



# EARLY CHILDHOOD EDUCATOR PAY EQUITY FUND

## Frequently Asked Questions (FAQ): Early Childhood Educator Pay Equity Fund Monitoring in Fiscal Year 2024 (FY24)

### 1. Why does the Office of the State Superintendent of Education (OSSE) conduct monitoring for the Early Childhood Educator Pay Equity Fund?

OSSE conducts monitoring to ensure compliance with the [minimum salary requirements](#) and other obligations outlined in the Early Childhood Educator Pay Equity Fund Provider Agreement.

### 2. Who will be monitored?

All child development facilities participating in the Early Childhood Educator Pay Equity Fund will be monitored. Supporting documentation must be submitted for ALL early childhood educators employed in monitored staff types during the period covered by monitoring. Monitored staff types include teachers, assistant teachers and associate home caregivers.

### 3. What is the timeline for monitoring?

A provider is monitored based on when they entered the program (e.g., quarter one, quarter two, quarter three, quarter four in FY24). The earliest a provider will be monitored is the quarter following receipt of their first quarterly award payment. This includes any providers who received quarterly payment(s) in FY24 between December 2023 and September 2024. OSSE will notify a provider via email when their monitoring window begins and provide instructions and a deadline for completing the monitoring process.

### 4. What documents do providers need to submit for monitoring?

All participating providers must meet fiscal reporting requirements including:

- Staff salaries or wages
- Staff offer/hire letter or contract (as applicable) that is signed, dated and includes salary information
- Evidence of salaries or wages paid to staff
  - Payroll system documents (e.g., ADP, Paychecks);
  - Canceled checks made out to employee(s);
  - Payroll tax documents (with employee information listed and aligned to time period being monitored);
  - Pay stubs (for personnel paid through direct deposit);
  - Electronic bill payment service documentation; or

- Provider bank statements that show records of payroll transactions.

Additionally, all providers must submit documentation to meet non-fiscal reporting requirements including:

- Data on enrollment, by age group (e.g., infant, toddler, preschool), for the month following receipt of the first quarterly award payment and the month following receipt of each quarterly award thereafter to date (e.g., January, April, July 2024, October 2024).
- Data on undiscounted current tuition rate, by age group (e.g., infant, toddler preschool).

**5. Are there any additional monitoring requirements for providers with an approved waiver in FY24?**

Yes, providers with an approved waiver must submit:

- A salary schedule describing the wages or salaries paid to eligible teachers or assistant teachers following the receipt of the first quarterly award.
  - The minimum wages or salaries paid to teachers and assistant teachers must exceed those paid as of Sept. 30, 2023.
- Financial data and reports that demonstrate that quarterly awards were utilized solely for the following purposes:
  - Increasing wages or compensation of eligible teachers and assistant teachers, including associated payroll taxes.
  - Covering administrative costs associated with implementing the salary scales and meeting OSSE requirements related to the Early Childhood Educator Pay Equity Fund as outlined in the Provider Agreement.
  - Covering costs of health and other fringe benefits for early educators and other child development facility employees).

**6. Why do providers need to submit information on enrollment and tuition data?**

As part of the Early Childhood Educator Pay Equity Fund Provider Agreement, providers agree to submit enrollment and tuition data (see section V. Provider Requirements). OSSE will monitor whether a provider submits enrollment and tuition data and use this information to track system-wide trends in child care program enrollment and tuition in order to inform OSSE policies and supports for the child care community. This data can also help OSSE and other stakeholders better understand the revenues that child care providers have access to in order to inform implementation of the Early Childhood Educator Pay Equity Fund. OSSE may use the tuition data to identify providers charging tuition at or above the 90th percentile for purposes of determining their CDF payroll funding formula award.

**7. What does “undiscounted tuition rate” mean?**

The undiscounted tuition rate is the standard rate the facility charges families for care. It should not reflect sibling discounts, sliding fee scale application, lower rates charged to

families who enrolled prior to a rate increase or any other discounts the program may provide that are not available to all families. Programs that enroll exclusively children whose parents or guardians are employed by a specific employer and charge a discounted rate for all children may report that rate.

