

# Scope of Services

## Voluntary Pre-K 2022-2023

Title 49, Chapter 6, Part 1 of the Tennessee Code Annotated establishes requirements for voluntary pre-kindergarten (VPK) programs in Tennessee, including student eligibility requirements that local education agencies must follow in administering such programs.

**LEA** (hereinafter referred to as “the Grantee”) has been selected through the state’s competitive grant process to create and provide a high quality VPK program for the 2022-23 school year. The program shall comprehensively address early learning educational needs, including cognitive, physical, social, and emotional, of four-year-old children who are eligible for enrollment under state law. The Grantee shall provide all programming in accordance with T.C.A. Title 49, Chapter 6, Part 1, the policies, rules and regulations of the State Board of Education and the Tennessee Department of Education (TDOE), its state-approved grant proposal, and the Scope of Services requirements below. In the event of a conflict between the grant proposal and this Scope of Services, the Scope of Services requirements shall prevail.

### A. Student Eligibility

- 1) The Grantee shall enroll children residing in the geographic area served by the LEA who are four (4) years of age on or before August 15 for the current school year and who are “at risk.” For the purposes of this program, “at risk” shall be defined as follows:
  - a) Children who are:
    - i. Four (4) years of age on or before August 15; and
    - ii. Members of families with incomes that meet the eligibility requirements for free or reduced priced lunch as determined pursuant to 42 U.S.C. § 1771; or
  - b) Dependent children who are four years of age on or before August 15 whose parent was killed, died as a direct result of injuries received as a result of war, or is or has been officially reported as a prisoner of war or missing in action.
- 2) After September 15, 2022, if the Grantee has enrolled all “at risk” children available as defined above, the Grantee may enroll children who are not at-risk but who reside within the geographic area served by the LEA and who are:
  - a) Children who are four (4) years of age on or before August 15 with or without a disability;
  - b) Children who are three (3) years of age on or before August 15, and
    - i. Who have been in the Tennessee Early Intervention System (TEIS), or
    - ii. Who are screened and identified as educationally at-risk as determined pursuant to the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.); or

iii. Who are members of families with incomes that meet the eligibility requirements for free or reduced prices meals as determined pursuant to 42 U.S.C. § 1771.

3) Enrollment in the VPK program shall be voluntary.

## B. Structure of Program

In addition to complying with the requirements of the State Board of Education Chapter 0520-12-01 Standards for School Administered Child Care Programs (“Chapter 0520-12-01”), the Grantee shall:

- 1) Comply with all applicable state and federal laws, rules, and regulations. The Grantee is responsible for ensuring compliance with all state, federal laws, rules and regulations, and requirements stated here-in, whether operating program directly or through a third party;
- 2) Provide appropriate in-person educational activities for a minimum of 5.5 hours of instruction per day. If the VPK program is offered more than six hours per day, children must be offered a time to rest/relax. Napping cannot be a requirement of a district VPK program and cannot last more than 30 minutes per day;
- 3) Ensure VPK calendars and personnel contracts align with the requirements for general public schools pursuant to T.C.A. § 49-6-3004(a);
- 4) Collaborate and coordinate with the IDEA Part B 619 school district staff to identify children with special needs whose needs may best be served in the VPK program;
- 5) Ensure that all collaborative agreements for operating programs with non-school system entities (including, but not limited to, nonprofit and for-profit childcare providers and Head Start programs) are not only licensed by the Tennessee Department of Human Services (DHS), but also have attained the highest designation under the rated licensing system administered by DHS pursuant to T.C.A. § 49-6-105;
- 6) Ensure all contracts with third parties to operate VPK programs contain the same requirements listed in this VPK Scope of Services;
- 7) Monitor all VPK classrooms for compliance with VPK Scope of Services, including those located in community agencies, schools, early learning centers, and other community locations; and
- 8) Ensure all teachers, educational assistants, administrators, substitutes, and all other direct services providers receive training on the VPK Scope of Services, and all other mandatory trainings as listed in Chapter 0520-12-01. All training shall be aligned to the TDOE’s early learning division, or office of early learning, instructional quality standards.

