the sponsor uses the census data or the survey 3 data and the site qualifies, ALL children will receive a free meal.

**18. Since additional sites are now required under the WAG Act, and with the influx of VPK students, who will be responsible for the food and labor costs?**

That depends on the program; however, funding for summer meals for VPK students is not provided for in statute. The rules and procedures to follow regarding filing claims for reimbursement under NSLP, SFSP, and Seamless Summer are the same for VPK or non-VPK students.

**19. Are the sites used under the SFSP or Seamless Summer limited to those who qualify under these programs?**

If the question is referring to "children who qualify," the answer is yes. Children who qualify (if the site is open, then all children under 18-years-old

## **Summer Food Service Program (cont.)**

qualify) would receive a free meal. The sites can only serve children who qualify (age, income if closed enrolled site, etc).

If the question is referring to “sites that qualify,” the answer is yes. The sites have to qualify to operate under seamless and SFSP.

### **20. Are the nutritional requirements different for VPK students with regard to fats and calories?**

No, the nutritional requirements do not change for VPK students in the summer.

### **21. Does Offer vs. Serve (OVS) have to be implemented for VPK students?**

No, this is optional for lower grades. It is only a requirement for lunch at senior high schools during the school year under NSLP. For more information regarding OVS, please refer to:

[http://teammnutrition.usda.gov/Resources/offer\\_v\\_serve.html](http://teammnutrition.usda.gov/Resources/offer_v_serve.html)

### **22. Can a vended program satisfy the requirements of the WAG Act?**

Yes, as long as the “vended program” means a sponsor which purchases from a food service management company or school district the unitized meals, with or without milk, which it will serve at its sites. “Vended” does not mean a vending machine.

### **23. Are there any circumstances that would allow private VPK providers to participate in the NLSP, SFSP, or Seamless Summer?**

A private provider currently receiving funds through other federal programs administered by the Department of Health would need to discontinue participation in these programs to prevent “double dipping.” For more information, please contact either of the following staff at the Department of Health:

- Dale Kishbaugh: [dale\\_kishbaugh@doh.state.fl.us](mailto:dale_kishbaugh@doh.state.fl.us); or call (850) 245-4362.
- Phil Reeves: [phil\\_reeves@doh.state.fl.us](mailto:phil_reeves@doh.state.fl.us); or call (850) 245-4360.

### **24. If an income eligibility form is received for a child during the summer and the child qualifies for Free/Reduced Price Lunch, does the child’s eligibility carry over through the next school year?**

No. According to federal guidelines, the family would still have to fill out an income application at the beginning of the school year.

## **Summer Food Service Program (cont.)**

**25. If a school district offers VPK in an area that doesn't fulfill the mileage requirement(s) under the WAG Act, can the schools which house VPK still participate in a summer meal program?**

Yes, although the school district may still have to determine whether the school qualifies by using census data, DOE Survey 3 data, or individual income applications.

**26. If a VPK site does not qualify under Seamless or SFSP, can a parent or student be required to pay for lunch if lunch time is part of the instructional day?**

No. Because participation in the 300-hour summer VPK program is free and voluntary, a district may not charge parents for lunch or require parents to bring food products to the VPK program if meals or snack time are reported for funding purposes as instructional time. If lunch and/or snack are not reported as VPK instructional time, the district may charge for the cost of the meal. However, the district cannot require the parent/child to participate in the meal as a condition of enrollment. If a parent/child chooses not to participate, the parent's ability to have his or her child served by the provider or school exclusively in the VPK program must not be affected.

Districts are encouraged, if at all possible, to determine the site(s) that qualify for Seamless Summer or SFSP, and then incorporate their VPK sites there as well. Then all children receiving a meal could receive a free meal, which could be claimed for reimbursement. For more information regarding "Program Instruction," please refer to AWI's policy number OEL-PI-0000-06: <http://www.floridajobs.org/earlylearning/IMPI.html>.