



San Francisco Office  
of Early Care & Education

# **Early Learning Scholarship and Preschool for All Program Operating Guidelines Fiscal Year 2020-2021**

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## ***Vision***

Every child in San Francisco from birth to age five has access to high quality and affordable early care and education.

## ***Mission***

The San Francisco Office of Early Care and Education leverages federal and state funding, aligns local resources, supports the early care and education workforce and increases capacity to build a high quality, affordable, data driven and streamlined early care and education system for children 0-5 and their families.

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# The San Francisco Early Learning Scholarship (ELS) System

## OECE PROGRAM PHILOSOPHY

The San Francisco Office of Early Care and Education (OECE) is committed to ensuring all children are ready for kindergarten. We believe in-person educational experiences are essential for young children to develop the cognitive, social-emotional, and physical skills they need to succeed. Children who attend high-quality early care and education (ECE) gain the skills to become better prepared for school and life-long success.

All OECE funded programs should embrace a philosophy that supports all families and children in San Francisco, and policies aligned with OECE vision for positive outcomes for all children. These Program Operating Guidelines provide a framework for programs funded for child enrollment services by the city and county of San Francisco.

### Introduction

In July 2017, the Office of Early Care and Education (OECE) launched San Francisco's Early Learning Scholarship (ELS) Program. The ELS provides eligible San Francisco families with young children under five years of age with financial assistance to access quality early care and education. More than 320 Early Care and Education Centers and Family Child Care Programs across San Francisco are qualified to participate in the city's early learning system.

### Purpose of Operating Guidelines

These Operating Guidelines provide guidance to city-funded qualified programs with general information for administering public funds. This information reflects current enrollment program policies and procedures, yet is subject to change and update by OECE. These guidelines and addendums are available at [OECE FUNDING REQUIREMENTS](#).

In addition to the information contained in these guidelines, OECE funds two organizations to provide additional support and services to city funded ECE programs. The Integrated Services Agencies' ([Children's Council of San Francisco](#) and [Wu Yee Children's Services](#)) are able to share Program and Family handbooks with detailed information regarding the policies and procedures outlined in these operating guidelines.

### Who are the Integrated Services Agencies?

The Integrated Service Agencies (ISAs) leverage state and federal child care funds, and provide a process for ECE programs to offer continuity of care to families in maintaining quality early care and education for children enrolled in a city-funded ECE program. Children's Council of San Francisco and Wu Yee Children's Services are community-based organizations funded by OECE to provide the "ECE Integrated Services Agencies" (ISAs) and assist with child referral and enrollment processes, including:

- Child Care Subsidy payments administration

- Helping families determine if they are eligible for subsidized ECE
- Use of state and federal child care funding to support families
- Supporting families and child care programs through Resource and Referral services

### **What is the role of Compass Family Services in ELS?**

Compass Family Services is a community service partner that helps San Francisco families with children under five years of age who are experiencing homelessness. The Homeless Early Care and Education Case Management program at Compass provides families who are homeless and/or living in a domestic violence shelter with child care enrollment supports.

### **Early Learning Scholarship Guidelines**

#### **Current Priority Populations**

Our Early Care and Education (ECE) system focuses on serving the needs of San Francisco’s birth to five-year-olds. OECE increases access to *Priority Population*<sup>1</sup> families, which includes Black/African American, Latino, Native American/Indigenous, immigrant, homeless, children at risk of abuse and/or neglect or involved with the child welfare system and children with identified special needs or disabilities.

#### **What is an ELS Qualified Program?**

ELS qualified programs are Centers and licensed Family Child Care Programs approved through the 2017 NOFA application process. Qualified programs are committed to a process of continuous quality improvement and fully meeting the requirements of the ELS Participation Agreement’s Programmatic Assurances. Qualified programs are eligible for city-funded training and technical assistance through First 5 San Francisco, SF Quality Connections.

#### **ELS Funding Types**

Below is a description of the Early Learning Scholarship funding types. Child enrollment is typically funded through one funding type at a time and is subject to funding availability.

#### **ELS Voucher**

This type of funding provides a portable parent/guardian-based city-voucher to eligible/income-based families ineligible for other state or federal subsidies. Programs with an ELS Voucher enrollment receive full tuition reimbursement (less any family fees) at the ELS rates for [centers](#) and [FCC’s](#). ELS Voucher enrollment continues until the child reaches kindergarten-age and is subject to funding availability.

ELS Voucher funded enrollments may not supplant state/federal funded spaces. The Integrated Services Agencies select families for ELS Vouchers through OECE’s Early Learning SF (ELSF) data-system

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<sup>1</sup> [SF Public Health: Prioritizing Populations with Structural Barriers](#)

throughout the year based on funding availability. When ELS Voucher funding becomes available, Wu Yee or Children’s Council identify the next eligible family, according to OECE’s prioritization policy for services on ELSF. The ISA will contact the family with instructions for certification and eligibility. Once the ISA certifies eligibility, a child care referral is made to select an ELS qualified program with an opening that matches the family’s preferences and needs.

### **ELS Gap on State Voucher**

This funding provides a GAP rate for state-funded child care vouchers to decrease the gap between the state reimbursement and OECE’s child enrollment rates. The ELS GAP funding amount depends on the reimbursement amount of the state voucher.

The full-time/part-time status of underlying state or federal child care voucher reimbursement determines GAP payment. For example, a program serving a family with a part-time CalWORKs voucher would receive the part-time Gap rate (See ELS Family Child Care and Center Rates section).

### **What are the ELS Center and Family Child Care Rates?**

For FY 2020-2021 ELS rates please go to the [San Francisco Office of Early Care and Education website](#). The ELS rate sheets for both [Family Child Care](#) and [Centers](#) are located in the [Funding Requirements and Forms section](#)

### **ELS Participation Agreement**

All programs qualified through the ELS NOFA are required to sign an ELS program Participation Agreement between OECE, the program, and both of OECE’s Integrated Services Agencies. This Agreement stipulates the requirements and programmatic assurances to receive city funding including, but not limited to: Grants, ELS Voucher, and ELS Enhancement on State funding, MRA, Preschool for All, and other local ECE funding. Agencies must have a fully executed Participation Agreement in order to receive City-funded enrollment reimbursement.

### **What is a Participation Agreement with a Maximum Reimbursable Amount (MRA)?**

Starting fiscal year 2020-2021, center-based programs previously awarded funding for ELS Reserved, Moderate, PFA Tuition Credit, and ELS Gap for Title 5 enrollments are required to enter into an ELS Participation Agreement that includes a Maximum Reimbursable Amount (MRA), which calculates the total funding the program received in fiscal year 2019-2020 for the aforementioned funding categories.

