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MEMORANDUM

TO: Early Learning Coalition (ELC) Executive Directors

FROM: Matthew H. Mears

DATE: August 5, 2022

SUBJECT: 2022-23 \$15 Hourly Wage for VPK Personnel

House Bill 5001, also known as the General Appropriations Act, was passed by the 2022 Florida Legislature, and signed into law as Chapter 2022-156, Laws of Florida, by Governor DeSantis. This law became effective on July 1, 2022.

Proviso language, see attachment 1, following specific appropriation 82 provided additional compensation to Voluntary Prekindergarten (VPK) providers in the base student allocation for the 2022-23 school-year and summer programs. VPK providers who elect to participate in this additional payment program must complete an application in the Provider Portal. Within the application, each VPK provider will attest via affidavit, see attachment 2, that every VPK program employee's hourly rate is at least \$15 per hour for all time worked on the VPK program within 30 days of receiving the funds.

As further explained below, the starting date for paying the minimum of \$15 per hour rate must be within 30 days of the VPK provider's rate increase funded with this incentive. The provider's rate increase will begin on the first day of VPK classes, or on the date the affidavit affirming agreement is submitted to the ELC in the Provider Portal, whichever is later.

A VPK provider is deemed to be in receipt of this additional funding on the date that the provider's VPK rates are increased through this allocation. Thus, for example, if a provider submits this affidavit and will be paid for VPK students at a rate that includes this incentive pay beginning on Wednesday, August 10, 2022, then all VPK employees must be paid at least \$15 per hour for VPK duties beginning no later than Friday, September 9, 2022, which is 30 days after the provider's rate increase.

VPK program employees include all employees who work on the VPK program, including the VPK Lead Instructor, Assistants and Substitutes listed in each VPK Classroom on Form OEL-VPK11A, and VPK Directors or Principals listed on form OEL-VPK10, who have been approved by the ELC.

The Division continues to perform requirements gathering to complete the build of the additional payment program application and attestation in the Provider Portal. We will provide additional instructional materials to successfully implement this program.

2 Attachments

MATTHEW H. MEARS

CHANCELLOR, DIVISION OF EARLY LEARNING

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Proviso Language
General Appropriations Act (HB 5001)
Specific Appropriation 82, Page 21

From the funds provided in Specific Appropriation 82, \$100,000,000 in nonrecurring funds from the Child Care and Development Block Grant Trust Fund is provided for Voluntary Prekindergarten (VPK) providers to provide an additional increase for the 2022-2023 fiscal year in the base student allocation per full-time equivalent student for the school year program and the summer program. Allocations will be distributed to the early learning coalitions using the same methodology to distribute the general revenue funds. To be eligible for the additional base student allocation funds, the provider or public school must elect to participate in the additional payment program following an application procedure established by the Division of Early Learning. The provider or public school will submit an attestation confirming, that within 30 days of receiving the additional funding, all VPK personnel employed by the provider or public school will receive wages of at least \$15.00 per hour for VPK duties. Beginning January 1, 2023, an employee of a VPK provider under contract with the Division of Early Learning that has elected to receive additional base student allocation funds and who is not receiving a wage of at least \$15.00 per hour for VPK duties may petition the division for relief. If the division finds that the VPK provider has failed to comply with this provision, the division may terminate the provider's VPK contract.

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Commissioner of Education

AFFIDAVIT ON \$15 HOURLY WAGE FOR VPK PERSONNEL

I hereby attest that every Voluntary Prekindergarten (VPK) program employee's hourly rate is at least \$15.00 per hour for all time worked on the VPK program, including the VPK instructional hours listed on the schedule for each classroom on Form OEL-VPK11B approved by the Early Learning Coalition, starting the ____ day of _____ in 20 ____.

By signing this affidavit, the VPK provider understands that, if an eligible employee is not receiving a wage of at least \$15.00 per hour for VPK duties, and beginning January 1, 2023, the employee may petition the Division of Early Learning for relief. If the division finds that the provider has failed to comply with this provision, the division may terminate the provider's VPK contract.

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