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PROGRAM GUIDANCE 510.29

[OEL-PG-0051-08]

REENROLLMENT FOR GOOD CAUSE AND EXTREME HARDSHIP IN VPK

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This document is offered as interim program guidance by the Agency for Workforce Innovation while the Agency engages in the rule promulgation process. To the extent not established by Florida law or agreed upon, compliance with the terms of this document is voluntary.

Summary

This document is offered by the Agency as program guidance in order to advise early learning coalitions of a recommended process which may be used to determine when a VPK student is eligible for a one-time reenrollment as a full-time equivalent (FTE) student in another provider's or school's VPK program under provisions of "good cause" and "extreme hardship." This document also offers an interim definition for the term "substantial completion". If a student is seeking to complete their existing FTE, please refer to *Class and Provider Transfers in VPK* (OEL-PG-0050-08) for guidance.

Background

Sections 1002.51 through 1002.79, Florida Statutes, (the VPK law) allow a parent to enroll his or her eligible child in one of the following VPK program types: 1) A school-year prekindergarten program (540 instructional hours) delivered by a private prekindergarten provider (s. 1002.55, F.S.); 2) a school-year program (540 instructional hours) delivered by a public school (s. 1002.63, F.S.); or 3) a summer prekindergarten program (300 instructional hours) delivered by a public school or private prekindergarten provider (s. 1002.61, F.S.).

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The VPK law prohibits a child from enrolling in more than one of these program types (s. 1002.53(3), F.S.) and, generally, from being reported for funding purposes as more than one full-time equivalent (FTE) student (s. 1002.71(2), F.S.). The VPK law, however, does allow a one-time opportunity for reenrollment with full funding in another VPK program for good cause or due to an extreme hardship (s. 1002.71(4), F.S.).

In order to implement the process for a student's one-time reenrollment, the VPK law requires the Agency to establish criteria specifying whether a "good cause" exists for a student to withdraw from a program, whether a student has "substantially completed" a program, and whether an "extreme hardship" exists which is beyond the student's or parent's control.

Program Guidance

(1) **Definitions.**—As used in this program guidance, the term:

- (a) "Dismissal" from a VPK program means that a private prekindergarten provider or public school removes a student from its VPK program, resulting in the coalition or its designee recording a termination and assigning "Provider Dropped Enrollment" (Code 26) as the reason for the termination in the statewide information system.¹
- (b) "Full-time equivalent" or "FTE" has the meaning ascribed in s. 1002.71(2), F.S.
- (c) "Reenrollment" means that a coalition or its designee records the termination of an eligible student's enrollment in a VPK program as documented by the provider or school in the statewide information system and subsequently records an enrollment in the statewide information system between the student and a provider or school delivering the VPK program for which the student would be counted as more than one FTE student.
- (d) "Student's attendance period" means instructional days in the program, counting from the first instructional day that the student attends the program to the last day the student attends the program.
- (e) "Substantial completion" occurs when the student's attendance has obligated payment to the provider or school for 70 percent or more of the VPK program's instructional hours.
- (f) "Withdrawal" from a VPK program means that a parent or guardian removes his or her child from a private prekindergarten provider's or public school's VPK program, resulting in the coalition or its designee recording a termination and assigning "Parent

¹ The current statewide information system is the Enhanced Field System (EFS). In accordance with the Statewide Provider Agreement (*see* Rule 60BB-8.301), a provider or school must submit to the coalition or its designee documentation specifying the reasons that a student is dismissed by the provider or school, with an effective date.

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Withdrew Child” (Code 25) as the reason for the termination in the statewide information system. In accordance with section 1(b), Article IX of the State Constitution, the VPK program is voluntary. A parent or guardian may withdraw his or her child from the program at any time, with or without a reason.

- (2) ***A student withdrawn or dismissed before the student attends VPK instruction.***—If the student was withdrawn or dismissed before the student’s first day of attendance, the student may be transferred to another provider or school delivering the school-year or summer programs and be reported for funding purposes as one FTE student in the program for which the student is transferred. Refer to *Class and Provider Transfers in VPK* (OEL-PG-0050-08) for guidance.
- (3) ***Reenrollment of a student withdrawn or dismissed for good cause***—If the student’s attendance and paid absences have obligated payment to a provider or school for fewer than 10 percent of the VPK program’s instructional hours, the student may be reenrolled with another provider or school delivering the school-year or summer programs and be reported for funding purposes as one FTE student in the program for which the student is reenrolled, if all of the following applies:
- (a) The student has not previously reenrolled for good cause under this paragraph or due to an extreme hardship under (4) below; and
 - (b) The student’s parent or guardian attests in writing to the coalition or its designee that one or more of the following applies:
 - 1. Illness of the student or the student’s immediate family member.
 - 2. Conflict between the parent or guardian and the provider or school concerning policies, practices (*e.g.*, curriculum), or procedures at the provider’s or school’s VPK program.
 - 3. Change in the student’s residence.
 - 4. Change in the parent’s or guardian’s employment schedule or place of employment.
 - 5. Transportation problems that prevent the parent or guardian from transporting the student to the program.
 - 6. Any condition described as an extreme hardship in (4) below.

