

Early Learning Coalition of Florida's Heartland, Inc.

ELCFH Executive Committee Meeting Tuesday, January 5, 2010 @ 9:00 a.m.

Members Present: Ed Osborne (Conference Call), Alan Grimes (Conference Call), Sheila Nobles (Conference Call), Deb DeKeulenaere (Conference Call)

Staff: Anne Bouhebent, Anna Brookbank, Helena Sloan, Olga Olvera, Diana Stanton, Carla Herron, Arvilla Brito

Guests: Dee Tatis Williams, Florida Little Folks Learning Center-Kids Academy (Conference Call), Attorney Ball (participating via telephone through Dee)

1. Call to Order (Ed Osborne)

Ed Osborne called the meeting to order at 9:00 a.m.

2. FY 09-10 ELCFH School Readiness Provider Contract: Executive Director Recommendation for Provider Contract Termination (Anne Bouhebent)

Anne stated the focus of the meeting today is for the Committee to review and make a final determination regarding the ELCFH recommendation for FY 09-10 School Readiness Provider Contract termination with Florida Little Folks dba Kids Academy in Bowling Green. Anne reviewed the information provided to the Committee which included:

1. A summarization of the DCF reports as well as ELCFH staff observations that were facilitated at Florida Little Folks Learning Center dba Kids Academy.
2. A copy of a letter from the ELCFH to the provider dated December 7, 2009 notifying the provider of the ELCFH recommendation for contract termination FY 09-10 School Readiness Provider Contract.
3. A copy of a letter from the ELCFH to the provider dated December 7, 2009 advising the provider of the Notice of Non-compliance for the State of Florida VPK Statewide Provider Agreement. Anne stated the current VPK program ends January 22, 2010 and the provider has been notified that until the site can demonstrate continuous adherence to Chapter 402 and licensing standards that all future VPK Provider Application submitted to the program would be automatically denied.
4. A copy of a letter dated December 14, 2009 from the provider which provides a response to the VPK correspondence but also addresses some of the issues regarding School Readiness.
5. A copy of a letter from a facility parent that addresses the November 24, 2009 incident documented by DCF regarding an infant.

Anne stated this facility has demonstrated ongoing health and safety violations that not only impact the quality of care experienced by the children but are also considered serious enough by ELCFH staff that there is concern that a child may be injured. Based on recent ELCFH staff observations and the Department of Children & Families observations and citations, it is clear to the ELCFH that this site is not able to maintain basic health and safety standards for the children in its care. The ELCFH Executive Director is recommending termination of the FY 09-10 SR Provider contract. The provider reapplying from one year of the contract termination date as stated in ELCFH Policy SR-VPK1, Section 7, (from the contract termination date).

Ed Osborne requested an update on the DCF citations for this provider. Anne stated the provider has corrected the issues cited by DCF, however, ELCFH staff is concerned that the issues cited

appear to be habitual and once corrected they become issues again. There appears to be no change in standard operating procedures to ensure issues remain corrected. Sheila Nobles stated as of January 4, 2010 there are 3 ½ pages of violations listed for the provider and at this point the DCF is at the administrative fine level.

Dee Tatis Williams, Florida Little Folks Learning Center dba Kids Academy stated both ELCFH and DCF were notified that the facility went under a center monitoring process and everything from that point in time was being monitored. Dee further stated this was done as a result of legal advice due to the discrepancies in inspections and information taken out of context. Sheila Nobles stated she met with the facility center director and discussed the numerous violations; many of which were repeat violations. Dee asked if in the history of the ELCFH's termination of a provider contract have there been children injured or was there a safety violation that caused injury to a child? Anne Bouhebert stated the ELCFH staff pay very close attention to the health and safety violations of all contracted providers and are committed to responding before a child gets hurt. The ELCFH feels very strongly that it would be negligent to wait until a child got injured in order to react to contractual non-compliance. Anne further stated it is also not being a good steward of the dollars nor good advocates for the children. The violations for Florida Little Folks Learning Center dba Kids Academy were observed by two entities – both ELCFH staff and DCF – citing numerous issues where the facility's staff has been non-attentive to the needs of the children.

Anna Brookbank, ELCFH Associate Director of Contracts and Compliance stated to contract with the ELCFH is a privilege and is also voluntary. The responsibility of the ELCFH in regards to contracting with any provider is always to offer technical support, training and materials. It is the provider's responsibility to meet all of the requirements of the contract and that is why this issue has been brought to the Executive Committee because the contract is not in compliance. Alan Grimes stated based on the citations noted and repeat violations that the children are not safe in this facility.

Anne Bouhebert clarified that the ELCFH is seeking current contract termination. Anne also noted three key points from ELCFH policy:

- 1) A child care provider whose contract has been terminated by the Executive Committee as a provider of school readiness will be able to submit an application no sooner than one year after the contract termination date.
- 2) All decisions made by the Executive Committee regarding provider contract termination are final.
- 3) The ELCFH does retain the right, at its sole discretion, to refuse to contract with any provider.

Anne further stated the provider was given the opportunity to submit documentation for review by the Committee with reference to the recommendation of termination. A discussion ensued and it was agreed by the Committee to approve the termination of FY 09-10 ELCFH School Readiness Provider Contract with Florida Little Folks dba Kids Academy in Bowling Green. The ELCFH will notify parents advising them if they are receiving school readiness services that the ELCFH would no longer be paying for the service and they would either need to pay privately or choose a new provider. A summation letter of the Executive Committee meeting serving as formal contract termination notification will be issued to the provider by the ELCFH Executive Director.

Deb DeKeulenaere made a motion to approve the termination of FY 09-10 ELCFH School Readiness Provider contract with Florida Little Folks dba Kids Academy in Bowling Green. Alan Grimes seconded. The motion carried.

3. Open Forum

No items were brought forward.

4. Adjournment

Ed Osborne adjourned the meeting at 9:45 a.m.