## C. Staffing

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Always maintain VPK classes at a maximum class size of 20 and a minimum adult:child ratio of 1:10;
- 2) Ensure all VPK classrooms are staffed with a teacher who is state licensed and endorsed for early learning pursuant to T.C.A. § 49-6-104(b)(2). Permits will not be accepted for teachers hired to work in the VPK classroom. Teachers requesting a waiver or transitional license must submit an appropriate application to the TDOE's office of teacher licensure, respectively, within 30 days of hire. Adequate progress towards full licensure, as identified on respective applications, must be made for the teacher to return to the classroom for a second year;
- 3) Employ at least one educational assistant per classroom who holds at least a child development associate credential (CDA), early childhood technical certificate, or associate degree in early childhood or be actively working toward those credentials pursuant to T.C.A. § 49-6-104(b)(3). If no person is available who holds these credentials, then a high school diploma and relevant experience in early learning is acceptable for employment. Teacher assistants who do not hold any credentials in early learning are encouraged to work toward credentials in early learning;
- 4) Ensure all general education and special education teachers have training and support to meet the needs of economically disadvantaged children, children with special needs, and children who are identified as English learners or children whose primary home language is not English;
- 5) Employ appropriately licensed and endorsed long-term substitute when the teacher of record is expected to be absent for a period of 20 or more consecutive days due to illness or maternity leave. The Grantee shall notify the TDOE assistant commissioner of early learning of any utilization of a long-term substitute;
- 6) Ensure all staff (teachers, teacher assistants, and direct supervisor of the early learning program) have a data-driven professional development plan identifying specific training and job-embedded professional learning opportunities to meet staff needs to improve classroom practices;
- 7) Implement the pre-K and kindergarten student growth portfolio models, or State Board of Education approved alternative portfolio models, for all pre-k and kindergarten teachers, including VPK teachers in community-based agencies;
- 8) Ensure all teachers are evaluated by personnel trained in the use of any approved TDOE teacher evaluation models pursuant to the rules and regulations of the State Board of Education;
- 9) Ensure that VPK teachers employed by the LEA and community-based agencies are provided the same employment rights and benefits available to K-12 teachers (planning time and duty-free lunch may occur outside the scheduled 5.5-hour instructional day); and
- 10) Ensure salaries for personnel in community-based agencies are reasonably comparable to those currently in effect in the LEA where the respective VPK program is located. Reasonably comparable is defined as a range of compensation that would ordinarily be paid for like services within the school system. Final salaries within the range may be commensurate with qualifications and experience.

## D. Enrollment/Attendance/ Education Information System (EIS) Data Collection

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Follow the enrollment selection process outlined in section A;
- 2) Ensure that at least 90 percent of children enrolled in the VPK program qualify as “at-risk” as defined above and only children qualifying as “at-risk” count in calculated utilization rates;
- 3) Support inclusionary practices by encouraging enrollment of students with disabilities;
- 4) Continue enrollment of new students, subject to available seats, up to the last 20 days of school and ensure maximum group size operates at 95 percent capacity;
- 5) Adhere to the district’s submitted VPK Attendance Policy with the goal of maintaining average daily attendance at a minimum of 90 percent;
- 6) Ensure that children enrolled in VPK receive 180 days of instruction. Staggered opening is appropriate over the course of two weeks, but VPK shall not close for registration or any other events without approval from the assistant commissioner of early learning;
- 7) Document a child’s withdrawal from the VPK program in accordance with the district’s attendance policy;
- 8) Enter information for all VPK children enrolled in school-based and community partner classrooms into the state student information system (EIS) on or before October 1<sup>st</sup> and in accordance with guidelines set by the TDOE;
- 9) Maintain and report daily attendance of enrolled students and those students on the waitlist to be enrolled in pre-K to the TDOE at the mid-year and end of year reviews;
- 10) Implement and document a restorative practice plan, such as consulting with district family engagement specialists, to address attendance concerns in collaboration with the family;
- 11) Document a parent-initiated withdrawal with code 10 and a school-initiated withdrawal with code 13. Use of code 13 requires submission of documentation for reason of dismissal to the assistant commissioner of early learning a child is withdrawn, to include the attendance restorative practice plan; and
- 12) Assign a classification code of (Q) to all VPK-funded students and a classification code of (L) to all “at-risk” students in the student management system (note: students can be coded with both Q and L). The number of students with a classification code of (Q) should never exceed the number of allotted VPK seats assigned to the district.