MRA-funded programs have flexibility to use their MRA funding for three enrollment types: ELS-Enhancement for Title 5 enrollments, center-MRA and Preschool for All. The MRA rates calculate earnings based on current ELS rates, referenced earlier in this document.

**ELS GAP on Title 5:** This funding provides an enhanced rate for providing quality services as specified in the ELS Participation Agreement, Programmatic Assurances.

**Center-MRA:** These are fully funded enrollments at the ELS rates for children 0-5.

**Preschool for All:** Provides a tuition discount for 4 year olds at qualified PFA programs.

### How Can a MRA-Funded Program Earn its Annual Funding?

To earn the MRA funding, average enrollment for the aforementioned funding categories needs to reach 90% of the total MRA funding or greater during a fiscal year's "peak enrollment," outlined in individual Funding/Participation Agreements.

The MRA is fungible across the three funding types described above and programs may enroll families to maximize their MRA earnings, as long as the amount of funds expended across the MRA funding types **does not exceed the amount awarded.**

The MRA is to ensure families have access to available spaces and programs have stable funding. Programs that are on target to achieve their 90% MRA goal in either category (i.e., total funding or peak enrollment) who have additional space can increase their program's earning by enrolling children through state/local voucher funding or private pay. Programs that enroll children using these funding sources who are not on target to achieve their 90% MRA goal, may receive a reduced/prorated MRA payment. It is important that MRA-funded programs fully utilize their MRA funding.

### Infant, Toddler, and Preschool Ages

All City-funded reimbursements use the following age definitions:

- Infant: ages 0 to 24 months
- Toddler: more than 24 months to less than 36 months
- Preschool: ages 3 until the child is eligible for kindergarten

### Family Eligibility

#### What are the Family's Income Eligibility Requirements?

##### *For ELS Voucher, State Rate Enhancement, and center-MRA funding*

A family's gross income must be at/or below **85%** of the State Median Income (SMI) at the time of their eligibility determination. Families approved for ELS or center-MRA funding enrolled with an eligible program may continue receiving ELS funding until their income exceeds 110% of the Area Median Income (AMI). The table below lists the maximum monthly gross income by family size for both 85% of the State Median Income and 110% of the Area Median Income.

Click here to access the [Family Monthly Income Schedule](#),

### ***How and when do Family Fee requirements apply?***

Homeless families, families with children at risk for abuse, neglect, or exploitation, and/or connected to the child welfare system (i.e., Family and Children's Services) **are exempt** from any income eligibility requirements or family fees.

### **Family Fees**

To qualify for an Early Learning Scholarship, family income must be at or below 85% of the State Median Income (SMI). However, some families (except homeless and FCS) will pay a portion of their early care and education costs directly to the program, a Family Fee. The California Department of Education establishes a Family Fee schedule based on annual State Medium Income survey data. The family fee is determined by calculating the gross family income and family size: [family fee schedule](#). A family with zero income does not have to pay a family fee. If more than one child in the family attends an ELS qualified provider, the Family Fee applies to the child with the higher amount of approved hours/need.

When a family has a Family Fee, the program receives the ELS reimbursement rate minus the family fee. The program must collect the other portion directly from the family.

### **Delinquent Family Fees**

If a family is unable to pay their fee, which may adversely affect their child's enrollment, the Provider must contact the ISA to assist the family and establish a reasonable and attainable payment plan prior to any action on behalf of the ELS-qualified provider.

### **What are Co-Payments and Enrollment Fees?**

Co-payments and enrollment fees are not permissible for ELS-funded enrollments or center-MRA. Co-payments are the difference between the program's private-pay rate (higher) and the ELS reimbursement rate (lower).

### **What is a 2 Weeks Early Termination Notice Payment?**

### **(SUSPENDED FY 20-21 FOR ELS PROGRAMS ONLY)**

If an ELS Voucher funded family withdraws from a program prior to their certification end date, the program will receive a maximum of two weeks early termination notice payment. The two weeks early termination notice payment will not exceed the original ending date of the certificate.

Note: Family Fees are deducted from the two Week Early Termination Notice Payments if any portion of the termination period is part of the originally scheduled month of programming. However, if the 2-week early termination period crosses over from one month to another, the Family Fees are not deducted from the 2<sup>nd</sup> month's portion. In addition, the payment rate will mirror the certified schedule of the previously enrolled child.

### ***For Families Enrolled in Preschool for All (PFA)***

There is no income eligibility requirement to receive PFA Funding. PFA funding aims to create a universal preschool system increasing access to all San Francisco 4-year-olds regardless of family income.

### **How is Family's Income Eligibility Certified?**

The ECE Integrated Services Agencies perform family income eligibility certification for ELS Voucher and ELS Enhancement funding for State vouchers. Agencies administering Title 5, Center-MRA, and Early Head Start/Head Start enrollments perform family income eligibility certifications for these funds.

### **Is Recertification of income required?**

ELS Voucher and center-MRA subsidized families are not required to recertify eligibility after their initial income determination. Locally funded enrollments are eligible until the child reaches kindergarten-age. The family may voluntarily request to be recertified for the purposes of recalculating (i.e., lowering) their family fee if their income has gone down from time of their initial certification.

### **What are the Child's Age Requirements?**

#### ***For ELS Voucher and Center-MRA***

ELS Voucher eligibility and/or center-MRA are for children under 5 years old at the time of enrollment. ELS funded children may continue receiving an ELS subsidy until they reach kindergarten-eligibility. An additional year of preschool is available for children that do not meet the September 1<sup>st</sup> cutoff for kindergarten and whose families have elected not to enroll their child in Transitional Kindergarten, based on funding availability. If a locally funded child is kindergarten eligible yet wants to continue in their current Center or Family Child Care Program setting for an additional year, OECE will make a case-by-case determination depending on the unique developmental situation of the child provided.

Note: For ELS funded *homeless families*, all children ages birth - until they reach kindergarten are eligible. Older siblings up to age 12 are eligible for ELS-funded enrollments if families are homeless. For ELS funded children in the child welfare system, all children through age 12 are eligible. The ELS reimbursement rate equals the California Department of Education's Regional Market Rate for children over 5 years old.

#### ***For ELS Enhancement on State Voucher***

Eligible children are between birth and until they reach kindergarten, typically at 5 years old.

