

Prohibited Fees and Charges in the VPK Education Program

PURPOSE

To identify prohibited fees and requirements for parents of children attending VPK and what may be permissible, with correct parent notification and affirmation.

REFERENCES

[Section 1002.71\(8\), Florida Statutes \(F.S.\)](#)

[Section 1\(b\), Art. IX, Florida Constitution](#)

AUTHORITY

Reference to any laws, rules and regulations in this guidance document includes revisions to those laws and regulations made after the effective date of this guidance document.

BACKGROUND

[Section 1002.71\(8\), F.S.](#) , provides as follows:

- (8) *Except as otherwise expressly authorized by law, a private prekindergarten provider or public school may not:*
- (a) *Require payment of a fee or charge for services provided for a child enrolled in the Voluntary Prekindergarten Education Program during a period reported for funding purposes; or*
 - (b) *Require a child to enroll for, or require the payment of any fee or charge for, supplemental services as a condition of admitting a child for enrollment in the Voluntary Prekindergarten Education Program.*

Moreover, [Section 1\(b\), Art. IX, Florida Constitution](#) provides that:

Every four-year old child in Florida shall be provided by the State a high quality pre-kindergarten learning opportunity in the form of an early childhood development and education program which shall be voluntary, high quality, free, and delivered according to professionally accepted standards. An early childhood development and education program means an organized program designed to address and enhance each child's ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.

VPK is a parent choice program, and VPK instructional hours must be offered free to the child. Through parent choice, there are many different types of providers to choose from, including private providers (i.e., licensed child care centers, family child care homes, private schools) and public schools. The variety of providers and public schools in Florida provide options and differences for the child's parent

to determine the best program fit for their child.

1. Payment of fees or charges prohibited.

A private prekindergarten provider or public school may not require a parent to pay fees or charges for any part of the VPK program, including, but not limited to, registration, supply, materials, or annual fees.

2. Late pick-up fees.

A private prekindergarten provider or public school must notify the parent in writing of scheduled pick-up periods for the VPK program and the fees or charges for late pick up. This notification must be reviewed and signed by the parent. If a parent fails to pick up his or her child from a VPK program before the end of the pick-up period, the additional services provided for the child after the pick-up period are not considered part of the VPK program.

A private provider or public school may require payment of fees or charges for late pick up. A provider or public school may not assess late pick-up fees or charges for children in the VPK program at rates that exceed the rates assessed for children who are not in the program.

3. Personal items.

A private prekindergarten provider or public school may request a parent or child to voluntarily purchase or bring personal items to the VPK program, but may not require a parent or child to purchase or bring the items. These personal items include, but are not limited to, the following items:

- Instructional materials or supplies;
- Food products (e.g., lunch and snacks);
- Hygiene products (e.g., tissues and soap); or
- Sporting equipment.

4. Onsite or Offsite activities.

A private prekindergarten provider or public school may request a parent or child to voluntarily pay for the cost of an on or offsite activity (e.g., dance class or field trip), but may not require a parent or child to pay for the cost of any activity occurring during VPK instructional hours.

5. Dress codes; uniforms.

- a. The term “dress code” used here means the policy of a private provider or public school which requires children to wear specific types of clothing (e.g., white tee-shirt and blue shorts) or which requires children to wear particular clothing (i.e., uniforms).
- b. In accordance with Section 1002.53(6), F.S., a parent may enroll his or her child with any eligible private provider or, subject to available space, with any eligible public school. If a provider or school has an adopted dress code, the provider or school must notify the parent in writing of the dress code **before the provider accepts the certificate of eligibility**. Thus, if a parent enrolls the child with a provider or school that has a dress code, the parent voluntarily chooses to comply with the dress code.
- c. A provider’s or school’s dress code is considered a fee or charge for a child, and is consequently prohibited, if the provider or school:
 1. Does not notify the child’s parent in writing of the dress code **before the provider accepts the certificate of eligibility** for that parent’s child;
 2. Adopts or changes the dress code after the delivery of VPK instruction has begun for

the child; or

3. Does not require all children attending the provider's or school's programs to comply with the dress code, regardless of whether the children are enrolled in the VPK program.

6. Parental involvement.

A private provider or public school may require the personal involvement or participation of parents in the delivery of the VPK program for their children, if the provider or school notifies each child's parent in writing of its parental involvement policy **before the provider accepts the certificate of eligibility** for that parent's child. As part of its parental involvement policy, a provider or school may require the parent's attendance at the provider's or school's VPK site for a specified period (i.e., volunteer hours). The provider or school may not require parents to pay fees or charges in lieu of their personal involvement or participation.

7. Requesting fees or charges.

A private provider or public school requesting a parent or child to voluntarily pay any fees or charges for any activity related to the child's VPK instructional hours must inform the parent, in writing **before the provider accepts the certificate of eligibility** for that parent's child, that the payment of the fees or charges is voluntary and not a requirement for the child's enrollment or participation in the VPK program.

INSTRUCTIONS

Whether through monitoring or by report, if an early learning coalition (monitoring private providers) or school district (monitoring public schools) finds non-compliance with VPK program requirements, results shall be included in appropriate monitoring reports. Corrective action and/or revocation of provider eligibility shall be issued and the situation resolved timely.

HISTORY

Issued July 1, 2016. Reissued July 1, 2017. Reissued July 1, 2018. Reissued July 1, 2019.
Reissued July 1, 2020. Reissued July 1, 2021.

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