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DATE: April 8, 1999

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
GOVERNMENTAL RULES AND REGULATIONS
ANALYSIS**

BILL #: HB 873

RELATING TO: Child Care

SPONSOR(S): Representative Frankel and others

COMPANION BILL(S): SB 1432 (Similar) and HB 869 (Compare)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) CHILDREN AND FAMILIES YEAS 7 NAYS 0
- (2) COLLEGES & UNIVERSITIES YEAS 8 NAYS 0
- (3) GOVERNMENTAL RULES AND REGULATIONS YEAS 5 NAYS 0
- (4) EDUCATION APPROPRIATIONS
- (5)

I. SUMMARY:

The bill authorizes the establishment of Institutes of Excellence in Infant and Toddler Development at community colleges, public or private colleges and universities to address issues related to school readiness and child development in children age birth to 3 years. The functions of the institutes include:

- ▶ Outreach efforts to include support for professionals, parents, and new and existing training programs;
- ▶ Development of demonstration sites to provide model quality child care environments, quality health care services and screenings, and to implement efforts that identify early language acquisition difficulties; and
- ▶ Development and support of specialized training courses and programs for child care personnel that includes an articulation mechanism among educational institutions and promotion of career advancement.

The bill requires the Legislature, through the General Appropriations Act, to designate initial community colleges and public or private colleges and universities authorized to establish an Institute of Excellence. It also requires institutes to report evaluations to the Secretary of Health and Commissioner of Education. Such evaluations shall include the number of persons receiving services, the number of children evaluated and served, and other measures of performance as approved by the local readiness council.

The Articulation Coordinating Committee is assigned responsibility for conducting a statewide assessment to determine the extent and nature of instruction for those who work or are trained in child care or early childhood education.

Provides an effective date of July 1, 1999.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Participation in an early childhood education program provides preschoolers with skills and enrichment that increases their chances of success in school. Studies demonstrate that participation in high-quality, early childhood education programs has short-term positive effects on IQ and achievement, and long-term positive effects on low-income minority children's school completion.

Currently, three major publicly funded early child care and education programs for young children exist: the subsidized child care program, administered by the Department of Children and Families; the Prekindergarten Early Intervention Program, administered by the Department of Education; and, the Head Start program, administered through various local agencies by contract with the federal government.

Subsidized Child Care

Florida has operated a subsidized child care program for approximately 20 years. Subsidized child care is a state and federally funded program. The purpose of the current subsidized child care program, administered by the Department of Children and Families, as described in s. 402.3015, F.S., is "to provide quality child care to enhance the development, including language, cognitive, motor, social, and self-help skills of children who are at risk of abuse or neglect and children of low-income families." The goal is to promote financial self-sufficiency and life skills for the families of these children. The department subsidizes the cost of child day care services for children under the age of 13 who are:

- Determined to be at risk of abuse and neglect and who are current clients of the department;
- At risk of welfare dependency (e.g., welfare clients, migrants, teen parents, and working families whose family income is less than 100 percent of the federal poverty level); and
- Members of working families whose family income is between 100 and 150 percent of the federal poverty level.

Subsidized child care enrollments increased from 69,185 in June 1996 to 111,150 in July 1998 because of welfare reform efforts. Children of families participating in Florida's Wages Program make up the largest proportion of the subsidized child care enrollments with the state meeting 100 percent of the need for these families. The program's budget for FY 98/99 is \$436,337,719.

Greater emphasis on accountability has placed demands on early childhood programs to assess the progress of children. The performance-based measure approved for child care programs requires that 80 percent of children leaving subsidized child care programs to enter kindergarten be ready for school.

The Department of Children and Families licenses child care facilities and family day care homes. It also maintains a registry of family day care homes that are not subject to licensure. As of July 1998, the department licensed 6,052 child care facilities, 4,771 family day care homes and has registered 3,581 family day care homes. Counties may assume licensing and inspection authority if a county's locally adopted licensing standards meet or exceed state standards.

The professional consensus regarding the screening and assessment of children to determine readiness is still fluid. The trend is to reshape child care to provide a quality readiness experience and to make child care arrangements operate parallel to education programs.

Early Brain Development

The following points summarize key findings of current brain research (Rethinking the Brain, Families and Work Institute, 1997):

- ▶ Human development hinges on the interplay between nature and nurture. Neuroscientists have found that throughout the entire process of development, beginning before birth, the

brain is affected by environmental factors such as nutrition, care, surroundings, and the amount of stimulation that an individual receives.