#### ***For Preschool For All (PFA) Tuition Credit***

Eligible children must be four (4) years of age on or before December 2nd of the Program Year in which they are eligible (see the definition of Program Year in the section on *Preschool For All Specific*

*Guidelines*). PFA-eligibility is for one Program Year, but children whose date of birth excludes them from enrolling in Kindergarten, or children who are eligible for Transitional Kindergarten (TK) but access is limited or the family does not want a TK program, will be funded until they reach kindergarten. When a child's developmental needs require an additional year of preschool, the program must submit a request to OECE in writing and supporting documentation by a qualified individual may be required.

### **San Francisco Residency Requirement**

To be eligible to receive an **Early Learning Scholarship** or **Preschool For All** tuition credit, children must be a San Francisco resident during the time that they are enrolled in the funded program, except for Title 5 funded enrollments and families involved in the children welfare system (FCS). Proof of residency must contain the name and address of at least one parent/guardian, and be collected by the program at the time of enrollment. Programs must keep a copy of proof of residency in each child's file.

### **How does the Residency Requirement apply to Homeless Families?**

Homeless families self-report homelessness in San Francisco. ELS-eligible homeless families receiving Compass' Child Care Case Management services who subsequently relocate outside of San Francisco to obtain permanent/stable housing will continue to receive their ELS for up to 3 months from the date of their move. The ELS will provide funding, up to the Regional Market Rate (RMR) ceiling, to obtain care with a licensed child care program. This funding acts as a bridge to maintain families' continuity of care and to assist families in finding and obtaining other available subsidized child care services in their new county.

### **What is Sibling Priority?**

OECE will provide priority for ELS Voucher or center-MRA funding to siblings between the ages of birth and Kindergarten of currently enrolled children (0-12 years if child is involved in or at risk of being involved in the child welfare system or homeless), subject to funding availability.

Programs or parents should contact their Integrated Services Administrator when they know a family would like to enroll a sibling and indicate sibling priority on their ELSF profile. A sibling may receive ELS Voucher or center-MRA funding at the same program as their sibling or another ELS qualified program, if funding is available, including prioritization on ELSF once funding becomes available.

**Note:** ELS funding for homeless families with at least one child under 5 may serve older siblings through age 12. For ELS funded children in the child welfare system, all children through age 12 are eligible. The ELS funding rates for children over 5 years old will be set at the California Department of Education's Regional Market Rate.

## Child Enrollments

### What is the process for Filling Child Vacancies?

It is critical for programs to share any current and/or planned vacancies on ELSF. Programs can report vacancies by logging into the ELSF [website](#) and following the guidelines for posting a vacancy. For questions or technical assistance, please contact Children's Council's Help Desk at [support@childrenscouncil.org](mailto:support@childrenscouncil.org) or 415-343-4669.

ELS Voucher enrollments occur when funding becomes available. Children's Council and/or Wu Yee enroll families from ELSF according to the OECE enrollment priorities and provide the family with referrals to ELS qualified centers and family child care programs that have indicated openings on ELSF and meet the preferences and needs of the family.

MRA funded (PFA, ELS GAP, and center-MRA) enrollments are program initiated and administered. Programs may list vacancies in ELSF and solicit the assistance of the ISA's to enroll children in those funding categories (except PFA).

### What are OECE's Enrollment Priorities?

The San Francisco Office of Early Care and Education (OECE) is committed to ensuring all children are ready for kindergarten. During the public health order due to COVID-19, we encourage in-person educational experiences as we believe they are essential for young children to develop the cognitive, social-emotional, and physical skills they need to succeed. Children who attend high-quality early care and education (ECE) are better prepared for school and life-long success.

The COVID-19 pandemic has prevented thousands of young children in San Francisco from attending their early care and education in person since the middle of March 2020. As our ECE system reopens under new group size restrictions and social distancing requirements, capacity constraints could exacerbate racial inequity in early education opportunities and outcomes. OECE requests that its funded programs take action to preserve in-person ECE experiences for children who need it most. As programs enroll children for the 2020-21 program year, OECE strongly recommends that programs apply the following guidelines to prioritize enrollment for all Early Learning Scholarship and/or Preschool for All spaces. OECE's priorities are aligned with recent City [public health guidance](#) that takes into account structural oppression and aims to focus attention on people experiencing marginalization, systemic inequity, and health inequities.

### General Provisions

- In general, we intend for OECE enrollment priorities to apply to new enrollments for ECE spaces only. If you have previously enrolled families, we are not asking you to displace them.

- If you face a situation in which you do not have sufficient space in your program to accommodate all of your previously enrolled families, we ask that you apply the OECE enrollment priorities to identify children most in need of in-person early education.
- If your program is using a mix of in-person and remote learning components, we ask that you apply the OECE enrollment priorities to your in-person program.
- If your program is subject to enrollment priorities attached to federal/state funding/subsidies, then apply those priorities before local priorities.
- Younger siblings of a previously enrolled child may be enrolled before applying the OECE enrollment priorities.
- We ask that you reserve open spaces for children in the OECE enrollment priorities to the extent that your funding from OECE allows.
- OECE is asking that programs make a good faith effort to enroll children from its priority populations, because our community will collectively benefit from your actions. We are not planning to set up monitoring systems or take enforcement actions against programs.

### **Is there Preference for Children in their Pre-Kindergarten Year?**

- If you have openings in your program for preschool-age children, we ask that you enroll priority children who will enter kindergarten in the next year before you enroll younger children (i.e., three-year-olds).
- We do not mean that you should stop offering care to infants and toddlers, especially if your program is tailored to meeting their specific care and learning needs.

## **Enrollment Priorities**

### **Category One (Top Priority)**

We ask that you grant the following groups top priority for enrollment in in-person ECE, regardless of age (in no particular order):

- Children who are clients of Family and Children’s Services (FCS) or are at risk of abuse, neglect, or exploitation
- Children eligible through the Emergency Child Care Bridge Program for Foster Children
- Children experiencing homelessness
- Children of domestic violence survivors

### **Category Two (Second Priority)**

We ask that you grant the following groups second priority for enrollment in in-person ECE (in no particular order) before enrolling children outside of these groups:

- Black/African American children
- Latino children
- Native Americans/Indigenous children
- Pacific Islander children
- Immigrant children

- Children with disabilities or special health care needs whose individualized education programs (IEP) and/or individual family support plans (IFSP) include ECE services
- Children from low-income families, including those who receive or are eligible for free or reduced meals, Medi-Cal, SNAP (food stamps), WIC, CalWORKs, and other public assistance programs

### **Remote and/or distance learning**

Because San Francisco county continues to implement its Public Health Ordinance (shelter-in-place), we are mindful of how group size restrictions impact in-person child enrollment for center-based programs. Please refer to recent [S.F. PUBLIC HEALTH GUIDANCE - CHILD CARE GROUP SIZE](#).