## **E. Health, Nutrition and Safety**

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Establish, as part of enrollment, a process to ensure each child enrolled will have hearing and vision screenings in accordance with T.C.A. 49-6-5004, which may or may not be a part of the required health examination;
- 2) Ensure all children are taught about personal safety through an approved personal safety curriculum; and
- 3) Follow guidance provided by the Center for Disease Control and local health department guidance to inform strategies on how to ensure health, nutrition, and safety through new and evolving context of school closures and re-opening.

## **F. Guidance on Behavior Management**

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Develop a behavior management policy that aligns to positive behavior supports and interventions. This can include, but is not limited to, strategies like those found in the “Pyramid Model Routine Based Support Guide;”
- 2) Prohibit spanking or any other type of corporal punishment;
- 3) Implement and document a restorative practice discipline plan, including, but not limited to consulting with district special education supervisors, to address behavioral concerns in collaboration with the family; and
- 4) Submit a written request to the assistant commissioner of early learning for the permanent dismissal of a child, including, but not limited to documentation of the restorative practice plan and efforts.

## **G. Transportation**

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Provide documentation of training on transportation procedures for all staff and faculty responsible for transporting and signing children on and off school buses; and
- 2) Provide for adult-to-adult transfer of students always.

## H. Curriculum

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Provide for the use of a comprehensive, research-based educational curriculum, supported by an evidence-based foundational early literacy skills curriculum supplement, approved by the TDOE's early learning division, or office of early learning, that is aligned with the Tennessee Early Learning Developmental Standards;
- 2) Provide an educational program that ensures all developmental areas – language, cognitive, social-personal competencies and physical—are addressed, with a balance between direct instruction, individualized instruction, group activities, and choice of center-based activities;
- 3) Ensure that instructional materials are high-quality and offer concrete and relevant experiences;
- 4) Provide an educational program to meet the wide range of developmental interests, abilities, and cultural diversities reflective of the children and families served by the program; and
- 5) Ensure that the organization and delivery of the daily activities within the developmental learning program is based upon teacher observations and assessment of each child's development.

## I. Family Engagement

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Implement a plan to introduce each child and family to the VPK program prior to the first day of school;
- 2) Implement a transition plan to enhance promotion and smooth transition for each child and family into the kindergarten setting;
- 3) Implement a family engagement policy that may include, but is not limited to, family consultation, parenting skills training, home visits, and opportunities for parents/family members to volunteer. These services may be provided through a collaborative effort with other local agencies serving children and families;
- 4) Document quarterly family engagement opportunities and attendees;
- 5) Conduct parent/teacher or family/teacher conferences regarding each child at least two (2) times each school year;
- 6) Offer families an opportunity to learn about the personal safety curriculum taught in the school;
- 7) Assist families of children in the VPK program needing extended-day/extended-year services outside the 5.5 hour/180-day school year to obtain quality care. The Grantee may provide the extended services, or they may collaborate with another agency to provide the extended services. A list of childcare agencies can be obtained from the Child Care Resource and Referral Agency. (It is not mandated that the childcare

service be provided by the Grantee, but the Grantee must assist families in obtaining the needed childcare.) Any services provided beyond the minimum 5.5-hour instructional day could be subject to fees payable by the family or other available resources; and

- 8) Administer the family survey distributed by the TDOE's early learning division, aka office of early learning, in the spring of each school year.

