



COVID-19 Crisis

Reimbursement for Closed Private School Readiness Providers

OF INTEREST TO

The Office of Early Learning (OEL, the Office), Early Learning Coalitions and other subrecipients of OEL implementing federal and state early learning programs (ELCs, coalitions), such as the School Readiness Program (SR) and private child care providers contracted with a coalition (Providers).

SUMMARY

This program guidance addresses the evaluation steps that ELCs should take when making reimbursement decisions for contracted private child care providers that have remained closed throughout the COVID-19 pandemic. Providers that have remained open, or providers who have experienced intermittent closures due to Coronavirus (COVID-19) exposure or cleaning, are not subject to these evaluation steps and should be reimbursed accordingly.

RELATED FEDERAL REGULATIONS/AUTHORITY

[Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#)

[CCDF ACF Info Memo 2017-02 CCDF Spending Flexibility during Federal or State Declared Emergency Child Care and Development Block Grant Act](#)

- Section 658(c)(2)(I) Establishment of Health and Safety Requirements
- Section 658(c)(2)(U) Disaster Preparedness

[45 CFR 98.56 Restriction on the Use of Funds](#)

[CCDF-ACF-IM-2020-01](#), CCDF Discretionary Funds Appropriated in the CARES Act (Public Law 116-136)

[Coronavirus Relief Fund Guidance for State Territorial Local and Tribal Governments](#)

[Rule 6M-4.501, FAC.](#)

[2020-52 Executive Order re: Emergency Management – COVID-19 Public Health Emergency](#)

[DEM Order NO. 20-004, COVID-19 Public Health Emergency](#)

[DOE Order NO. 2020-EO-01](#)

[Florida Department of Education Press Release March 17, 2020](#)

[Section 252.34, Florida Statutes](#)

[Child Care and Development Fund State Plan for FY 19/21 \(effective 10/1/2018\), Section 1.8 – Disaster Preparedness and Response Plan](#)

[Office of Early Learning Program Guidance 240.20, Tracking Costs for Disasters](#)

Definitions

Please refer to OEL PG 240.20, *Tracking Costs for Disasters*.

BACKGROUND

During normal times, early learning child care providers operate on extremely small margins. The COVID-19 pandemic has caused a catastrophic decline in enrollment, as well as unexpected closures, which could put many providers out of business forever. In addition, those providers that remain open, are doing so at a fraction of their income, in order to provide care during this time of uncertainty.

Recognizing the impact of the crisis, state and federal stimulus efforts have been enacted to provide relief to American families, small businesses and major industries. The State of Florida, Division of Emergency Management, issued [Emergency Order No. 20-004](#) on March 13, 2020, directing the Department of Education (DOE) to “take all appropriate actions ... to promote the health, safety, welfare and education of Florida students,” and thereby, allowing the DOE to waive the statutory rules for temporary closures, payment of absences and collection of parent copayments.

FISCAL ISSUES

The issuance of supplemental federal funding requires alternative tracking of cost for clients served as a result of a declared state of emergency. This includes clients currently eligible as well as potential clients made eligible due to the resulting disaster.

PROGRAM GUIDANCE

The following guidelines shall be used by coalitions when making decisions about reimbursing contracted SR providers that remain closed throughout the COVID-19 state of emergency as declared by the Governor of the State of Florida.

CCDF/School Readiness Funding for Temporary Closures

Temporary Closures

School Readiness Program

Rule 6M-4.501, F.A.C., addresses reimbursement for circumstances of temporary closure for individual providers when closure is beyond the control of the provider or the closure is caused by emergency circumstances, including but not limited to the declaration of a state of emergency. During periods of temporary closure, the provider certifies its enrollment/attendance rosters to reflect the dates of closure.

Given Governor DeSantis’ Executive Order 20-52 and the Department of Education’s Order EO-2020-01, OEL authorized provider reimbursement for children enrolled in the SR Program for all scheduled days during March through August 2020, regardless of the child’s daily attendance. A provider is not eligible for reimbursement for a child who attends another SR provider during this period.

Payments for a transferred child must not be included in the reimbursement for the original provider who is a temporarily closed provider until the child is reinstated with the original provider, if applicable.

Payments to Providers that Remained Closed in April and May 2020

To address issues related to reimbursing providers that remained closed during the months of April and May, OEL required all closed providers to complete a questionnaire via EFS Mod. The survey/questionnaire included information on the reasons and extent of the closure along with an anticipated reopening date. For both May and June, the response rate for closed providers was 87% and 83% respectively. For providers that did not respond to the questionnaire, early learning coalitions were

directed to make recommendations regarding reimbursement for May and June. These recommendations were based in part as to whether the provider was eligible for a current SR contract and was critical to meeting the coalition's need for child care. Approximately 2% of these closed providers were not approved for reimbursement

Pending the issuance of this Guidance, OEL directed coalitions to continue to review their processes for reimbursing providers that remained closed. Strategies that were implemented and supported included contacting parents of enrolled children at closed providers to discuss other options for child care.

School Readiness Programs

Beginning September 1, 2020, coalitions must, at a minimum, evaluate and document the following for providers that have remained closed or had a pattern of intermittent/continuous closures:

- Does the the provider have a current SR (2019-20 Extension or 2020-2021) contract?
- Are there less than three SR children currently enrolled with the provider? Have these parents been offered other options for child care by the coalition?
- Have less than 50% of the enrolled SR children requested a provider transfer?
- Does the provider meet an essential local child care capacity need in the coalition's service delivery area as defined in the coalition's SR Plan?
- Has the provider submitted a re-opening plan?
- Does the provider have proof that it attempted to allocate SR funding, in part, to wages or bonuses to retain staff while closed, as applicable?
- Is it the coalition's assessment that the provider has remained closed due to repeated exposure to COVID-19 or the provider's program being located in an area known to have a high COVID-19 infection rate?

After evaluating the above, if a coalition determines that a closed provider should not be reimbursed beginning with the September service period (with payment in October), the provider's current SR contract should be terminated.

After evaluating the above, if a coalition determines that a closed provider should be reimbursed, the following progressive enforcement actions shall be taken:

- If the provider does not have a documented re-opening plan, place the provider on a correction action plan and require the provider to submit one. The corrective action plan will include a notice to the provider that if the provider's program is not open on its scheduled re-opening date, future reimbursements may be disallowed.
- If the provider does not re-open by the date indicated in their re-opening plan, disallow reimbursement in accordance with SR contract terms and conditions that address child care, financial consequences, corrective action, and termination.

In addition, the coalition must utilize the Temporary Closure screen to flag records in the Statewide Information System (SIS) that could be used to claim reimbursement of potential disaster related funds during the crisis period.

For all periods and programs, SR providers must continue to submit monthly attendance via the [SIS](#). For updated instructions for entering and processing attendance during the period of waived absences, please reference EFS Modernization Guidance for COVID-19.

EFFECTIVE DATE

Issuance of this guidance represents approval by OEL management of the indicated procedures and related administrative forms. These procedures will be effective as of the date of this guidance listed below.

HISTORY

Original guidance issued September 3, 2020.

Please direct questions and comments to the Office of Early Learning at
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