Recognizing center-based programs are unable to provide all children with in-person early learning opportunities due to group size restrictions, the San Francisco Office of Early care and Education (OECE) supports child enrollment through the Early Learning Scholarship and/or Preschool for All programs for distance learning services. Defining “distance learning” and subsequent policy for child reimbursement (as defined in the Participation/funding Agreement) refers to instruction where children and teacher are in different locations. Distance learning by no means replaces personal connection and interaction with teachers. This is a time-limited allowance due to the current public health order and public health guidance that limits the number of children in licensed ECE settings. Distance learning may include interacting through a computer and/or communications technology, as well as delivering instruction and check-in time with the teacher through socialization group.

### **Equity in Distance Learning**

Not every family will have access to the same technology or the time to devote to remote learning at home. Prior to offering a distance learning option, please ensure the family and child has access to at least a smartphone if not a tablet or computer and internet services.

Be mindful of the at-home activities you suggest and the materials they require, since many families may not have access to or be able to purchase them. Encourage learning activities that require non-specific or no materials.

### **What is OECE’s Nondiscrimination Requirement?**

All city-funded programs must have written policies that include language about not discriminating against any child, parent(s), activities, and practices, and shall be free from unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics. Written enrollment policies must be made available to parents/guardians upon request.

## **Program requirements for Children with Identified Disabilities or Special Needs**

OECE defines children with identified disabilities or special needs as children with an assessment from a professional that has determined the child has special needs or the child has an existing Individualized Education Program (IEP), Individual Family Service Plan (IFSP), and Regional Center Report or is receiving Supplemental Security Income (SSI).

Programs receiving OECE funding will make reasonable accommodations for children identified as eligible for special education and/or related services under the Individuals with Disabilities Act (IDEA). The child's Individualized Education Program will determine appropriate special education and related services placement. All OECE funded programs must comply with applicable provisions of the Americans with Disabilities Act (ADA) and Individuals with Disabilities Education Act (IDEA).

## **Recordkeeping and Data Reporting**

### **Child Attendance Requirement**

A quality early childhood program prepares children for Kindergarten, as well as develops the social and emotional foundation children need to thrive in school.

Programs must establish their own policies for recording excused absences consistently across all enrollment types, and provide information to families to support their full utilization of early learning services. This family engagement strategy allows programs to have a vital role in promoting the benefits of consistent attendance while identifying attendance patterns that may jeopardize enrollment eligibility.

### **Types of absences**

There are three types of absences: excused absence, best interest of the child and unexcused. Programs are responsible for informing families and the ECE Integrated Services Agencies of all terminations of OECE funding due to excessive absences. Prior to any enrollment termination, programs and/or the ISAs must engage the family in order to assist with resources needed in order to prevent disenrollment.

### **How is Child Attendance Reported?**

Accurate records of child enrollments are an important part of maintaining eligibility to participate in ELS and Preschool for All programs for both programs and parents. Attendance is reported as follows based on the program type:

- ***MRA funded enrollments (center-MRA, ELS enhancement, PFA)***  
Both onsite and distance learning require data- entered into Cocoa with the correct funding type for continued reimbursement. Daily Attendance may be tracked by the program in Cocoa or otherwise.

- **State funded voucher enrollments (CAPP and CalWORKs)**

In accordance with state policy, programs are required to report attendance in order to receive payment. Children’s Council will provide attendance guidelines to programs serving state vouchered children.

- **ELS Voucher funded enrollments**

Programs are required to track daily attendance for payment purposes either in Cocoa or using paper timesheets provided by the ISA agency funding the enrollment.

### **What is Limited Term Service Leave?**

Limited Term Service Leave (LTSL) is available for enrolled children at an ELS program when the family does not need services for an extended period, yet anticipate a need for child care services following the LTSL. The maximum length of LTSL is 12 weeks or 16 weeks (for maternity or a medically related leave of absence). The ISAs assist families to determine the best LSTL that meets their needs.

### **Requirements for Enrollment and Recordkeeping**

OECE-funded programs must establish and maintain a basic file for Early Learning Scholarship or Preschool for All enrollments. Each enrollment file should include the required OECE documentation (refer to list below). Programs must retain all records, whether hard copy (paper) or electronic format, for a minimum of five years and programs must maintain a recordkeeping system readily accessible to individuals conducting audits or reviews.

The basic data file for locally funded programs must contain:

- Enrollment Form that includes information about the child and family. (Note: For ELS funded children, this form must include information about the family income level, such as CD 9600 or Head Start Application, if applicable)
- Documentation of Home Residence
- Family Agreement Form- PFA
- **Data Acknowledgement form:** The program must have the family sign this form at intake and maintain a copy in the program’s family file.
- Copies of Child’s Developmental Screenings and Assessments (ASQ & DRDP – if not already entered into Cocoa)
- Documentation of two Parent-Teacher Conferences per program year

State funded voucher enrollments (CAPP and CalWORKs) are required, in accordance with state policy, to use paper attendance sheets to track daily attendance in order to receive payment.

Programs should enter MRA funded enrollments (center-MRA, ELS GAP, PFA) for in-person and distance learning into Cocoa with the appropriate funding type to receive payment. Daily attendance may be tracked by the program in Cocoa or otherwise.

For ELS Voucher funded enrollments, programs should track daily attendance for payment purposes. ISA's will certify enrollments as either full time or part time and pay accordingly based on the ELS rates.

### **What are the DRDP Reporting Requirements in Cocoa for Center Based Programs?**

All programs using Cocoa are required to report:

- 1<sup>st</sup> and 2<sup>nd</sup> DRDP assessment results
- Head Start requires a 3<sup>rd</sup> DRDP assessment

Programs must complete DRDP assessments within 60 calendar days of a child's enrollment and every 6 months thereafter. Results of DRDP assessment should be entered by December 31<sup>st</sup> for the 1<sup>st</sup> DRDP and by June 5<sup>th</sup> for the 2<sup>nd</sup> DRDP. Note: For guidance regarding children who have a later enrollment date, please reach out to your OECE Point of Contact.

### **ELS Qualified Program Quality Requirements**

#### **Staff Compensation**

All paid staff in licensed Centers and Family Child Care Programs must meet the [San Francisco Minimum Wage Ordinance \(http://sfgov.org/olse/minimum-wage-ordinance-mwo\)](http://sfgov.org/olse/minimum-wage-ordinance-mwo).

#### **California Early Care & Education Workforce Registry**

The [California ECE Workforce Registry](#) is a state, regional, and local collaboration designed to track education, training and work history of the early care and education workforce. Agency ECE staff must have profiles in the California Early Care & Education Workforce Registry. Additionally, educators are required to update their California ECE Workforce Registry profiles to be eligible for the OECE, [CARES 2.0](#) stipend.

