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HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION/K-12
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 683

RELATING TO: Early Education Performance Standards

SPONSOR(S): Representative Chestnut

STATUTE(S) AFFECTED: None

COMPANION BILL(S): SB 128 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:
(1) EDUCATION/K-12
(2) CHILDREN AND FAMILY EMPOWERMENT
(3) EDUCATION (FISCAL)
(4)
(5)

SUMMARY:

The bill defines early childhood education and care programs as the prekindergarten early-intervention program, the Florida First Start program, the subsidized child care program, the Title I program, the Title I migrant program, the prekindergarten handicapped program, and the teenage parent program.

The bill requires the Department of Children and Family Services (CFS) and the Department of Education (DOE) to submit a joint report, outlining the recommended performance standards for early childhood education and care programs, to the President of the Florida Senate and the Speaker of the Florida House of Representatives by October 1, 1997. The bill requires this report to include recommendations for enhanced funding, individual program and provider incentives, increased federal funding, specification of federal waivers, sanctions and local plan procedures.

The bill creates a section of law that would not be placed in the Florida Statutes because it requires an activity of less than one year's duration.

I. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Section 229.591(3), F.S., establishes seven education goals for the state. The first goal, commonly referred to as “Goal 1" and titled “Readiness to Start School,” requires that communities and schools collaborate to prepare children and families for the children’s success in school.

A number of publicly funded programs serve children ages birth to five and provide educational activities for their parents:

- The Prekindergarten Early Intervention Program - designed to provide services to three and four-year-old children who meet certain eligibility requirements.

- The federally funded subsidized child care program - provides care for children from birth through age 12 at hours that accommodate the family’s work schedule.

- Head Start - federal program that prepares children for school; while primarily serving three and four-year-olds, the program also serves younger children through family day care providers.

- Title I - federal education program for children in economically deprived areas; the program is also used to serve preschool children, including migrant children.

- Florida First Start - parent education program for parents with children ages birth to three; it is funded by preschool lottery dollars.

Chapter 411, F.S. requires collaboration between the DOE and CFS to provide early assistance to children who are handicapped or at risk of development delay in order to help the children achieve optimum growth and development. The departments are required to develop a joint strategic plan for early intervention and to establish identically named offices in both departments to oversee the early intervention programs.

The 1996 Legislature passed an abbreviated version of the requirements in this bill in theWork and Gain Economic Self-Sufficiency (WAGES) legislation. Chapter 96-175, Laws of Florida (the WAGES legislation) created a new subsection (3) of s. 230.2305, F.S., requiring the development of a minimum set of performance standards for publicly funded early education and child care programs and a method for measuring the progress of local school districts and central agencies in meeting the desired set of outcomes based on these performance measures. The new subsection requires performance standards to be developed for all levels of program administration, including individual programs and providers, to incorporate appropriate expectations for the type of program and the setting in which care is provided, and to define outcomes consistent with the first state education goal and the efforts within the state to increase the opportunity for welfare recipients to become self-sufficient. The departments have drafted standards but have not yet produced a final version.

The Federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 94-193, establishes the Child Care and Development Fund which brings together four Federal child care subsidy programs and allows the states to design a comprehensive, integrated service delivery system. The new Federal law repeals the former Title IV-A child care programs and combines all child care funding into a combined Child Care and Development Fund Program.

B. EFFECT OF PROPOSED CHANGES:

The bill requires the DOE and CFS to file a joint report to the Senate President and the Speaker of the House by October 1, 1997. The report must include recommendations for enhanced funding, individual program and provider incentives, increased federal funding, specification of federal waivers, sanctions, and local plan procedures.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

Not immediately. However, the bill requires a report that includes recommendations for sanctions against school districts and service districts that fail to establish a plan and make measurable progress.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, the bill requires a joint report by the CFS and DOE. Additionally, the report must propose procedures and guidelines for local joint plans between school boards and health and human services boards.

(3) any entitlement to a government service or benefit?

The bill requires a report recommending incentives to ensure that families receive a specified array of services and benefits, including medical, dental, transportation, and mental health.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

Not applicable.

(2) what is the cost of such responsibility at the new level/agency?

Not applicable.

(3) how is the new agency accountable to the people governed?

Not applicable.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No. However, the bill requires a report recommending incentives for individual programs and providers to ensure that families receive comprehensive services, and specifies that increased payment rates could be an incentive.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

The bill requires a report that recommends incentives for individual programs and providers to ensure that families have access to and receive comprehensive services.

(2) Who makes the decisions?

The CFS and DOE make the decisions as to the required recommendations.

(3) Are private alternatives permitted?

Not applicable.

(4) Are families required to participate in a program?

The language of the bill indicates the joint report should recommend incentives for families to have access to *and receive* comprehensive services.

(5) Are families penalized for not participating in a program?

No.

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

NOTE: The bill is designed to provide specified expectations for use in the process of developing performance standards for several early childhood education programs, care programs, and teenage parent programs.

(1) parents and guardians?

Not applicable.

(2) service providers?

Not applicable.

(3) government employees/agencies?

Not applicable.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Defines early childhood and care programs, requires a joint report, and requires specified recommendations as described above.

Section 2: Provides an effective date of July 1, 1997.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

There may be certain costs attendant upon preparing and disseminating the report.

2. Recurring Effects:

See Fiscal Comments.

3. Long Run Effects Other Than Normal Growth:

   None.

4. Total Revenues and Expenditures:

   See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

   None.

2. Recurring Effects:

   See Fiscal Comments.

3. Long Run Effects Other Than Normal Growth:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

   None.

2. Direct Private Sector Benefits:

   None.

3. Effects on Competition, Private Enterprise and Employment Markets:

   None.

D. FISCAL COMMENTS:

The bill requires a report containing specified recommendations. However, if the recommendations are implemented, there could be a fiscal impact. That impact is indeterminate at this time.

III. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

IV. COMMENTS:

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VI. SIGNATURES:

COMMITTEE ON EDUCATION/K-12:

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