**8. Are providers required to submit payroll records for every pay period in the quarter that is being monitored?**

For each quarter being monitored, providers should submit payroll documentation for at least the first pay period following receipt of the business's award payment from the Early Childhood Educator Pay Equity Fund. For example, if a provider pays their staff twice a month and received their first quarterly award payment at the end of December 2023 and implemented the minimum salaries starting the pay period of Dec. 31, 2023-Jan. 13, 2024, payroll documentation only needs to be submitted for that pay period. Providers may submit records for subsequent pay periods in the quarter but are not required to do so.

**9. Do providers need to submit hire letters for each quarter if staff have not changed?**

No. Hire or offer letters that show that minimum salaries are being met for monitored staff only need to be submitted once for each staff member. Providers with an approved waiver in FY24 must submit hire or offer letters that demonstrate that salaries for eligible staff have increased above the levels in effect of Sept. 30, 2023.

**10. Can providers upload hire/offer letters issued to monitored staff before the minimum salaries were implemented?**

Hire or offer letters must be uploaded in Division of Early Learning Licensing Tool (DELLT) and be signed, dated and include salary/wage information. Providers who have hire/offer letters for monitored staff with outdated salaries/wage should update the hire/offer letter with the updated salary/wage, date and signature. Salaries/wages included in hire/offer letters must demonstrate that the required minimum salaries are being met for monitored staff. Providers with an approved waiver must submit hire/offer letters that are signed and dated that demonstrate that salaries for monitored staff exceed those paid as of Sept. 30, 2023.

**11. Are providers required to meet the minimum salary for an educator if the educator was not included in the quarterly award statement?**

Providers are required to meet or exceed the minimum salary requirement for all educators employed in an eligible staff type, regardless of whether or not the educator was included in the quarterly award statement, unless the provider has an approved waiver. Providers with an approved waiver are not required to meet the minimum salary requirements, but must pay all eligible staff, regardless of whether or not they were included in the quarterly award statement, salaries that exceed those paid as of Sept.

30, 2023. Additional information can be found in the guide detailing [how staffing changes impact CDF payroll funding formula awards](#).

## 12. How does a provider complete the monitoring process?

Child care providers that participate in the Early Childhood Educator Pay Equity Fund will use DELLT and Smartsheet to submit monitoring documentation to OSSE. OSSE notifies providers when their monitoring window begins and provides instructions and a timeline for completing monitoring.

Providers with questions about when they are supposed to complete the monitoring process should contact [OSSE.ECEPayEquity@dc.gov](mailto:OSSE.ECEPayEquity@dc.gov).

## 13. Why do I have to submit monitoring documentation in two different platforms?

OSSE is using two platforms to collect documentation for monitoring: the Division of Early Learning Licensing Tool, also known as DELLT, and Smartsheet.

OSSE recognizes that using multiple platforms to submit required documentation may create an additional layer of complexity and work for child care providers.

OSSE selected these platforms in an effort to collect data efficiently, given the functionalities and limitations of the current DELLT system, while also ensuring that all platforms used to collect data are secure and protect the privacy of personally identifiable information shared by child care providers about their businesses and staff.

## 14. How will OSSE assess accuracy, completeness and compliance of monitoring documentation submitted by providers?

OSSE will use authoritative data sources including:

- Minimum required salaries for early educators in facilities participating in the Early Childhood Educator Pay Equity Fund, by role and credential;
- Staffing roles as indicated and approved in DELLT;
- The highest credential of staff members as indicated with appropriate attachments and approved in DELLT;
- Staff position changes, documented by staff change forms and/or staff resignation or termination letters submitted in DELLT; and
- Any other relevant policy guidance or documents published by OSSE for the Early Childhood Educator Pay Equity Fund, as appropriate.

## 15. When is a provider found non-compliant?

A provider is found non-compliant in the monitoring process for any of the following non-compliance areas:

- Failure to meet minimum salary requirements for all or some eligible early educators employed during the period under review.

- Failure to maintain up-to-date staff records in DELLT.
- Failure to provide required compliance and compensation documentation for all or some eligible early childhood educators employed during the period under review.
- Failure to complete the observation scheduling survey and/or failure to participate in the observation during the time period under review.
- Failure to submit enrollment and/or tuition data as requested

In the case of a provider with a waiver, non-compliance findings will mean salaries were not higher for some or all eligible educators, the provider failed to participate in technical assistance offered through an OSSE approved technical assistance partner and/or funds were not spent in accordance with the waiver requirements, in addition to the monitoring requirements listed above.