#### **What are Programmatic Assurances Requirements?**

As stipulated in the ELS Participation Agreement, programs are responsible for meeting the following Programmatic Assurances in order to remain an ELS qualified program and serve city-funded children:

**PROGRAMMATIC ASSURANCE**

**Child Observation:** Conduct observations and developmental assessments with each child using the California Department of Education (CDE), Desired Results Developmental Profile System or a researched and approved tool, which addresses all learning domains.

**Developmental Screenings & Links to Early Intervention Supports:** Work with families to ensure screening of all children using the ASQ and ASQ-E (as needed) within 45 days of entry and as indicated by results thereafter. Documentation of results and linkage to services as needed and must be included in each child’s file/record.

## QUALIFICATIONS

**Centers only: Director Qualifications:** Associate’s degree with 24 units ECE/CD +/with 6 units management/administration and 2 units supervision or Site Supervisor Permit, and 21 hours professional development annually.

**Center Lead Teacher Qualifications:** classroom led by a teacher holding a minimum Teacher Permit (or higher), according to the State of California Commission on Teacher Credentialing.

**Family Childcare Qualifications:** First Aid & CPR Training and 12 ECE core units by June 2023.

**PFA FCC Qualifications (for current PFA programs only):** classroom led by a teacher holding a minimum Teacher Permit (or higher), according to the State of California Commission on Teacher Credentialing.

## QUALITY ASSURANCE

**Continuous Quality Improvement** – develop a Quality Improvement Plan and participate in a minimum of 6 hours of training annually that demonstrates continuous commitment to increasing the quality of child learning and teaching. Participate in annual program quality validation visits.

**Curriculum** – Adopt and implement a curricula, which aligns with either the California Department of Education [Infant/Toddler Learning & Development Foundations](#), California Department of Education [California Preschool Foundations and Curriculum Frameworks \(Volumes 1-3\)](#) as appropriate to ages served, or the [Head Start Early Learning Outcomes Framework: Ages Birth to Five](#) by July 1, 2023

**Environment** - Provide indoor and outdoor environment that supports child caring, competence and excellence in learning.

**Interactions** - All sites must participate in assessment (such as CLASS observations) for quality improvement and for research and accountability purposes.

**Parent Partnership & Parent-Teacher Conferences** OECE requires funded programs to have an intentional approach to engage families, including but not limited to a minimum of two individual parent-teacher conferences each program year to discuss each child’s developmental progress. Programs will annually update their Family Strengthening Self-Assessment Tool for FCC or Centers and work with families based on the information provided.

**Non-Denominational Teaching** Sites may not deliver any direct faith-based instruction during program time supported with OECE funds.

**Professional Development** – Each educator must complete (once) 6 hours of training on the following topics: Child Development / Learning Foundations (0-5), Inclusion and Meeting the Needs of Young Children with Disabilities or Other Special Needs, and Family Engagement and Support.

**Anti Bias/Equity Standard - Beginning in 2021**, Educators must complete (once) 6 hours of training on: Anti-Bias Curriculum, Supporting Dual Language Learners or Nurturing the Excellence of Black Children.

**Quality Counts California (QCC) Rating and Improvement System Rating Requirements** All city-funded licensed ECE settings must have a current baseline rating on the California Quality Rating and Improvement System (QRIS) Matrix for eligibility of city funds as of June 30, 2020. San Francisco will continue to support CSSP sites for assessment and rating per California State Department of Education Early Learning and Care Division (ELCD) requirements.

### Quality Improvement Plan

OECE-funded programs must develop and implement a Quality Improvement Plan (QIP) that incorporates analysis and reflection on child assessments, observations, and other data about the program. The QIP aims for continuous improved program quality, including aspects of curricula, staff interactions with children, and classroom practices. OECE in partnership with First 5 San Francisco will provide technical assistance, coaching, training and other supports to assist programs in developing and implementing their Quality Improvement Plans.

### Community Care Licensing Requirements

Centers and FCC Homes must have a current license with Community Care Licensing Division (CCLD) of the California Department of Social Services, and be ‘in good standing’ (per the Health and Safety Code Sections 1596.773 and 1596.886), which means they do not currently have any of the following:

- An administrative action taken or in the process of being taken (denied application, denied exemption, temporary suspension order, expedited revocation action, revocation action, non-compliance conference, or exclusion action that is being initiated, in process, or already taken place)
- A license in probationary status

OECE-funded Centers and FCC Programs are required to inform OECE and the appropriate ECE Integrated Services Administrator of Type A violations noted during a licensing visit. The OECE-funded Centers and FCC Programs shall forward, upon receipt, to OECE any licensing report, any licensing documents that document noncompliance conference between CCLD and the licensee, and/or a copy of an Accusation that indicates CCLD intent to revoke the facility's license. A full copy of the CCLD report must be forwarded within three (3) calendar days to OECE for review. Failure to provide this information may result in suspension or termination of OECE funding. OECE reserves the right to review an OECE-funded site's licensing records at any time during the terms of the Funding Agreement.

### **Intentional Approach to Family Engagement & Parent-Teacher Conferences**

OECE requires all OECE-funded programs to have an intentional approach to engage families and to develop relationships that foster children's development. While there are many strategies to engage families, OECE encourages programs to, at a minimum, hold at least two (2) individual parent-teacher conferences each program year to discuss child progress. OECE may request to review documentation of these conferences during site visits.

### **Program Evaluation**

All OECE-funded programs shall participate in OECE-sponsored evaluation activities aimed at better understanding the impact of City-funded programs. Programs may be asked to provide data, administer surveys, participate in focus groups or interviews, allow observation of classrooms, and conduct outreach to identify parents interested in participating in evaluation activities or other activities to support evaluation efforts.

### **Faith-Based Teaching Limitation**

Programs may not deliver any faith-based instruction during program time supported with OECE funds. The U.S. Supreme Court has ruled that public funding of religiously affiliated programs violates the Establishment Clause if it has "the effect of advancing religion."<sup>2</sup> Faith-based organizations are precluded from using any part of government funds to support religious content or activities, including religious worship, instruction, and proselytizing. Faith-based organizations may use public funds only to support the non-religious services they provide. They may not require OECE-funded program participants to engage in religious practice or activities.

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<sup>2</sup> Agostini v. Felton, 21 U.S. 203 (1997).

## How are Programs Reimbursed?

### Method of Payment

Agencies receive child enrollment reimbursement for all ELS funding types via direct deposit only. All agencies are required to submit proof of an account that can receive payment deposits. ISAs assist agencies with setting up the checking or savings account to receive payments. Whenever necessary and with the purpose of avoiding delays, OECE may request ISAs to issue paper checks to programs affected by error.

