

Kentucky Department of  
Education  
State Funded Preschool  
Contractor Application  
2021-2022



# **KENTUCKY PRESCHOOL PROGRAM APPLICATION AND GUIDE FOR CONTRACTING 2021-22 SCHOOL YEAR**

## **Introduction**

Kentucky is committed to providing a comprehensive educational program for preschool children who are either at risk of educational failure or who have identified disabilities, as outlined in the Kentucky Education Reform Act of 1990. Each local school district is required to make services available to eligible children directly, or by contract or cooperative agreement with another public or private organization. Early Care and Education (ECE) programs wishing to contract with local school districts to provide preschool placements must submit an annual application to the Kentucky Department of Education.

## **Purpose of Document**

The purpose of this document is to provide information needed for contractual or cooperative arrangements between local school districts and other ECE programs. This information is designed to:

- facilitate contracting where existing programs are available to serve:
  - four-year-old children whose family income is no more than 160% of the federal poverty level
  - three and four-year-old children with identified disabilities
- define the process requirements for ECE programs that wish to provide placements for eligible children by contract or cooperative agreement with local schools

The document is designed to be used by:

- local school districts
- Head Start
- private profit and non-profit preschools
- other ECE programs wishing to contract with school districts in Kentucky in order to provide educational placements for preschool children

## **Additional Resources**

Further information on local interagency agreements, contracting and the approval of preschool programs for contract purposes may be obtained from:

Kentucky Department of Education  
School Readiness Branch  
300 Sower Blvd.  
Frankfort, Kentucky 40601  
(502) 564-4970

[schoolreadinessbranch@education.ky.gov](mailto:schoolreadinessbranch@education.ky.gov)

# THE PRESCHOOL CONTRACTING APPROVAL PROCESS

## **Background**

Under [KRS 157.3175](#) school districts are required to make preschool programs available for eligible children. Based on a planning process involving other ECE programs, the district determines whether to serve eligible children in a program operated by the district or through a contract or cooperative agreement with another program(s).

To provide services through a non-public school program, the local district must assure that all contracted services meet the same standards as would apply if the services were provided directly by a school district. In addition, the Kentucky Department of Education has responsibility for monitoring the use of state and federal education dollars, including funds used by districts to provide preschool services by contract. The preschool contracting approval process is designed to assure these conditions are met.

The preschool contracting approval process has two components:

- authorization of a preschool ECE program as a contractor
- oversight of preschool contracts

## **Authorization of a Preschool Contractor**

There are two criteria for authorization of a non-public school ECE program to accept a contract with a school district to provide preschool facilities or services, legal status and general operations.

### ***Legal Status***

Legal status describes the program's legal standing to receive public preschool dollars from the local school district and is confirmed through an application process to the Kentucky Department of Education. In the application, the program provides a signed assurance that it is incorporated separately from any religious institution and maintains a non-sectarian board of directors. Other assurances address financial and program record-keeping, non-discriminatory practices and other public education requirements. The application form is found in Appendix A of this document.

### ***General Operations***

Minimum standards for general operations are documented through current child care licensure by the Cabinet for Health and Family Services. Under [922 KAR 2:120](#), licensed child care providers meet staff, facility, health, safety, program, and other requirements of programs which care for young children while the parent is not present. In the review of the program's application as a preschool contractor, the program's childcare licensure is verified, as well as the program's participation in the Tiered Quality Rating and Improvement System (TQRIS) known as Kentucky All STARS. Currently, contracting sites must have three (3) stars to be approved for contracting.

A valid child care license is considered the *minimum* standard for entering into a preschool education contract. *Child care licensure alone does not assure that preschool education standards are met.* Rather than require interested contractors to operate their total program according to preschool education standards, (staff, ratios, curriculum, etc.), the current approval process allows local school districts to work with interested contractors to assure that at least the contracted services meet preschool education standards. This requirement is discussed under “Oversight of Preschool Education Contracts.” The authorization to contract does not accredit or recognize Early Care and Education programs as being a school.

