

	 OFFICE OF EARLY LEARNING <i>Because Children are Counting on Us</i>		
	OEL FILE: <p style="text-align: center;">520.04</p>	POLICY NUMBER: <p style="text-align: center;">OEL-PI-0040-06</p>	ISSUE DATE: <p style="text-align: center;">October 12, 2006</p>
	ORIGINATING UNIT: <p style="text-align: center;">Program and Policy</p>		DEPUTY DIRECTOR FOR EARLY LEARNING: <p style="text-align: center;">Gladys W. Wilson</p>

PROGRAM INSTRUCTION

Subject: **Substitute instructors for the VPK program**

Summary: This program instruction requires a private provider or public school, when the credentialed instructor assigned to a VPK class is absent, to temporarily assign a substitute instructor who has the required credentials. If, however, a private provider or public school is not able to find a substitute instructor who has the required credentials, the program instruction establishes procedures for an early learning coalition or school district to enforce the VPK program’s credential requirements. The procedures require a private provider or public school that assigns a substitute instructor who does not have the required credentials to notify the coalition. If, after 10 consecutive instructional days, a private provider or public school does not assign a substitute instructor who has the required credentials, the procedures require the provider or school to give the coalition a written description of efforts to find an instructor who has the credentials. The procedures allow a coalition or school district to take enforcement action on a private provider or public school if, after 20 consecutive instructional days, the provider or school does not assign a substitute instructor who has the required credentials.

References: Sections 402.305(2)(d)1., 402.313(4), and 402.3131(3), F.S.
Sections 1002.55(3)(c)-(e), (4), 1002.61(3)(a), (4)-(6), 1002.63(3), (5)-(7), 1002.67(3)(a) and (b), 1002.75(2)(e), F.S.

Purpose: To provide guidance to an early learning coalition or school district for the enforcement of VPK program requirements on a private provider or public school that temporarily assign a substitute instructor who does not have the credentials required for a credentialed instructor

Background: The VPK law (Sections 1002.51-1002.79, F.S.) requires a VPK class to have a prekindergarten instructor who has certain educational credentials and training (Sections 1002.55(3)(c), (4), 1002.61(4), and 1002.63(5), F.S.).

Agency for Workforce Innovation
Office of Early Learning

The Caldwell Building, Suite 100 MSC140 • 107 East Madison Street • Tallahassee, Florida • 32399-4120
Telephone (850) 921-3180 • Fax (850) 921-3188 • TTY/TDD 1-800-955-8771 • Voice 1-800-955-8770
OEL policies available at <http://www.floridajobs.org/earlylearning/IMPI.html>

The VPK law requires an early learning coalition to verify that a private provider complies with the requirements of the VPK program and requires a school district to verify that a public school complies with the VPK program requirements (Section 1002.67(3)(a), F.S.).

If a private provider fails or refuses to comply with VPK program requirements or engages in misconduct, the VPK law directs the Agency for Workforce Innovation to require the coalition to remove the provider from the VPK program (Section 1002.67(3)(b), F.S.).

Although the VPK law allows a school district to determine which public schools may participate in the VPK program (Sections 1002.61(3)(a) and 1002.63(3), F.S.), the VPK law directs the Department of Education to require a school district to remove a public school from the VPK program for misconduct or failing or refusing to comply with VPK program requirements (Section 1002.67(3)(b), F.S.).

Section 1002.75(2)(e), F.S., requires the Agency for Workforce Innovation to adopt procedures for verifying the compliance of private providers and public schools and removing providers or schools from the VPK program.

Instructions: (1) ***Definition.*** As used in this program instruction, the term:

- (a) “Credentialed instructor” means a prekindergarten instructor who has the credentials required in Section 1002.55(3)(c) or (4), F.S., Section 1002.61(4), F.S., or Section 1002.63(5), F.S. The term does not include a secondary instructor.
- (b) “Secondary instructor” means a prekindergarten instructor who, in accordance with Sections 1002.55(3)(e), F.S., 1002.61(6), F.S., or 1002.63(7), F.S., must be an adult, but who is not required to have the credentials required for a credentialed instructor.
- (c) “Substitute instructor” means a prekindergarten instructor assigned to temporarily replace a credentialed instructor.

(2) ***Substitute instructor.***

- (a) If the credentialed instructor assigned to a VPK class is absent, the private provider or public school must assign a substitute instructor to temporarily replace the credentialed instructor. In accordance with Sections 1002.55(3)(c), (4), 1002.61(4), and 1002.63(5), F.S., a substitute instructor must have the credentials required for a credentialed instructor.
- (b) A private provider or public school that fails to assign a substitute instructor who has the required credentials described in paragraph (a) is not in compliance with the VPK law.
- (c) An early learning coalition may not remove a private provider from the VPK program, or otherwise take enforcement action on a provider,

if the provider is not able to find a substitute instructor who has the required credentials but temporarily assigns a substitute instructor who meets the following alternate requirements:

1. School-year program. A substitute instructor assigned to a VPK class in a school-year program must successfully complete one or more of the following before instructing the class:
 - a. An associate's or higher degree in any field of study;
 - b. A 40-clock-hour introductory course in child care for child care personnel of a child care facility which is approved by the Department of Children and Family Services under Section 402.305(2)(d)1., F.S.;
 - c. A 40-clock-hour introductory course in group child care for an operator of a large family child care home which is approved by the Department of Children and Family Services under Section 402.3131(3), F.S.; or
 - d. A 30-clock-hour introductory course in child care for an operator of a family day care home which is approved by the Department of Children and Family Services under Section 402.313(4), F.S.

 2. Summer program. A substitute instructor assigned to a VPK class in a summer program must successfully complete one or more of the following before instructing the class:
 - a. An associate's or higher degree in any field of study;
 - b. A child development associate (CDA) credential issued by the National Credentialing Program of the Council for Professional Recognition; or
 - c. A credential approved by the Department of Children and Family Services as being equivalent to or greater than the national CDA.
- (d) A school district is not required to remove a public school from the VPK program, or otherwise take enforcement action on a school, if the school is not able to find a substitute instructor who has the required credentials but temporarily assigns a substitute instructor who meets the alternate requirements described in paragraph (c).
- (e) A private provider or public school that assigns a substitute instructor who does not have the required credentials described in paragraph (a) must notify the coalition of the assignment.
- (f) If a credentialed instructor is absent from more than 10 consecutive instructional days, the private provider or public school must also give the coalition a written description of the provider's or school's efforts to find and assign an instructor who has the required credentials.
- (g) If a credentialed instructor is absent from 20 or more consecutive instructional days, the coalition may take enforcement action on the

private provider, and the school district may take enforcement action on the public school, if the provider or school does not assign a substitute instructor who has the required credentials described in paragraph (a) for a subsequent consecutive absence.

- (h) A substitute instructor, whether the instructor has the required credentials described in paragraph (a), must comply with the background-screening requirements in Sections 1002.55(3)(d), 1002.61(5), or 1002.63(6), F.S.

**PLEASE DIRECT QUESTIONS AND COMMENTS
TO THE OFFICE OF EARLY LEARNING AT (850) 921-3171
OR EMAIL OEL.Questions@awi.state.fl.us**