### ELS Reimbursement Process

OECE has established monthly reimbursement for early care and education programming categorized by full-time, part-time, age groups and program types. Refer to ELS Rates section in this document for rate details. Payment calculations are based on enrollment status. Rates are prorated when authorization for care starts or ends in the middle of the month, and when the Center or FCC is closed beyond the 15 allowable paid closure days.

**Note:** The above policy does not apply for agencies with a Maximum Reimbursement Amount (MRA) Funding Agreement.

### What is a Payment Proration for ELS Vouchers and ELS GAP? (SUSPENDED FY 20-21 FOR ELS PROGRAMS ONLY)

Payment proration does not apply to MRA-funded programs. This type of proration occurs when enrollment is not authorized for the full month, or when program has a non-paid closure day. Payments are made based on the number of payable days per month, divided by the number of certified days in a month.

Proration would apply in the following scenarios:

- Partial period: when the certificate starts/ends not on the first/last day of the month.
- Limited Term Service Leave (LTSL): when the family takes a leave of absence (16 weeks for medical reasons and 12 weeks for other reasons) (see pg. x for more details regarding LTSL).
- Unpaid closure days for ELS Voucher: when program closure days exceed 15 days/fiscal year.

### What are Program Closure Days? (SUSPENDED FY 20-21 FOR ELS PROGRAMS ONLY)

OECE will allow programs to take up to 15 paid closure days per fiscal year. These flexible paid closure days off can be any 15 days in the fiscal year. Programs should note the closure days on their brochure

and provide the Integrated Services Administrator with their program calendar at least 30 days in advance of the start of their program year. Programs are not required to use all of their paid closure days.

All paid closure days are reimbursed at the same rate. There is no increased reimbursement rate for federal holidays, for example. The program is responsible to report to their Integrated Services Administrator any days off beyond their allowable holiday/closure days.

### **What are Unauthorized Uses of Funding?**

OECE prohibits the use of its funds to cover expenses not directly related to the delivery of quality early education and care services for children and families. Prohibited expenses include, but are not limited to, the following:

- Purchase of vehicles or other transportation equipment;
- Bad debts, including losses arising from uncollectible accounts and any related legal costs;
- Costs of amusement or entertainment that does not benefit children in the Program; Cost of idle facilities unless those costs are related to the Program and the costs of the idle facilities have been approved by OECE;
- Costs incurred after the Contract has been terminated;
- Fund-raising costs;
- Investment management costs;
- Costs of organization of a nonprofit corporation such as incorporation fees or consultant fees;
- Public relations consultant fees;
- Costs of legal, consulting and accounting services incurred in prosecution; and
- Compensation to the members of the board of directors, if applicable.
- Fees used to offset unpaid or uncollected family fees and/or family co-payments.

### **What is Misrepresentation or Fraud?**

Any fraudulent, false or misleading information and documentation provided will be grounds for immediate termination of participation in any locally or State-funded child care programs, and for OECE to pursue the recoupment of funds for child care payments received by the program.

Some examples of fraud include, but are not limited to the following:

- False or misleading reporting of actual attendance days on the child care attendance form. This includes signing for hours of care that were not provided.
- Falsified, misleading or inaccurate documentation regarding licensing.

Any program terminated for any of the above reasons may request an appeal from the Office of Early Care and Education (OECE). If the appeal is lost, it may be required that OECE be reimbursed for any funds for child care during the time the appeal was being heard.

### Annual Financial Audits Requirements

Agencies receiving over **\$750,000** of public funds are required to submit a financial audit to OECE on an annual basis.

Programs agree to maintain and make available to the City, its employees and authorized representatives, and its Federal and State funders, during regular business hours, accurate books and accounting records. Programs will permit City to audit, examine and make excerpts and transcripts from such books and records, and to make audits of all invoices, materials, payrolls, records or personnel and other data related to all other matters covered in the Early Learning Scholarship and/or Preschool For All Program and Funding Agreement, whether funded in whole or in part by OECE.

Programs shall maintain such data and records in an accessible location and condition for a period of not less than five years after final payment under the Early Learning Scholarship and/or Preschool For All Program and Funding Agreement, or until after final audit has been resolved, whichever is later. The State of California or any federal agency having an interest in the subject matter of this Agreement shall have the same rights conferred upon the City by this Section.

### Preschool For All Tuition Credit Guidelines

#### PFA Tuition Credit Rates

Below is a table of the per child rates for Preschool for All Tuition Credit 9/12 Month funding. The rates are dependent on the permit level of the lead teacher in the Preschool For All-funded classroom. Proration is applied based on the number of days of enrollment on an average week, as indicated in the table below. For example, 4-day-a-week enrollment will earn PFA funding at 4/5 (80%) of the full applicable reimbursement rate according to the Funding Agreement in place at the time the enrollment is eligible and claimed by the program. The same proration will apply to calculation of Tuition Credit.

<b>Preschool For All Tuition Credit Rates</b>			
<b>Permit level of Lead Teacher in the Classroom</b>	<b>5 days a week</b>	<b>4 days a week</b>	<b>3 days a week</b>
<b>Teacher Permit</b>	\$5,226	\$4,181	\$3,136
<b>Master Teacher/Site Supervisor Permit</b>	\$6,071	\$4,856	\$3,642

<b>Program Director Permit</b>	\$6,335	\$5,068	\$3,801
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Each PFA classroom must have at least one Lead Teacher with a minimum of a CDE-EESD Teacher level permit at all times during PFA operation.

**What is the PFA Program Year?**

For the purposes of administering the Preschool For All Tuition Credit Program, the Program Year is defined as the period on the annual school year calendar defined by the program in which the preschool provides enrollment to eligible children. The start of the Program Year is typically August or September for both 9 and 12-month programs.

Documentation of the program’s Program Year typically consists of each participating site’s published operational calendar – the document shared with enrolling families stating all holidays, in-service, and other closures or non-enrollment days – with “Start” and “End” dates clearly indicated. The number of child enrollment days in-between “Start” and “End”; plus any qualifying in-service days, total the days of enrollment for that Program Year (see below).

Each participating program must establish its Program Year in advance of executing funding agreements with OECE.

PFA Tuition Credit payments are reimbursed on a monthly basis for services delivered for the prior month.

**PFA Days of Enrollment**

The program must offer a minimum of 175, and up to 246 Days of Enrollment per each Program Year, with up to 15 paid, flexible closure days (counted toward the days of enrollment).