### **Oversight of Preschool Education Contracts**

To assure that regulations are met, and services are in accordance with the contract, responsibility of monitoring the contracted program rests with the school district. The district should be able to produce a copy of the most recent [childcare inspection report](#) issued by the Cabinet for Health and Family Services. **Any violation of the terms of the contract or of state regulations is cause to terminate the contract.**

### **Requirements for Preschool Education Services**

The following regulations can be found in Kentucky Administrative Regulations of the Kentucky Board of Education and the Legislative Research Commission (LRC). Copies of regulations are available to the public through the LRC.

Operation of the preschool education program ([704 KAR 3:410](#) and [707 KAR 1:002 -707 KAR 1:380](#))

- teacher certification requirements
- correct ratios of teachers to children and annual professional development
- hours of operation and school calendar
- curriculum, activities, and materials
- program requirements for children with disabilities

#### [KY All Stars](#)

- participation with at least a three (3) star rating

Parent Outreach ([704 KAR 3:410](#))

- home visits
- parent education activities developed with the parent
- parent-teacher conferences and other parent outreach activities

Coordination of Health/Social Services ([704 KAR 3:410](#))

- screening
- follow-up
- assistance to parents

Related Services by Licensed Professionals for Children with Disabilities ([707 KAR 1:320](#))

- speech, occupational and physical therapies (professional licensure)

#### Facilities

- allows child care licensure to substitute for school regulations relating to buildings and grounds ([922 KAR 2:120](#))

#### Transportation ([702 KAR 5:030](#) and [KRS 157.280](#))

- vehicles, driver training and monitors

#### Food Services ([702 KAR 6:090](#))

- allows [Child and Adult Food Care Program](#) to substitute for school regulations relating to food services.

### **APPLICATION REVIEW PROCEDURE**

The proposed contractor ECE program submits an application to the School Readiness Branch, Kentucky Department of Education.

The School Readiness Branch checks the applicant's licensure in the directory of licensed child care facilities, which is updated on a regular basis by the Cabinet for Health and Family Services and which notes official corrective action, if applicable.

The School Readiness Branch verifies participation in the TQRIS with at least a three (3) star rating.

The School Readiness Branch reviews the ECE identification page and program description for completion of information.

The School Readiness Branch reviews the assurance page for appropriate signatures.

***A school district may not disburse funds for a contract until the ECE program has received approval through the Kentucky Department of Education.***

### **APPROVAL AS CONTRACTOR**

If licensure is current, contracting sites have a minimum KY ALL STARS three (3) star rating, signatures are present and all information complete, the School Readiness Branch approves the program as a contractor.

The School Readiness Branch sends the applicant an approval letter and adds the program to the current list of authorized ECE contractors.

The School Readiness Branch disseminates the updated listing to preschool program administrators, as well as posts the list on the Kentucky Department of Education website.

## NON-APPROVAL AS CONTRACTOR

If the application cannot be approved due to regulatory deficiencies (i.e., current licensure, signed assurances, program information), the School Readiness Branch contacts the applicant to review the deficiencies. The applicant may submit necessary items to obtain approval within 30 calendar days.

If the requested information is not submitted within 30 days or does not meet criteria, the School Readiness Branch notifies both the ECE program and district of the non-approval status.

If a school district requests to contract with an agency that cannot be approved, the school district will be notified that the agency is not approved as a contractor.

## REVOKING APPROVAL AS CONTRACTOR

Approval as a contractor may be revoked for the following reasons:

- The School Readiness Branch receives written notification that the Cabinet for Health and Family Services revoked the license of a child care program.
- The School Readiness Branch receives notification that the center has not achieved or renewed their KY All STARS status with at least three (3) stars.

If approval is revoked, the School Readiness Branch notifies the program that it can no longer contract with school districts for preschool education services and is removed from the approved contractor list. The district contracting with the program will be notified that the program is no longer authorized as a contractor and the contract should be terminated immediately.

