# Kentucky Department of Education
# State Funded Preschool
# Contractor Application
# 2026-2027

# KENTUCKY PRESCHOOL PROGRAM
## APPLICATION AND GUIDE FOR CONTRACTING
## 2025-26 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. Agencies and 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 agencies and programs. This information is designed to:

- facilitate contracting where existing programs are available to serve:
  - four-year-old children who are at risk of educational failure
  - three and four-year-old children with identified disabilities

- define the process requirements for agencies 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 agencies 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

# 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 agencies, 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).

In order to provide services through a non-public school program, the local district must ensure that any and 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 agency as a contractor
- oversight of preschool contracts

## Authorization of a Preschool Contractor

There are two criteria for authorization of a non-public school agency to enter into 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 childcare license is considered the *minimum* standard for entering into a preschool education contract. *Childcare 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 an agency as being a school.

**Oversight of Preschool Education Contracts**
A school district may not disburse funds for a contract until the agency has received approval through the Kentucky Department of Education. Once an agency is authorized to contract through the Kentucky Department of Education and a school district is interested in contracting, the two parties develop a proposed contract. In the proposed contract, the district must assure the contracted services meet preschool education standards. These standards are defined in the next section, "Requirements for Preschool Education Services."

The contents of each contract will vary, depending on the services contracted. The contract should assure or document that all services provided by the non-public school program meet state and federal education requirements. A sample contract is found in Appendix C of this document.

It is the responsibility of the school district to monitor the services provided by the contracted program to assure that regulations are met and that services are provided in accordance with the contract. **Any violation of the terms of the contract or of state regulations is a cause to terminate the contract**.

**Requirements for Preschool Education Services**
The following requirements can be found in Kentucky Administrative Regulations of the Kentucky Board of Education. A copy can be obtained from the local school district or the Kentucky Department of Education, School Readiness Branch.

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

- IECE (birth to primary) certified or holds a letter of exemption (APP) from the Education Professional Standards Board (EPSB) given between 1998 and 2002
- 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

- Department policy 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)

- Department policy allows Child and Adult Food Care Program to substitute for school regulations relating to food services

## APPLICATION REVIEW PROCEDURE

☒ The proposed contractor agency 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 childcare 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 agency identification page and the program description for completion of requested information.

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

## APPROVAL AS POSSIBLE CONTRACTOR

☒ If licensure is current, signatures present and all information complete, the School Readiness Branch approves the agency as a possible contractor.

☒ The School Readiness Branch sends the applicant an approval letter and adds the agency to the current list of early childhood agencies authorized to contract with districts.

☒ The School Readiness Branch disseminates the updated listing to preschool program administrators, as well as posting 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 the agency in writing that it is not approved as a contractor.

☒ A school district will be notified that the agency is not approved as a contractor if the district requests to contract with the agency.

## 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 agency that it can no longer contract with school districts for preschool education services and the agency is removed from the approved contractor list. District contracting with the agency will be notified that the agency 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 agencies and programs:

**STEP 1:** ***The district and an agency or 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, 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 agencies. See Appendix B for additional details regarding children with disabilities.

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

- A copy of the agency 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.

- Upon receipt of the agency's 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 agency or program to each district with whom the agency intends to contract.

- The application is updated with the Kentucky Department of Education annually by the agency.

- The approval process may include on-site review of the agency's preschool program by the local school district.

- Upon approval, the agency is authorized to enter into a school contract; approval does not accredit the program or provide licensure for providing childcare.

**STEP 3:** ***The local school district and the agency 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 agency, along with documentation of the agency's approved application to enter into contracts with a school district.

**STEP 4:** ***Services are provided based on the contract between the agency 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 Consolidated 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, Infinite Campus.

## 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 agency. 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 agencies, 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 agency's application (Appendix A, page 2)

## ROLES AND RESPONSIBILITIES OF PARTICIPATING PROGRAMS

| Local School District | Preschool Contractor |
|---|---|
| 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 agency 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 agency 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 Plan (IEP) and provide a representative to participate with the contracting agency 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

Agencies and programs wishing to contract with local school districts must submit an annual application to the Kentucky Department of Education.

The agency's application must be on file and approved prior to the beginning of each school year.

**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 below. 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 1, unless the need arises for school districts to contract services with private childcare 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 Agency Identification Information, the application form will include the number of STARS the ***private child care center-based program*** has acquired in KY All STARS. https://kentuckyallstars.ky.gov/Pages/index.aspx.
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 1st, or when the need arises for using contracted services during the 2025-26 school year.**

School Readiness Branch
Kentucky Department of Education
(502) 564-4970
schoolreadinessbranch@education.ky.gov

**KENTUCKY DEPARTMENT OF EDUCATION**
**APPLICATION FOR APPROVAL TO CONTRACT**
**TO PROVIDE PRESCHOOL EDUCATION SERVICES**
**FOR 2025-26 SCHOOL YEAR**

**REAPPLICATION? YES ☒ NO ☐**

**APPLICATION AGENCY IDENTIFICATION** **SUBMISSION DATE:** 8/4/26

Director's Name: Irma Bennett

Agency Name (As it appears on the child-care license): Family Care Center

Agency Address: 1135 Harry Sykes Way

Agency Kentucky All STARS Rating and Expiration Date: 01/31/2028

Currently, agencies must obtain three stars in the KY All STARS quality rating and improvement system.

Agency Telephone Number (include area code): 859-288-4040

Email Address: ibennett@lexingtonky.gov

Names, titles and phone numbers of program contact person(s), other than the director, who have administrative/supervisory responsibility for the education program.

| Name | Title | Phone Number |
|---|---|---|
| Shelia Horton-Holt | Director of Family Services | 859-288-4050 |
| | | |

Names and credentials of lead teachers who will have state-funded children in their class(es):

| Teacher's Name | Certification | Ratio or teachers: children |
|---|---|---|
| Selika Jones | 201148251 | 3:15 |
| | | |

Names of local school districts with which the agency may contract:

| Name of school district | Name of school district | Name of school district |
|---|---|---|
| Fayette County Public Schools | | |
| | | |
| | | |

**SERVICES AVAILABLE FOR CONTRACTING**

**FOR YOUR AGENCY – 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, hours and curriculum. Must meet:

1. Preschool Facilities Guidelines (702 KAR 4:170) (childcare licensure is accepted as substitute)
2. Preschool Personnel Standards (704 KAR 3:410 Section 6) **no need to attach IECE certificate**
3. Instructional Hours of Operation (704 KAR 3:410 Section 5)
4. 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)

*All required attachments must be submitted upon initial application. Reapplications must contain attachments that are relevant to any programmatic changes within the agency.

## PROGRAM ASSURANCE

The _____Family Care Center_____ agency or 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 agency 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 agency 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 agency 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 on all children is maintained in a manner consistent with confidentiality requirements of the Family Education Rights and Privacy Act (FERPA).

6. If the agency receives federal funds, the agency does not appear on the current list of agencies debarred from accepting federal funds.

### Contracted Services

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

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 agency carries current insurance for the services operated.

10. Agency 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 agency is providing transportation or space for program services through a contract or agreement with a local school district, the agency'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 agency provides services to children with disabilities under a contract or cooperative agreement with a local school district, the agency 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 ____.

_____ _____

Signature of Program Director Date Signed

_____ _____

Authorized Signature for Administrative Board Date Signed