# Provider and Head Start Contract Frequently Asked Questions

## 1.Can the district adjust monthly payments if providers are under enrolled?

Districts should not adjust payments based on enrollment for the first two months. The District shall make ten (10) monthly payments to the Provider in the sum of one-tenth (1/10) of the revenues provided under the Provider’s District-approved 2022-2023 budget planning document.

## 2. Can the district mandate that providers obtain additional insurance?

Any additional insurances mandated by the district must be covered by the district. The Provider shall procure and maintain at its own expense the following:

* Generable Liability Insurance
* Comprehensive Automobile Insurance
* Workers’ Compensation Insurance
* Employers Liability Insurance
* Employee Fidelity Bond

## 3. Can the district share teacher evaluation scores?

In accordance with TEACHNJ and AchieveNJ regulations and NJQSAC, districts are only required to collect summative teacher evaluation scores from *district teachers* that are accruing or maintaining tenure. Teachers employed by community and Head Start providers do not qualify for tenure.

## 4. Can the district make the provider contract renewal based on the provider maintaining a minimum reliable score over a 4.5 on the Early Childhood Environment Rating Scale, Third Edition (ECERS-3)?

Districts must insert a 4.5 unless discussion with DOE results in a different score entry.

## 5. Can Head Start provider disenroll students?

Head Start providers cannot disenroll students without federal approval.

## 6. What is Pass the Trash?

**Pre-Employment Resources P.L. 2018, c. 5**

Effective June 1, 2018, [*P.L. 2018, c. 5*](http://www.njleg.state.nj.us/2018/Bills/PL18/5_.PDF) requires that all school districts, charter schools, nonpublic schools, and contracted service providers make certain inquiries regarding child abuse and sexual misconduct of prospective employees who will have regular contact with students. Consistent with the statute, the Department of Education has developed employment forms that hiring entities may use to complete the required employment history review. If a hiring entity chooses not to use the forms provided below, the hiring entity is still required to comply with the terms of the statute. Please note that this employment review is separate from the criminal history review requirements.

The resources below include two forms and a list of frequently asked questions regarding the implementation of P.L. 2018, c. 5:

* [Sexual Misconduct/Child Abuse Disclosure Release](https://www.nj.gov/education/crimhist/preemployment/Release.pdf)
* [Sexual Misconduct/Child Abuse Disclosure Information Request](https://www.nj.gov/education/crimhist/preemployment/InformationRequest.pdf) (follow-up form)
* [Frequently Asked Questions](https://www.nj.gov/education/crimhist/preemployment/faq.pdf)

## 7. If the district doesn’t renew the provider’s contract, can the district recover equipment or the cost of the equipment?

Upon non-renewal, the District shall recover from the Provider all playground materials, playground equipment both installed and uninstalled, start-up classroom materials and start-up classroom technology or the monetary equivalent thereof. The amount to be recovered shall be determined by current market value or depreciated value of said items (as per Federal Depreciation schedule), whichever is lower.

## 8. Are the number of calendar days for districts and providers different?

The number of calendar days for the both the district and provider should be 180 days.

## 9. Do provider staff have to show proof of P-3 certification annually?

Newly hired staff must submit proof of certifications one time, at time of hire. All “Appropriately Certified Teachers” shall hold a Bachelor’s Degree and, at a minimum, a certificate of eligibility or certificate of eligibility with advanced standing for Preschool through Grade Three certification or other equivalent preschool certification, as set forth in *N.J.A.C.* 6A:9B et seq.

## 10. Can districts mandate providers to complete data entry for power schools?

Providers must be compensated for any data entry mandates.