## STEPS IN CONTRACTING

The following sequence of events describes the process for serving preschool children in other ECE programs:

**STEP 1:** *The district and an Early Care and Education program identify the need for and willingness to work together to serve eligible children.*

- The recommended time to begin planning for contracting is prior to the start of school, before school districts submit the Preschool Program Approval for the following academic year. Planning also may begin as the need arises.

- For children with disabilities, there is a direct link to the Admissions and Release Committee (ARC) process. The local school district's ARC is responsible for determining, on an individual basis, when services need to be provided through other ECE programs. See Appendix B for additional details regarding children with disabilities.

**STEP 2: *The ECE program prepares and submits an application for approval to enter into contracts with local school districts to provide preschool education services.***

- A copy of the ECE program application is found in Appendix A of this document.
- The application should be sent electronically to the Kentucky Department of Education, School Readiness Branch, [schoolreadinessbranch@education.ky.gov](mailto:schoolreadinessbranch@education.ky.gov).
- Upon receipt of the ECE program application, the Kentucky Department of Education reviews the information and approves or denies the application.
- A copy of the program's application should also be sent by the ECE program to each district with whom the ECE program intends to contract.
- The application is updated with the Kentucky Department of Education annually by the ECE program.
- The approval process may include on-site review of the ECE program's preschool program by the local school district.
- Upon approval, the ECE program is authorized to initiate a school contract; approval does not accredit the program or provide licensure for providing child care.

**STEP 3: *The local school district and the ECE program or program develop a written contract or cooperative agreement for the services to be provided.***

- Components of the written contract or cooperative agreement are described in the "Components of a Contract or Cooperative Agreement" section, found below.
- Contents of specific documents will vary, depending upon areas agreed to by the parties.
- The school district is responsible for assuring that all services covered in the contract or written agreement meet the same standards applicable to the school district, as though the services were provided directly by the district.
- Copies of the contract are kept on file in the local school district and the ECE program, along with documentation of the ECE program's approved application to enter into contracts with a school district.



**STEP 4: *Services are provided based on the contract between the ECE program and the local school district.***

- The local school district has an ongoing responsibility to oversee the operation of the preschool program and all services provided by contract.
- The Kentucky Department of Education will monitor contracted preschool services in conjunction with each district's State Funded Preschool Monitoring process. Site visits may also occur when irregularities are noted.
- State-funded preschool students served in a contracted site must be enrolled in the district student information system, InfiniteCampus.

**COMPONENTS OF A CONTRACT OR COOPERATIVE AGREEMENT**

**General Contents**

According to Kentucky Revised Statute ([KRS 65.250](#)), contents of contracts and cooperative agreements are to specify at least the following:

- the duration of the agreement
- the organizational composition and powers delegated thereto
- the purpose or purposes of legal or administrative entity
- the manner of financing the joint or cooperative undertaking and of establishing and maintaining a budget
- the process of changing or terminating the contract as well as maintenance and disposal of property or equipment

The body of a contract may be as simple as "\$ (amount) dollars for providing (named) educational services to children," along with statements of duration, organization, purpose and termination of the contract. However, the district must have a written agreement regarding roles and responsibilities for the district and for the contracting ECE program. These may appear as a memorandum of agreement appended to the contract or referenced within the contract.

**Specific Contents**

In the contract (or in a separate memorandum of agreement referenced in the contract) the following issues should be addressed to clarify roles and responsibilities and to describe services that meet state and federal education regulations:

- clearly defined services such as the following:
  - type of service (individual, group, in-home, consultation, etc.)
  - days of operation/service to preschool students
  - amount of time the service is to be provided each day of operation



- duration of service or length of year
  - qualification and numbers of staff
  - location where service will be provided (preschool centers, home, etc.)
  - responsibility for support services (transportation, speech therapy, screening, etc.)
- procedures for resolving conflicts between the ECE program, including who pays for incurred costs of resolution
  - transition procedures for children who are moving from one setting to another
  - shared personnel, training or other resources
  - responsibility for inventory, maintenance and disposal of equipment or materials purchased through contracted funds
  - method and schedule of payment and provisions for terminating the contract
  - record keeping and reporting, including confidentiality of records
  - regulatory requirements for specific preschool education services to be contracted that are noted in the ECE program’s application (Appendix A, page 2)