#### **16. What happens to providers found non-compliant?**

If a provider is found non-compliant, the provider will receive a letter of non-compliance with a corrective action plan, which places the provider in a tier of non-compliance based on a review of the submitted monitoring documentation. The provider must complete all of the actions outlined in the Corrective Action Plan by the deadline that is listed in the Corrective Action Plan. If a provider fails to complete the actions outlined in the Corrective Action Plan, OSSE will take the necessary next steps for each tier of non-compliance. See question 17 below for more information on compliance tiers.

#### **17. What are the compliance tiers and what does each mean?**

Providers found to be non-compliant will be categorized into one of three tiers based on their compliance with the Early Childhood Educator Pay Equity Fund provider requirements related to eligible educators' compensation and staff records:

- Substantial Compliance:
  - A provider is compliant with monitoring requirements for at least 90 percent of its eligible educators. Providers must take corrective actions as outlined in the [Amended FY24 Early Childhood Educator Pay Equity Fund Monitoring Policy](#). OR
  - A provider is compliant with all fiscal reporting requirements but missing non-fiscal reporting criteria. Non-fiscal requirements include completing a scheduling survey (CLASS and/or ERS, as applicable) and submitting enrollment and tuition data via the format prescribed by OSSE. Providers must take corrective actions as outlined in the [Amended FY24 Early Childhood Educator Pay Equity Fund Monitoring Policy](#).
- Minimal Compliance:
  - A provider is compliant with monitoring requirements for less than 90 percent of its eligible educators. Providers must take more stringent

corrective actions as outlined in the [Amended FY24 Early Childhood Educator Pay Equity Fund Monitoring Policy](#).

- No Compliance:
  - A provider is compliant with monitoring requirements for less than 90 percent of its eligible educators and has demonstrated no effort towards compliance, including lack of response to communications from OSSE. Providers are subject to the most severe penalties as outlined in the [Amended FY24 Early Childhood Educator Pay Equity Fund Monitoring Policy](#).

The provider should take the actions outlined in their Corrective Action Plan for their compliance tier to avoid the consequences for their non-compliance tier outlined in Section V Communication and Findings of Non-Compliance in the [Amended FY24 Early Childhood Educator Pay Equity Fund Monitoring Policy](#).

#### **18. What happens if a provider does not complete their Corrective Action Plan in the timeframe designed by OSSE?**

Should a provider fail to complete with their Corrective Action Plan in the designated timeframe, OSSE may implement the following actions depending on the provider's identified compliance tier:

- Mandatory participation in a technical assistance session with the monitoring team.
- Identification of a provider's non-compliant status on [MyChildCare.dc.gov](#).
- Exclusion from participation in the Early Childhood Educator Pay Equity Fund in the next fiscal year.
- Recoupment of any funds paid to the provider through any recovery or collection means as outlined in Section VII Recoupment Policy in the [Amended FY24 Early Childhood Educator Pay Equity Fund Monitoring Policy](#).
- Exclusion or permanent barring from participation in the Early Childhood Educator Pay Equity Fund.

#### **19. If a provider disagrees with a finding of non-compliance, can they appeal the determination?**

Providers may appeal a finding of non-compliance by completing a [Request for Non-compliance Review form](#), including documentary evidence supporting their position. Appeals will be reviewed by OSSE, with final determinations made by the Deputy Superintendent of Early Learning.

#### **20. What happens if a provider is terminated from the Early Childhood Educator Pay Equity Fund?**

Providers who are terminated from the program may submit a written appeal to OSSE with documentary evidence. OSSE will review appeal submissions and issue a

determination. All appeal determinations will be approved by the Deputy Superintendent of Early Learning and are final.

**21. How often will providers be monitored?**

OSSE will monitor participating providers at least once a year. Providers may be monitored in any quarter of a fiscal year for which they are participating in the Early Childhood Pay Equity Fund. New providers could be monitored as early as three months following receipt of their first Early Childhood Educator Pay Equity Fund quarterly award payment. OSSE will notify a provider via email when their monitoring window begins and provide instructions and a deadline for completing the monitoring process.

**22. Who should providers contact with questions about the monitoring process?**

For any questions, providers can contact OSSE at [OSSE.ECEPayEquity@dc.gov](mailto:OSSE.ECEPayEquity@dc.gov).