## **J. Collaboration with the Community**

In addition to complying with the requirements of Chapter 0520-12-01, in accordance with T.C.A. § 49-6-106, Grantee shall:

- 1) Create and appoint a community pre-K advisory council (CPAC). The director of schools, or the director's designee, shall serve as chair and coordinate the activities of the council. The council shall include, but not be limited to, members representing the local school board, parents, teachers, nonprofit providers, for-profit providers, Head Start, the business community and local government funding bodies, where applicable.
- 2) The council shall provide input to the local board of education in creating the board's application for programs, taking into consideration the number and type of existing programs currently serving children four (4) years of age within the geographical area served by the LEA.
- 3) While the content of the final application for programs shall be within the sole authority of the local school board, no board shall submit an application without first allowing the council to provide input, either in writing or otherwise, and without first giving due consideration to the council's input and recommendations.

## **K. Classroom Data Collection and Evaluation**

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall:

- 1) Collaborate with TDOE's early learning division, or office of early learning, on the development of program improvement efforts, which include measures of programmatic and instructional quality indicators;
- 2) Have the option to participate in a full-year pilot of the CLASS Environments scale to measure pre-K classroom environments. Districts that choose to participate in the full-year pilot will be required to maintain reliability in pre-K CLASS Observation as it is a prerequisite for CLASS Environments certification. Participating districts will be asked to submit CLASS Environments data to TDOE early learning division;
- 3) Annually VPK teachers receive coaching feedback based on classroom visits using the Classroom Assessment Scoring System (CLASS) or another district selected model for coaching pre-K instructional excellence. If using CLASS, observations must be conducted by a reliably trained district staff person;

## **L. Monitoring**

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall maintain documentation on file in the classroom and easily accessible for monitoring that includes:

- 1) Number of children served, number of children who are economically disadvantaged, number of children with current IEPs through Part B, Section 619, of Individuals with Disabilities Education Act (IDEA), and other risk factors identified by the TDOE;
- 2) Roster of children with date of birth listed;
- 3) Process used to validate eligibility, such as: proof of income, screening tool results, or documentation of other educational risk factors (documentation must be maintained at the local level);
- 4) Approved educational curriculum and assessment used in the program;
- 5) Names of all pre-K teachers with verification of a valid Tennessee teaching license and applicable degree information such as pre-K endorsement;
- 6) Pre-K observation data with documentation of dates and times when observations were conducted;
- 7) Daily number of hours of the program's operation and the number of days the program serves children;
- 8) Names of program director, teacher(s), assistants and other direct services staff;
- 9) Type of training provided for staff, including the number of hours of each type of training offered;
- 10) Transportation arrangements developed for each child;
- 11) Comprehensive list of the parent involvement activities implemented/planned for the remainder of the year;
- 12) Comprehensive list of collaborative/partnership activities with any other state/federal agencies or departments; and
- 13) Comprehensive list of any major equipment purchased or planned to be purchased with grant funds during the current school year.

## **M. Performance Measures**

In addition to complying with the requirements of Chapter 0520-12-01, the Grantee shall be evaluated based on performance measures developed by the TDOE's early learning division, or office of early learning. The performance measures shall include:

- 1) Documentation of compliance with the requirements of the VPK program listed in T.C.A. § 49-6-104;



- 2) Results of the required family survey administered by the program each spring;
- 3) Economically disadvantaged students enrolled in the program of 90 percent or above;
- 4) Daily attendance rates of 90 percent or above;
- 5) Capacity rate of 95 percent or higher for 160 of 180 days with flexibility of attendance granted to align with district's attendance policy;
- 6) Classrooms served by qualified staff at 100 percent;
- 7) Inclusionary practices for economically disadvantaged students with disabilities;
- 8) Documentation of efforts made to enroll economically disadvantaged students first and the process followed to enroll other at-risk students per Title 49, Chapter 6, Part 1 and this Scope of Services;
- 9) Annual VPK monitoring report; and
- 10) Performance and documentation of appropriate staff evaluations.