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- (4) *Reenrollment of a student withdrawn or dismissed for extreme hardship.*—If the student’s attendance and paid absences have obligated payment to the provider or school for 10 percent or more of the VPK program’s instructional hours, but the student has not substantially completed the VPK program, the student may be reenrolled with another provider or school delivering the school-year or summer programs and be reported for funding purposes as one full FTE student in the program for which the student is reenrolled, if all of the following applies:
- (a) The student has not previously reenrolled due to an extreme hardship under this subparagraph or for good cause under (3) above;
 - (b) The student has not substantially completed the VPK program; and
 - (c) The student’s parent or guardian submits to the coalition or its designee written documentation of one or more of the following:
 - 1. Extended illness of the student or the student’s immediate family member, as documented by a medical professional, if the illness results in the student being:
 - a. Absent from more than 30 percent of the student’s attendance period, as documented by the coalition; or
 - b. Dismissed by the provider or school for noncompliance with the provider’s or school district’s attendance policy, as documented by the provider or school.
 - 2. Dismissal of the student due to the student’s behavior or the provider’s inability to meet the student’s educational needs, as documented by the provider or school.
 - 3. Termination of the student’s VPK prekindergarten class before 70 percent of the instructional hours (*i.e.*, 378 hours for a school-year program or 210 hours for a summer program) are delivered for the class, as documented by the provider, school, or coalition.
 - 4. Provider’s or school’s misconduct or noncompliance with law, rule, or the Statewide Provider Agreement (*see* Rule 60BB-8.301, F.A.C.), as documented by the coalition.
 - 5. Change in the student’s residence, as documented by rent, mortgage, or utility records, which:
 - a. Results in the cessation of transportation by the provider or school, as documented by the provider or school;
 - b. Causes the student’s travel time to exceed 50 minutes from the student’s residence to the provider or school; or
 - c. Extends the parent’s or guardian’s total travel time by 50 minutes or more from the student’s residence, to the provider or school, and to the parent’s or guardian’s place of employment.
 - 6. Change in the parent’s or guardian’s place of employment, as documented by the employer, which:
 - a. Results in the cessation of transportation by the provider or school, as documented by the provider or school; or

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- b. Extends the parent's or guardian's total travel time by 50 minutes or more from the student's residence, to the provider or school, and to the parent's or guardian's place of employment.
7. Change in the parent's or guardian's employment schedule, as documented by the employer, which prevents the parent or guardian from providing the student with transportation to or from the provider or school.
8. Inability to meet the basic needs of the student or the student's immediate family, including, but not limited to, a lack of food, shelter, clothing, or transportation, as documented by a professional (*e.g.*, law enforcement official, social worker, or counselor).
9. A state of emergency is declared to exist in the county that would have resulted in a provider's ability to temporarily close under Rule 60BB-8.204.
10. Other extraordinary circumstances submitted to the Agency for Workforce Innovation, Office of Early Learning in writing, dated, and signed by the coalition and the parent or guardian, and approved by the Deputy Director of Early Learning.

(5) Procedures for reenrollment.—

- (a) To reenroll a student, a coalition may request the student's parent or guardian to:
 1. Complete the Reenrollment Application (Form AWI-VPK 05), attach documentation of an extreme hardship or written attestation of good cause, and submit the completed application to the coalition or its designee.
 2. If the student is reenrolled with a coalition other than the coalition of the previous enrollment, the parent or guardian should also complete and resubmit the Child Application (Form AWI-VPK 01).
- (b) The coalition may follow the registration, eligibility determination, and enrollment procedures described in rule 60BB-8.202, F.A.C., to reenroll a student, except that the coalition is not required to repeat the face-to-face parent consultation.

History: *Original.* OEL-PI-0035-06 (January 23, 2006). *Revised* OEL-PG-0051-08 (November 19, 2008). This guidance rescinds and replaces OEL-PI-0035-06 (January 23, 2006)

Attachment: Form AWI-VPK 05 (Re-enrollment Application)

PLEASE DIRECT QUESTIONS AND COMMENTS TO
THE AGENCY FOR WORKFORCE INNOVATION, OFFICE OF EARLY LEARNING
AT (850) 921-3171 OR OEL.Questions@flaawi.com.