**PFA Enrollment Deadlines**

Programs will not be reimbursed for eligible children enrolled after March 1<sup>st</sup> for “part year” sites (those that end their PFA Program Year prior to June 30<sup>th</sup>); or May 1<sup>st</sup> for “full-year” programs (those with PFA Program Year end dates on or after July 1).

**Program Hours: “PFA Portion of the Day” & Minimum Service Hour Requirement**

Preschool For All 9-month and 12-month funding covers a minimum of 2.5 hours and up to 3.5 hours per day for instructional programming. The 2.5-to-3.5 hours per day define the “PFA Portion of the Day”, and the exact number depends on the program’s days of enrollment (see above).

Enrollments that are funded by Preschool For All 9-month and 12-month funding must meet the minimum service hours requirement of 612.5 hours per year during the program’s self-defined Program Year.

**Example of PFA 9-Month Program:** 3.5 PFA hours per day x 175 days per year = 612.5 hours per year

**Example of PFA 12-Month Program:** 2.5 PFA hours per day x 245 days per year = 612.5 hours per year

Eligible children enrolled for less-than the minimum service hours period based on either part-year or part-week enrollment may still qualify for Preschool For All 9-month and 12-month funding on a prorated basis.

### **What is the Limitation Against Charging Tuition for the PFA Portion of the Day?**

Programs *must not charge tuition or any other enrollment fees* during the PFA portion of the day to families of any eligible child(ren) enrolled at a participating PFA site who verify that they meet the residency and age requirements. Programs may charge parents fees associated with extended (or “wrap-around”) care, registration, activities, field trip, and administrative fees that are required by the program. These other fees must be applied consistently to all similar enrollments, and not solely to City funded enrollments.

### **How is the PFA Tuition Credit Amount for Families Calculated?**

For information on calculating the PFA tuition credit amount for families, please refer to the [PFA Tuition Credit Schedule](#) located in the [Funding Requirements and Forms](#) section of the OECE website.

### **Preschool For All Tuition Credit Family Agreement Form**

Programs must complete page 2 of the [PFA Tuition Credit form](#).

Programs need to calculate the monthly preschool cost for the family, which is as follows:

$$\begin{aligned} & \text{[Preschool monthly tuition]} - \text{[PFA tuition credit amount]} = \\ & \text{[Family's monthly preschool cost]} \end{aligned}$$

Programs can always offer a higher amount of tuition credit to families than the minimums.

Once programs complete page 2 of the *Preschool For All Tuition Credit Family Agreement Form*, they should give the forms to their families to complete the other sections and to sign each section. Programs should keep the completed Family Agreement form in each child’s file on-site, and give the family a copy as well. If you have questions or need assistance completing Page 2 of the *Preschool for All Tuition Credit Family Agreement Form*, please contact Children’s Council’s Help Desk at [support@childrenscouncil.org](mailto:support@childrenscouncil.org) or 415-343-4669.

The *Preschool For All Tuition Credit Family Agreement Form* can be downloaded in English, Spanish and Chinese from our website in the [Funding Requirements and Forms section](#).

### What are the PFA Tuition Credit Donation Options?

PFA families can choose to donate their PFA Tuition Credit Amount to their PFA program. There are two distinct “Donation Options” available to families:

- A Credit Donation of any amount up to 100% of the full Tuition Credit, or
- No Credit Donation, and the family utilizes the full PFA Tuition Credit as a discount for their family

Marking one of the percentage donation options allows the participating preschool to charge the family tuition accordingly, and retain the saved PFA Tuition Credit funds for scholarships or other financial assistance that increases access to families with demonstrated need. Monitoring of the use of donated Tuition Credit funds occurs during OECE site visits.

### OECE Logo

We encourage OECE-funded programs to use an approved OECE logo in all materials used to market OECE-funded programs, including brochures, websites, flyers, banners, and advertisements. To download OECE logo in various formats and file sizes please go to <http://sfoece.org/information-for-funded-providers> and scroll to the bottom of the page.

## Suspension and Termination

### A. Non-compliance

**Corrective Action Process & Conditional Status Amendments:** OECE and/or First 5 San Francisco staff routinely monitor city-funded early learning providers for compliance with these Program Operating Guidelines. When monitoring activities identify areas of non-compliance, OECE and/or First 5 San Francisco endeavor to work collaboratively with the Provider through a defined Corrective Action Process (see Appendix A) to resolve identified issues and support the Provider’s efforts to meet applicable early learning provider requirements. The Corrective Action Process seeks to remedy problems efficiently and amicably, but also provides a clear stipulation of consequences in cases where non-compliance is persistent. See Appendix A, Corrective Action Process Guidelines and Procedures, for more information.

The Conditional Status Amendment is an addendum to the Provider’s funding agreement with Children’s Council, Wu Yee and/or OECE, which is part of the Corrective Action Process, and used to document areas of non-compliance and identify specific activities with timelines for

completion. OECE and/or First 5 San Francisco staff indicate the Conditional Status Amendment in collaboration with the funded agency's Program Director and/or other lead staff. These documents become part of the Funding Agreement and part of the contractual obligations.

**Unresolved Issues:** Programs with non-compliance areas not resolved through the Corrective Action Process may have their Funding Agreement suspended or terminated by OECE and/or First 5 San Francisco.

## B. Suspension & Termination

**Criteria for Suspension or Termination of Provider:** OECE and/or First 5 San Francisco reserves the right to suspend or terminate a Provider's participation in the city-funded initiatives for any of the following reasons:

1. Provider's license is suspended or revoked. OECE and/or First 5 San Francisco will immediately report a Provider to licensing authorities in cases where a serious care deficit exists or the health and safety of children is being endangered by the Provider;
2. A Provider is found to have committed a violation of licensing requirements, which is deemed by OECE and/or First 5 San Francisco to be a serious deficiency;
3. A Provider's teaching staff is found to have committed a violation of licensing requirements, which is deemed by OECE and/or First 5 San Francisco as a serious deficiency;
4. A report of child abuse by Provider is substantiated;
5. Provider is repeatedly uncooperative with OECE and/or First 5 San Francisco staff (e.g., refuses unannounced visits, quality monitoring or quality support, non-compliance with reporting requirements);
6. Provider provides false information to OECE and/or First 5 San Francisco;
7. Provider makes fraudulent use of city funds;
8. Serious or repeated instances involving noncompliance with city-funded initiative program requirements;
9. City-funded initiative programming no longer exists or is insufficient;
10. Provider is unwilling to effect changes to the Operating Guidelines in violation of OECE and/or First 5 San Francisco policies or administrative and statutory guidelines issued by any state, federal or local governmental agency;
11. City-funded site must maintain high quality preschool programs as evidenced by meeting the minimum baseline score of 4.5 on the Environmental Rating Scale and a site composite score of 4.0 for all classrooms serving children 0-5. A site below the baseline

score of 4.5 during a program year is on Conditional Status and must implement a corrective action plan to raise the quality of the program. OECE and/or First 5 shall suspend funding for any site below the 4.5 ERS classroom or 4.0 site composite score during two consecutive re-assessments. OECE and/or First 5 San Francisco will reinstate funding when the site reassessment is complete and determines that the site score meets the required ERS classroom baseline of 4.5 and a site composite score of 4.0.