## N. Compliance

The Grantee shall comply with the requirements of the State Board of Education's Standards for School Administered Child Care Programs Rule 0520-12-01 and the VPK Scope of Services.

If a Grantee is out of compliance with any part of the Scope of Services, VPK funding may be withheld until requirements are met, and remaining funds may be pro-rated for the number of days the classroom is out of compliance. Terms of this Scope of Services shall remain in effect for the duration of the VPK program's funding.

## General Assurances

Assurance is hereby provided that:

- 1) This program shall be administered in accordance with all applicable statutes, regulations, program plans and applications:
  - a) The laws of the State of Tennessee;
  - b) Title VI of the federal Civil Rights Act of 1964 and the regulations issued there under by the federal government;
  - c) The Equal Employment Opportunity Act and the regulations issued there under by the federal government;
  - d) The Americans with Disabilities Act of 1990 and the regulations issued there under by the federal government;
  - e) Section 504 of the Rehabilitation Act of 1973 and the regulations issued there under by the federal government;
  - f) The Individuals with Disabilities Education Act (IDEA) and the regulations issued there under by the federal government;
  - g) The Family Educational Rights and Privacy Act (FERPA) and the regulations issued there under by the federal government;
  - h) Health Insurance Portability and Accountability Act of 1996 (HIPAA);
  - i) The condition that the submitted proposal was independently arrived at, without collusion, under penalty of perjury; and
  - j) The condition that no amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Agency in connection with this grant.
- 2) Each agency receiving funds under this grant shall use these funds only to supplement, and not to supplant state and local funds that, in the absence of such funds would otherwise be spent for activities under this section.
- 3) The Grantee shall file financial reports and claims for reimbursement in accordance with procedures prescribed by the TDOE monthly.
- 4) The Grantee shall ensure that priority will be given to income-eligible four-year-old children and will not enroll any over income children prior to September 15, 2022.
- 5) The Grantee shall ensure continuous quality improvement of the pre-K program by implementing quality measure tools and at the frequencies as defined in the VPK Scope of Services, Classroom Data Collection and Evaluation, to measure progress toward achieving goals and objectives. The grantee will use the classroom observation results to refine, improve, and strengthen the program and to modify the goals and objectives as necessary.
- 6) The Grantee shall ensure that VPK programs are using a curriculum on the TDOE approved list alongside a research-based foundational literacy skills supplement.
- 7) The Grantee shall ensure that VPK programs operate the same 180-day school calendar as K-12.
- 8) The Grantee shall ensure that children enrolled in VPK receive a minimum of 5.5 hours of instruction per day.
- 9) The Grantee shall ensure that all VPK teachers have a Tennessee teaching license with an early childhood endorsement.
- 10) The Grantee shall ensure that every effort is made to hire assistant teachers with a CDA, an associate degree in early childhood, or equivalent.
- 11) The program shall be in compliance with the Scope of Services outlining program requirements, including those in the *Voluntary Pre-K for Tennessee Act*.

- 12) This program shall be in compliance with submission and verification of student, staff and class information for all school based and non-school based partner pre-k programs for which the school system receives funding. This includes but is not limited to reporting attendance through SIS/EIS data entry screen and ensuring that teachers meet licensing endorsement requirements or submit request for Waiver, Alternative License Type I or II (advancement only), Interim B, or Transitional license in appropriate time frame.
- 13) This program shall be in compliance with State Board of Education’s Rule Chapter 0520-12-01, Standards for School-administered Childcare and the Early Childhood Education Policy 3.100 adopted by State Board of Education.

***Certification/Signature***

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the award. I am aware that any false, fictitious, or fraudulent information or the omission of any material or fact may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise.

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**Name of Local Education Agency**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name of Director of Schools**

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**Signature of Director of Schools**