- ▶ Early care has a decisive and long-lasting impact on development, the ability to learn, and the capacity to regulate one's emotions. Neuroscientists have found that a strong, consistent, secure attachment to a nurturing care giver can have a protective biological function that assists a child to cope with his or her ordinary stress.
- ▶ The human brain has a remarkable capacity to change, but timing is crucial. While learning continues throughout a lifetime, there are optimal periods during which the brain is particularly efficient at specific types of learning.
- ▶ There are times when negative experiences or the absence of appropriate stimulation are more likely to have serious and sustained effects. Conditions that prevent a baby from making a secure attachment with a care giver, prevent healthy stimulation of the child, expose a child to harmful substances or introduce unusual stress are likely to impair the cognitive and social development of the child.

Existing Training and Workforce Education Systems

Workforce education has undergone drastic changes in the past few years. Chapter 98-58, Laws of Florida, implements the majority of recommendations of the Task Force on Workforce Development, which was created in chapter 97-307, Laws of Florida.

Articulation

Chapter 98-58, Laws of Florida, requires the statewide articulation of appropriate workforce development education between school districts and community colleges.

Consistent with the recommendations of the Postsecondary Education Planning Commission (PEPC), private postsecondary institutions are permitted to participate in the statewide course numbering system accommodating the transfer of credits between private institutions and the public postsecondary institutions in the state. The required accreditation is changed from the Southern Association of Colleges and Schools to any regional or national accrediting agency recognized by the United States Department of Education in order to provide broader eligibility for participation.

Funding for new and expanded workforce programs

Chapter 98-58, Laws of Florida, creates the Workforce Development Capitalization Incentive Grant Program to ensure that new or expanded programs are tied to statewide need as identified by the Occupational Forecasting Conference. The Workforce Development Capitalization Grant Program functions as the planning nexus between projections for new or expanded program enrollments and projections of employment demands identified by the Occupational Forecasting Conference. This becomes the basis for the Legislative Appropriation in the General Appropriations Act

Through the Workforce Development Capitalization Incentive Grant process, institutions propose new programs along with expected enrollments and estimated costs. The PEPC, Jobs and Education Partnership, Department of Education, and State Board of Community Colleges, then consider all new program proposals in conjunction with information on statewide need from the Occupational Forecasting Conference and rank them for legislative appropriation.

Other Efforts by the Committee on Children and Families

PCB CF 99-01 passed the committee and is established as HB 869. HB 869 contains the provisions of HB 873.

Articulation Coordinating Committee

The Articulation Coordinating Committee consists of thirteen members appointed by the Commissioner of Education: three members representing the State University System; three members representing the State Community College System; one member representing vocational education; three members representing public schools; one member representing students; one member from the Commissioner's staff who serves as chairman; and one additional member.

Rule 6A-10.024, Florida Administrative Code, sets forth the duties of the Committee. The Committee is directed to:

- ▶ accept continuous responsibility for community college-university-school district relationships, including recommending to the Commissioner plans for school district articulation relationships with community colleges and universities;
- ▶ establish articulation accountability measures and annually collect, analyze, and make recommendations to the Commissioner of Education on the accountability measures;
- ▶ develop suggested guidelines for inter-institutional agreements between public schools, community colleges, and universities to facilitate interaction, articulation, acceleration, and the efficient use of faculty, equipment, and facilities;
- ▶ establish groups of university-community college-school district representatives to facilitate articulation in subject areas;
- ▶ review instances of student transfer and admissions difficulties among universities, community colleges, and public schools;
- ▶ recommend resolutions of issues and recommend policies and procedures to improve articulation system wide;
- ▶ recommend the priority that should be given to research conducted cooperatively by the Divisions of Community Colleges, Universities, and Public Schools with individual institutions;
- ▶ review and make recommendations to institutions for experimental programs which vary from official transfer policy;
- ▶ develop procedures to improve articulation system wide; and
- ▶ collect and disseminate information on successful cooperative programs.

B. EFFECT OF PROPOSED CHANGES:

See section-by-section analysis.

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?

Yes. The State Board of Education is authorized to adopt rules in order for the Commissioner of Education to implement the recommendations of the Articulation Coordinating Committee. Also, the Articulation Coordinating Committee shall recommend rules relating to credit awards.

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

Yes. The bill authorizes community colleges and public or private colleges and universities to establish Institutes of Excellence in Infant and Toddler Development.

The Secretary of Health and the Commissioner of Education must review the requests by community colleges and public or private colleges and universities to establish Institutes of Excellence in Infant and Toddler Development.

Institutes of Excellence in Infant and Toddler Development must perform outreach efforts, develop and implement observation and demonstration sites at community colleges or universities, develop and support specialized training courses and programs in the area of infant and toddler development, and submit to the Secretary of Health and the Commissioner of Education evaluations of progress made.

