

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2088

SPONSOR: Fiscal Policy Committee and Senator Cowin

SUBJECT: School Readiness

DATE: April 14, 2000 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harkey</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/4 amend.</u>
2.	<u>McKee</u>	<u>Hadi</u>	<u>FP</u>	<u>Favorable/CS</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill makes technical statutory changes that are necessary for implementation of the School Readiness Act of 1999. The bill amends s. 411.01, F.S., to revise the composition of the Florida Partnership for School Readiness and school readiness coalitions and to limit terms of appointed coalition members. The bill grants coalition members exemption from sovereign immunity under s. 768.28, Florida Statutes.

The bill amends s. 230.2305(6), F.S., to authorize prekindergarten early intervention funds to be allocated to school readiness coalitions rather than school districts.

The bill repeals an obsolete provision, paragraph (a) of subsection (6) of section 402.3015, F.S., which requires each district of the Department of Children and Family Services to select community child care coordinating agencies through a competitive bid.

This bill substantially amends ss. 230.2305 and 411.01, and repeals s. 402.3015 (6)(a), Florida Statutes.

II. Present Situation:

The 1999 Legislature enacted the School Readiness Act (ch. 99-357, L.O.F.) which created the Florida Partnership for School Readiness to oversee a system to prepare children for school. The partnership is responsible for adopting and coordinating programmatic, administrative, and fiscal policies and standards for all school readiness programs. The members of the partnership are the Lieutenant Governor or his designee, the Commissioner of Education, Secretary of Children and Family Services, Secretary of Health, chair of the WAGES program board of directors, chair of the Child Care Executive Partnership board, and 10 private citizens who are business, civic, and community leaders.

The school readiness system is governed locally by coalitions of 18 to 25 individuals, representing both the public and the private sectors. On December 16, 1999, the Partnership approved 57 school readiness coalitions, representing every county in Florida. Coalitions are writing school readiness plans that they will submit to the Partnership for approval. Each coalition's school readiness program will have available to it state, federal, local, and lottery funds including those for the Florida First Start Program, Even Start literacy programs, prekindergarten early intervention programs, Head Start programs, migrant prekindergarten programs, Title I programs, subsidized child care programs, and teen parent programs. Some district administrators for the Department of Children and Family Services are serving on several coalitions.

The prekindergarten early intervention program, established in s. 230.2305, F.S., is designed to serve economically disadvantaged 3- and 4-year-olds, the majority of whom must be 4 years of age, in educational programs administered by district school boards. This program is funded by a direct state appropriation of lottery dollars. School districts may spend the funds they receive to implement and conduct a prekindergarten program or to contract with public or non-public entities to serve eligible children. School readiness coalitions with approved plans will receive these funds.

Section 402.3015, F.S., governs the subsidized child care program. The Department of Children and Family Services within each district of the department must contract for the provision of subsidized child care services. At least once every 3 years, each district must select community child care coordinating agencies through a competitive bid. This requirement is not appropriate under the School Readiness Act, because school readiness coalitions will coordinate school readiness programs and competitively procure school readiness services from providers .

III. Effect of Proposed Changes:

This bill makes technical statutory changes that are necessary for implementation of the School Readiness Act of 1999. The bill amends s. 411.01, F.S., to revise the composition of the Florida Partnership for School Readiness and school readiness coalitions. In keeping with changes in workforce development, the chairperson of the WAGES Program State Board of Directors is replaced by the chairperson of the Board of Directors of Workforce Florida, Inc. on the Partnership for School Readiness. The Commissioner of Education, the Secretary of Children and Family Services, and the Secretary of Health are each allowed to appoint a designee to attend meetings of the Partnership for School Readiness. In the event that the Lieutenant Governor, who is permitted a designee under current law, or agency head and his or her designee both attend a meeting, only one of them may vote.

Two members of local school readiness coalitions are authorized to appoint designees to serve on school readiness coalitions. A Department of Children and Family Services District Administrator may appoint a designee who is authorized to make decisions on behalf of the department, and a district superintendent of schools may appoint a designee who is authorized to make decisions on behalf of the district. When a district administrator for the Department of Children and Family Services or a district superintendent of schools appoints a designee to a school readiness coalition, the designee will be the voting member of the coalition. Any member attending in place of the designee, including the district administrator or superintendent, will have no voting privileges.

The bill limits service by appointed members of coalitions to a maximum of two terms. When a vacancy occurs in an appointed position, the coalition must advertise the vacancy.

The bill grants coalition members the same exemption from sovereign immunity that is granted to members of the Partnership. For purposes of tort liability, the members of the coalition and its employees will be governed by s. 768.28, Florida Statutes.

To clarify terminology regarding payment to providers of school readiness programs, the bill replaces the term reimbursement rate with the term payment. While child care providers are reimbursed, prekindergarten programs receive payment at intervals during the school year. Payment is a term that covers both ways of paying providers.

The bill amends s. 230.2305(6), F.S., to authorize prekindergarten early intervention funds to be allocated to school readiness coalitions rather than school districts. The Florida Partnership for School Readiness will annually designate the maximum amount to be spent per child in the prekindergarten program and the minimum grant that each coalition will receive. The Department of Education is authorized to distribute prekindergarten early intervention funds to school districts if the local school district is authorized by the local school readiness coalition to be the provider.

The bill repeals paragraph (a) of subsection (6) of section 402.3015, F.S., thereby deleting the requirement that, at least once every three years, each district of the Department of Children and Family Services must select community child care coordinating agencies through a competitive bid. However, at least once every 3 years beginning July 1, 2001, each coalition must follow competitive procurement requirements of s. 287.057 for school readiness programs.

The bill directs the Governor, at the request of the Partnership and subject to the requirements of s. 216.177, F.S., to request approval for the transfer of funds for school readiness programs from the Department of Children and Families and the Department of Education to the Partnership. No school readiness coalition may receive any increase in such funds unless its plan has been conditionally approved by the Partnership. Those coalitions whose plans have been conditionally approved are to use any increase in funds only to increase the number of children served. Those coalitions whose plans have been fully approved by the Partnership may use up to 5 percent of their total allocation for other purposes, as authorized by the Partnership.

No later than July 1, 2000, positions currently assigned to the subsidized child care program in the Department of Children and Families and to the Prekindergarten Early Intervention program in the Department of Education that are recommended by the Partnership and approved by the Governor are to be physically co-located within the office of the Partnership. Prior to the move, an interagency agreement guiding implementation of the co-location is to be signed by the Commissioner of Education, the Secretary of the Department of Children and Family Services, and the chairman of the Partnership.

Effective July 1, 2000, no state funding is to be provided to support activities of the State Coordinating Council for School Readiness.

The bill will take effect upon becoming a law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Prekindergarten early intervention funds, which total \$103.8 million in the Senate budget for FY 2000-01, will be allocated to school readiness coalitions rather than school districts. The Florida Partnership for School Readiness will annually designate the maximum amount to be spent per child in the prekindergarten program and the minimum grant that each coalition will receive.

The Department of Education will have the authority to distribute funds to school districts if the school district is authorized by the local school readiness coalition plan to be the provider.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.