**ROLES AND RESPONSIBILITIES OF PARTICIPATING PROGRAMS**

<b>Local School District</b>	<b>Preschool Contractor</b>
Provide the contracting program with guidelines.	Maintain a program which is licensed, and which is eligible to receive public education funds.
Require proof of insurance. If the program is operated on school grounds, the local board should provide accident insurance if the contracting ECE program does not have premises medical coverage under the general liability policy.	Provide general liability insurance of at least a million dollars per occurrence limit. Insurance must contain a “no sexual abuse” clause. If the program is on school grounds, the local school board must be a named insured.
Monitor the services provided by the contracting program to assure compliance with all federal, state and local laws and regulations pertaining to the education of eligible preschool children.	Provide services that meet the state education standards for preschool programs.
Provide timely payment for contracted services.	Submit bills for agreed-upon cost of service to the school district at predetermined times.
Act as fiscal agent and supervise the distribution of preschool education funds.	Provide services in the contract at no cost to parents.

Provide a liaison to the contracting ECE program to address mutual concerns.	Provide a liaison to the school district for matters of mutual concern.
For children with disabilities, * develop the initial Individual Education Program (IEP) and provide a representative to participate with the contracting ECE program to implement the IEP and provide oversight for the educational services.	Provide a representative to participate in the IEP development and provide appropriate educational services as defined on the IEP and the contract.

\*See Appendix B, IEP Process for Children with Disabilities.

## SUBMISSION OF AN APPLICATION FOR CONTRACTING

Early Care and Education Programs wishing to contract with local school districts must submit an annual application to the Kentucky Department of Education.

The ECE program’s application must be on file and approved prior to the beginning of each school year and prior to the submission of the Preschool Program Approval form by the school district.

### Application Form

The application form (Appendix A) has three components:

- cover page with identifying information
- description of the services to be available for contracting
- assurances page and signature

### Submission

Submit the completed application electronically to the email address, [schoolreadinessbranch@education.ky.gov](mailto:schoolreadinessbranch@education.ky.gov). Scan and submit additional documents with the application as necessary. Submitting certificates of lead teachers is not required. The School Readiness Branch will work with the Education Professional Standards Board (EPSB) to ensure all lead teachers have the correct certification.

Keep an electronic copy of the application form for your files. Applications are due September 15th, unless the need arises for school districts to contract services with private child care facilities throughout the year. In such cases, an application may be turned in at any time during the academic year.

**Important Note:** As part of the ECE program Identification Information, the application form will include the number of STARS the *private child care center-based program* has acquired in [KY All STARS](#).

Kentucky All STARS is Kentucky's expanded five-star quality rating and improvement system for early care and education programs. The unified system serves all early care and education programs that receive public funding including child care centers, Head Start and public preschool. Kentucky All STARS is based on Kentucky's Early Childhood Standards and research-based indicators of quality. It recognizes programs that have made a commitment to continuous quality improvement.

**DUE September 15th, or when the need arises for using contracted services during the 2021-22 school year.**

School Readiness Branch

Kentucky Department of Education

(502) 564-4970

[schoolreadinessbranch@education.ky.gov](mailto:schoolreadinessbranch@education.ky.gov)



## SERVICES AVAILABLE FOR CONTRACTING

### FOR YOUR Early Care and Education PROGRAM – CHECK ALL THAT APPLY:

Operation of the Preschool Education Program ([704 KAR 3:410](#))

Attach a description of the educational services available for contracting addressing facilities, personnel, training hours and curriculum. Must meet:

- Preschool Facilities Guidelines ([702 KAR 4:170](#)) (child care licensure is accepted as substitute)
- Preschool Personnel Standards (704 KAR 3:410, Section 6) **do not attach credentials**
- Instructional Hours of Operation (704 KAR 3:410, Section 5)
- Preschool Curriculum (704 KAR 3:410, Section 5)