The Articulation Coordinating Committee is responsible for conducting a statewide assessment to determine the extent and nature of instruction for those who work or are training to work in the fields of child care and early childhood education.

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

No.

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

This bill does not eliminate or reduce an agency or program.

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

N/A.

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

N/A.

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

N/A.

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.

- 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:
This bill does not purport to provide services to families or children.
 - (1) Who evaluates the family's needs?
N/A.
 - (2) Who makes the decisions?
N/A.
 - (3) Are private alternatives permitted?
N/A.
 - (4) Are families required to participate in a program?
N/A.
 - (5) Are families penalized for not participating in a program?
N/A.
- 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:

This bill does not create or change a program providing services to families or children.

- (1) parents and guardians?

N/A.

- (2) service providers?

N/A.

- (3) government employees/agencies?

N/A.

D. STATUTE(S) AFFECTED:

Creates a new section.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Creates Institutes of Excellence in Infant and Toddler Development to address issues related to school readiness and child development in children age birth to 3 years. The functions of the institutes include:

- ▶ Outreach efforts to include support for professionals, parents, and new and existing training programs,
- ▶ Development of demonstration sites to be used by the community, and
- ▶ Development and support of specialized training courses and programs for child care personnel that includes an articulation mechanism among educational institutions and promotes career advancement.

The bill requires that the initial designation of Institutes of Excellence be provided by the Legislature through the General Appropriations Act. Subsequent requests for designation are then reviewed by the Secretary of Health and Commissioner of Education for recommendation to the Legislature. Institutes must report to the Secretary of Health and Commissioner of Education evaluations which include the number of persons receiving services, the number of children evaluated and served, and other measures of performance as approved by the local readiness council.

The bill also requires the Articulation Coordinating Committee to conduct a statewide assessment to determine the extent and nature of instruction for those working or training to work in the fields of child care and early childhood education. Additionally, the Committee must recommend rules that will provide for credit to be awarded to those who enroll in and complete courses offered by private and public providers of early childhood instruction.

Section 2. Provides an effective date of July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

Some requests for non-recurring funds for specific projects are anticipated and the fiscal impact would be determined through the appropriations process. According to the Department of Education, estimated costs relating to the assessment the Articulation Coordinating Committee must conduct are between \$10,000 and \$20,000.

2. Recurring Effects:

Some requests for recurring funds to operate centers can be anticipated and the fiscal impact would be determined through the appropriations process.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

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:

Families with infants and toddlers should benefit from the services provided by the institutes.

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

None.

D. FISCAL COMMENTS:

House Bill 873 provides that funding be included annually in the General Appropriations Act to provide grants for those Institutes of Excellence specifically authorized by the Legislature to be established. Funding for Institutes of Excellence that are created as part of child development training centers is not to supplant funding provided according to s. 240.382, F.S., or to be used for operational costs or facilities currently funded through s. 240.382, F.S.

IV. 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.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce revenue raising authority.

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.

V. COMMENTS:

The following comments are provided by the Committee on Governmental Rules and Regulations: Amendment 1(adopted by the House Committee on Colleges and Universities) traveling with the bill removes the State Board of Education's authority to make rules to implement, via the Commissioner of Education, the recommendations of the Articulation Coordinating Committee.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The House Committee on Children & Families adopted a clarifying amendment inserting "new and" on page 3, line 18. This amendment makes it clear that outreach efforts by the Institutes of Excellence in Infant and Toddler Development should be provided to new as well as existing community training and technical assistance programs.

On March 31, 1999, the House Committee on Colleges & Universities adopted two amendments that are currently traveling with the bill. The first amendment no longer requires the Articulation Coordinating Committee to conduct a statewide assessment relating to the instruction of child care providers. Instead, the Commissioner of Education, in conjunction with the State School Readiness Governing Board, the Postsecondary Education Planning Commission, and the Education Standards Commission must conduct a statewide assessment relating to the instruction of child care providers. This amendment also requires the Articulation Coordinating Committee to establish an articulated career path for readiness-related professions. The second amendment revises the references throughout the bill relating to the importance of the development of children from birth to age 3 to include children from birth to age 5.

VII. SIGNATURES:

COMMITTEE ON CHILDREN AND FAMILIES:

Prepared by:

ROBERT S. COX

Staff Director:

ROBERT BARRIOS

AS REVISED BY THE COMMITTEE ON COLLEGES & UNIVERSITIES:

Prepared by:

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AS FURTHER REVISED BY THE COMMITTEE ON GOVERNMENTAL RULES AND REGULATIONS:

Prepared by:

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