12. Failure to comply with the provisions of the Funding Agreement.

Provider receives in writing any basis for determining termination of this agreement, for such action, and effective date of such action. Review procedures outlined below.

Provider agreement and termination action initiated by OECE and/or First 5 San Francisco after first engaging in a Corrective Action Process, as defined in the Corrective Action Process Guidelines and Procedures (see Appendix A). This process seeks to remedy non-compliance areas in cooperation with the Provider, and support Provider efforts to meet applicable Program requirements. This process includes a clear stipulation of the consequences for Providers' funding status in cases of persistent non-compliance.

**Review Procedure for Suspended or Terminated Provider** A review procedure will be available to any Provider whose Funding Agreement is suspended or terminated for the reasons stated in (1) through (12) above. The Provider may contest the suspension or termination by filing a petition to OECE and/or First 5 San Francisco by requesting a review hearing. This hearing petition submitted by Provider must be within ten (10) days of the notice of suspension or termination, and include:

- (i) A clear statement of the action being appealed;
- (ii) The reasons the action is unwarranted; and
- (iii) Any written documentation in support of the appeal.

If the Provider requests a hearing of the petition, OECE and/or First 5 San Francisco will schedule a hearing within 30 days of receipt. The Provider will receive at least fourteen (14) days advance written notice and place of the review hearing. Subsequent to the hearing, OECE and/or First 5 San Francisco will issue a final and written decision to the Provider within 30 days. The written decision via registered mail to the Provider.

**Obligations of Terminated Provider** After receiving notice of OECE and First 5 San Francisco's decision to terminate the contract, the Provider will submit to OECE and First 5 San Francisco the following:

- (i) A current inventory of equipment purchased in whole or in part with City funds;
- (ii) Names, addresses and telephone numbers of all families served by the City Funding Agreement; and
- (iii) Monthly enrollment and attendance reports until the final date of Funding Agreement

## Appendix A

### Corrective Action Process

Determination of Non-Compliance,  
Action Plans, and Conditional Status Amendments

### Guidelines and Procedures

#### *Overview*

San Francisco's Office of Early Care and Education (OECE), and/or First 5 San Francisco (F5SF), routinely monitor early learning providers to comply with the Program Operating Guidelines and Funding Agreement. If monitoring activities identify issues of non-compliance, F5SF/OECE endeavors to work collaboratively with the affected Provider to resolve identified issues and support efforts to meet applicable requirements. The corrective action process seeks to remedy problems efficiently and amicably, but also provides for consequences in cases of persistent non-compliance.

The guidelines provide an opportunity for affected providers to be successful early learning partners with the City and County of San Francisco.

#### *Summary of Process*

When reviews of program data in Cocoa, or site visits identify areas of non-compliance, F5SF/OECE will typically initiate the corrective action process and take the following actions:

1. **Initial Collaboration:** A F5SF/OECE representative will discuss with the Program Director particular areas of concern for needed action to meet programmatic requirements. F5SF/OECE will also discuss suggestions and a timeline for resolution. Such communication may occur in person or by phone and documented by F5SF/OECE staff for follow-up.
2. **Conditional Status:** F5SF/OECE may require amendment of the PFA Program & Funding Agreement to place the Provider on Conditional Status to address areas of non-compliance. Conditional Status begins when F5SF/OECE staff work with the Provider to develop an Action Plan. This Action Plan becomes an amendment to the Provider's

current Funding Agreement, and stipulates specific areas of non-compliance; actions for resolution; and timelines for completion and responsible parties. The Provider will be required to facilitate special site monitoring with appropriate F5SF/OECE staff, including supplemental site visits, additional reporting, site support plans, or other conditions. Failure to meet the goals of the Action Plan will result in suspension or termination of the Funding Agreement or no offer of continued funding.

F5SF/OECE reserves the right to place a Provider on Conditional Status, require development and completion of Action Plans, withhold funding, and terminate a Provider's funding eligibility at any time during the Funding Agreement period.

### **A Closer Look at the Process**

#### ***The Conditional Status Action Plan***

F5SF/OECE may require collaborative development of an Action Plan to address areas of non-compliance.

1. F5SF/OECE Program Officer and/or Technical Assistance staff will schedule an appointment with the provider's Program Director (and other appropriate staff) to review in detail all non-compliance findings, and develop an Action Plan together.
2. The Action Plan will identify the needs of the Provider and itemize unmet programmatic requirements. It will include due dates and timeframes for progress where applicable.
3. Provider concerns discussed and documented, as appropriate, in the "Clarification" section.
4. The Provider and F5SF/OECE assigned staff sign the Action Plan. Executed copies shall be made available to all parties, and will become an amendment to the Provider's Funding Agreement with Children's Council or Wu Yee by placing the provider on a Conditional Status.
5. If the Funding Agreement amendment to Conditional Status is during the last ninety (90) days of the program year, and the Provider is offered continued funding, the Funding Agreement for the subsequent contract period will include Conditional Status and the applicable Action Plan amendment.
6. If the Provider does not agree with the non-compliance findings, or disagrees with the area(s) of non-compliance per the Action Plan, the Provider's comments are

documented in the appropriate place on the form. In these cases, F5SF/OECE will proceed with suspension or termination actions.

#### *Duration of Conditional Status*

A Provider shall remain on Conditional Status until the Provider has corrected area(s) of non-compliance and/or has met requirements identified in the Action Plan Amendment.

A Provider may request written verification from F5SF/OECE of the corrected area(s) of noncompliance even if the Provider is not removed from conditional contract status.

#### *Review Procedure for Suspension or Termination of PFA Funding*

The aforementioned procedures used to resolve area(s) of programmatic and/or administrative noncompliance may arise regarding the interpretation and application of any term or condition of the Program Operating Guidelines and/or Funding Agreement.

First 5 SF/OECE reserves the right to suspend or terminate a Provider's participation in city funding. Accordingly, a review procedure is available when a Provider is suspended or terminated. The Provider may contest the suspension or termination by filing a petition with OECE/First 5 SF and request an administrative hearing.