KY All STARS

- Scan and attach a copy of the certificate with at least three (3) stars

Parent Outreach (704 KAR 3:410)

- Attach a description of services available. Services must meet preschool requirements (704 KAR 3:410, Section 5)

Related Services by Licensed Professionals for Children with Disabilities

- Attach a description of services available. Check off specific services to be offered. Service providers must meet licensure requirements set by the profession. **Attach a copy of the appropriate license.**
  - Speech therapy
  - Occupational therapy
  - Physical therapy
  - Other

Transportation (702 KAR Chapter 5)

- Attach a description of services available. If the program is transporting children, the following regulations must be met:
  1. School vehicle requirements ([702 KAR 5:060](#))
  2. School bus driver requirements ([702 KAR 5:080](#))
  3. School bus monitor requirements ([702 KAR 5:150](#))

Food Services (702 KAR Chapter 6)

- Attach a description of services available. Food services must meet the following regulations:
  1. School food preparation requirements ([702 KAR Chapter 6](#)) **OR**

2. Child care food preparation requirements ([922 KAR 2:120](#))

**Important Note:** All required attachments must be submitted upon initial application. Reapplications must contain attachments that are relevant to any programmatic changes within the ECE program.

## **PROGRAM ASSURANCE**

The program provides the following assurances regarding compliance with federal, state and local regulations in order to be approved to contract with local school districts to provide preschool education services.

### **General Operations**

1. The ECE program is separately incorporated from any religious institutions and maintains a non-sectarian board of directors; all proceeds and debts are the property of the corporation; no part of the program's curriculum is religious in nature; if housed on grounds of a religious institution, only reasonable rent is paid for such space and all religious symbols or materials have been removed from the area used by the preschool program.
2. The ECE program complies with applicable state and federal education requirements regarding nondiscrimination on the basis of race, creed, color, national origin, sex, disability or age.
3. Establishment and maintenance of all preschool records will be in compliance with state and federal regulations that are applicable to financial and programmatic records, supporting documents, statistical and other records. ([34 CFR 80.37 – 8.40](#)).
4. The ECE program will submit reports to the local school district as required in the contract, will make records and visits available to the district to conduct its oversight responsibility, and will make requested information available to the Kentucky Department of Education for the purpose of monitoring state and federal education laws and regulations.
5. Personally identifiable information (PII) on all children is maintained in a manner consistent with confidentiality requirements of the [Family Education Rights and Privacy Act](#) (FERPA).
6. If the program receives federal funds, the program does not appear on the current list of programs debarred from accepting federal funds.

### **Contracted Services**

7. Any agreement and/or contract between the local school district and the ECE program's preschool program is in writing and has been reviewed and approved by the authorized administrator of each ECE program.

8. Program services provided by a contract or agreement with a local school district are provided in conformance with preschool and school regulations promulgated by the Kentucky Board of Education.
9. The ECE program carries current insurance for the services operated.
10. ECE program personnel who provide preschool services under an agreement or contract with a local school district meet the personnel requirements of the Kentucky Board of Education and the Education Professional Standards Board.
11. If the ECE program is providing transportation or space for program services through a contract or agreement with a local school district, the ECE program's vehicles and physical plant have been reviewed by the local school district for adherence to school requirements for vehicles, buildings, grounds and health.
12. If the ECE program provides services to children with disabilities under a contract or cooperative agreement with a local school district, the ECE program complies with responsibilities outlined in Kentucky Administrative Regulations (707 KAR Chapter 1) for the provision of special education and related services.

This application has been approved by the applicant's Administrative Board as recorded in the minutes of the meeting held on:

\_\_\_\_\_, 20\_\_\_\_\_.

	<u>8-24-21</u>
Signature of Program Director	Date Signed

_____	_____
Authorized Signature for Administrative Board	Date Signed





July 26, 2021

Operation of the Preschool Education Program

The Family Care Center provides early childhood services for children ages 6 weeks to 5 years old. Fayette County Public Schools and the Family Care Center combine efforts to offer public preschool services serving two groups for children by utilizing a morning and afternoon session in one classroom. Operation of each session is as follows:

Session 1: 7:00 a.m. to 9:55 a.m.

Session 2: 10:50 a.m. to 1:45 p.m.

Childcare services are available for families requiring before and/or after Early Start hours and for days in which FCPS Preschool is not in session.

Fayette County Public Schools assigns and provides supervision for both Lead Teacher and Para-educator.

FCPS Teacher qualifications: IECE Certification

Child Care Director: BS in Psychology; Kentucky Director's Credential

Family Care Center hours of operation: 6:30 a.m. to 5:30 p.m.

FCPS hours of operation: Session 1: 7:00 a.m. to 9:55 a.m.

Session 2: 10:50 a.m. to 1:45 p.m.

Preschool Curriculum: AEPS

Parent Outreach/Family Involvement

The Family Care Center collaborates with Fayette County Public Schools to provide high school classes for teenage mothers. Mothers that attend the program are eligible for parenting classes and literacy and behavioral parent/child activities in addition to their classroom studies.

All parents utilizing the early childhood services are invite to attend monthly Family Involvement activities hosted through our Big Room events. The FCPS Preschool Program conducts Family Story hour activities in accordance with the FCPS calendar, as well as Home Visitation. All classrooms conduct parent/teacher conferences bi-annually.



### Related Services by Licensed Professionals for Children Special Abilities

FCPS provides speech therapy, occupational therapy, and physical therapy for eligible children. The FCPS therapists work with the classroom Teachers to meet their IEP goals and First Steps referrals are made for children who are not yet three years of age.

### Transportation

Transportation is provided by Fayette County Public Schools

### USDA Food Services

The Family Care Center participates with the Kentucky Department of Education Division of Nutrition & Health Services, Child & Adult Care Food Program. Children attending full day childcare are provided breakfast, lunch and afternoon snacks. Dependent upon the Session attended, children attending FCPS Preschool Program will receive one meal; breakfast or lunch. Meals are provided by the catering services and meet the USDA guidelines.



**CABINET FOR HEALTH AND FAMILY SERVICES**  
**DEPARTMENT FOR COMMUNITY BASED SERVICES**



**RECOGNIZES**

**Family Care Center**

As a Level 5 Provider in the Kentucky All STARS Tiered Quality Rating and Improvement System



**Date Issued: 11/6/2019    Valid Through: 1/31/2023**

**L350165**

This certificate is issued under regulations 922 KAR 2:270. The holder of this certificate is subject to the terms and conditions of the Cabinet for Health and Family Services.

This rating certificate is not transferable.

Division of Child Care  
275 East Main Street, 3C-F  
Frankfort, Kentucky 40621  
Telephone: 844-209-2657  
<https://chfs.ky.gov/agencies/dccbs/dcc>





# Commonwealth of Kentucky Cabinet for Health and Family Services


certifies that the Licensee **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT**  
is authorized to operate **FAMILY CARE CENTER**  
**1135 HARRY SYKES WAY**  
**LEXINGTON, KY 40504**

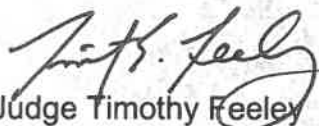
License # **L350165** Effective Date: **February 1, 2019**

pursuant to KRS 199.892 to 199.898 and 199.990(4) and the regulations promulgated thereunder, unless suspended or revoked for substantial violation of any of these regulations or applicable statutes. This license is not transferable and is limited to the above location for the services indicated below.

## Child-Care Center License

<b>Type :</b>	I
<b>Capacity :</b>	300
<b>Services :</b>	
Infant	Y
Toddler	Y
Preschool	Y
School age	Y
Non-Traditional Care	N
Transportation	Y

  
Steven D. Davis  
Inspector General

  
Judge Timothy Feeley  
Deputy Secretary

As of : January 14, 2019