

STORAGE NAME: h0051.edk

DATE: September 3, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION K-12
ANALYSIS**

BILL #: HB 51

RELATING TO: Schools/Kindergarten Admission

SPONSOR(S): Representative Diaz de la Portilla

COMPANION BILL(S): None

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

- (1) EDUCATION K-12
 - (2) GOVERNMENTAL RULES AND REGULATIONS
 - (3) EDUCATION APPROPRIATIONS
 - (4)
 - (5)
-

I. SUMMARY:

HB 51 allows children who turn five years old after September 1, 2001, but prior to January 1, to take a school readiness uniform screening to assess readiness for kindergarten. This program is implemented on a one month per year basis for a period of four years. If a child is assessed as ready to enter kindergarten he or she may enroll at that time. If a child is assessed as not ready to enter kindergarten, he or she is subject to the admission requirements of section 232.01(2), F.S., and must wait until the following school year to enroll.

The Florida Department of Education (DOE) projects that there will be 175,699 children enrolled in Florida's kindergarten classrooms in the 1999-2000 school year. By phasing in this program on a one month per year basis, an estimated maximum of 16,625 students statewide, would be eligible to take the school readiness uniform screening. Not all children eligible to take the screening are expected to take the uniform screening. Of those who take the uniform screening, not all will be assessed as ready for kindergarten. The number of students entering kindergarten at a younger age is estimated to be substantially fewer than the 16,625 estimated maximum.

HB 51 also allows all children from birth to the age of kindergarten eligibility, who meet the criteria in s. 411.01(6), F.S., admission into the school readiness program of their choice pursuant to s. 411.01, F.S.

Fiscal impact is indeterminate at this time. However, it is expected to be negligible.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

History of Kindergarten Enrollment

The age requirement for kindergarten enrollment was established in 1965. Children who had attained five years of age on or before January 1 of the school year were eligible for admission into public kindergartens during that school year.

In 1979, the Legislature passed Ch. 79-288, L.O.F. which changed the kindergarten enrollment date from January 1 to September 1. This change was phased in on a one month per year basis for a period of four years. This law also allowed a child who turned five between September 1 and January 1 of that school year to enter kindergarten if they were determined to be ready for kindergarten.

In 1983, the Legislature passed Ch. 83-324, L.O.F., which removed the date requirements previously established. Permission to enter kindergarten if the child turned five years old after September 1 of that school year was not specifically granted.

In 1997, the Legislature passed HB 137 (Ch 97-190, L.O.F.). Included in this bill were specific technical changes to kindergarten enrollment. The bill repealed s. 232.04, F.S., and transferred kindergarten attendance language into s. 232.01, F.S.

In 1999, the Legislature passed Ch. 99-357, L.O.F., which established the Florida Partnership for School Readiness. The bill created s. 229.567, F.S., which requires the Department of Education to adopt the school readiness uniform screening developed by the Florida Partnership for School Readiness. This uniform screening or assessment will take the place of the current unstandardized assessment.

Requirements for Kindergarten Attendance

Section 232.01, F.S., provides that children who attain five years of age on or before September 1 of the school year are eligible for admission to public kindergartens during that school year.

Readiness Screening

Currently, each state school district uses an unstandardized assessment to determine the readiness level of a child when he or she enters kindergarten. The readiness assessment is not used to preclude or inhibit admission.

In 1999, the Florida Partnership for School Readiness was established to create a school readiness uniform screening to be adopted by the Department of Education. This screening will become the new readiness assessment to be administered to all children upon entrance into kindergarten. By July 1, 2000, the partnership must prepare and submit the uniform screening, which must prove objective data regarding the following expectations for school readiness. The uniform screening must, at a minimum, include each child's:

- Immunizations and other health requirements as necessary.
- Physical development.
- Compliance with rules, limitations, and routines.
- Ability to perform tasks.
- Interactions with adults.
- Interactions with peers.
- Ability to cope with challenges.
- Self-help skills.
- Ability to express his or her needs.
- Verbal communication skills.
- Problem solving skills.
- Ability to follow verbal directions.
- Demonstration of curiosity, persistence, and exploratory behavior.
- Interest in books and other printed materials.
- Ability to pay attention to stories.
- Participation in art and music activities.
- Ability to identify colors, geometric shapes, letters of the alphabet, numbers, and spatial and temporal relationships.

Current Enrollment

The Florida Department of Education projects that 175,699 children will be enrolled in Florida's kindergartens during the 1999-2000 school year.

Other State's Requirements for Enrollment into Kindergarten

The Council of Chief State School Officers identifies 16 states (including Florida) with provisions requiring a child to attain five years of age by September 1. Two states, Connecticut and Vermont, require a child to be five years old on or before January 1. Eighteen states have a kindergarten enrollment cut-off date that is between September 1 and January 1. Seven states have a cut-off date prior to September 1. The chart below outlines, in chronological order, the dates on which a child must have had their fifth birthday in order to enroll in kindergarten.

STATE	KINDERGARTEN ENTRANCE CUT OFF DATE
INDIANA	June 1
MISSOURI	August 1
ALASKA	August 15
DELAWARE	August 31
KANSAS	August 31
NORTH DAKOTA	August 31
WASHINGTON	August 31
ALABAMA	September 1
ARIZONA(1994 data)	September 1
FLORIDA	September 1
GEORGIA(1996 data)	September 1
IDAHO	September 1
ILLINOIS	September 1
MINNESOTA	September 1
MISSISSIPPI	September 1
NEW MEXICO	September 1
OKLAHOMA	September 1 ⁽¹⁾
OREGON	September 1
SOUTH CAROLINA (1996 data)	September 1
SOUTH DAKOTA	September 1
TEXAS	September 1
WEST VIRGINIA	September 1
WISCONSIN	September 1
UTAH	September 2
MONTANA	September 10
ARKANSAS	September 15

STATE	KINDERGARTEN ENTRANCE CUT OFF DATE
IOWA	September 15
WYOMING	September 15
LOUISIANA	September 30
VIRGINIA	September 30
KENTUCKY	October 1
MAINE	October 15
NEBRASKA	October 15
NORTH CAROLINA	October 15 ⁽²⁾
MICHIGAN	December 1
NEW YORK (1996 data)	December 1
CALIFORNIA	December 2
DIST. OF COLUMBIA(1996 data)	December 31
HAWAII	December 31
MARYLAND	December 31
RHODE ISLAND	December 31
CONNECTICUT	January 1
VERMONT(1996 data)	January 1
COLORADO	Local Education Authority (LEA) Option
MASSACHUSETTS	LEA Option
NEW HAMPSHIRE	LEA Option
NEW JERSEY (1996 data)	LEA Option
PENNSYLVANIA	LEA Option

NOTES:

(1) 4 year olds allowed to attend kindergarten

(2) 4 year olds may go to kindergarten if birthday reached by April 15 of preceding school year.

***represents change since 1995

Readiness Program

The School Readiness Act (Ch. 99-357, L.O.F.) was passed during the 1999 session. The intent of this act was to establish programs that effectively prepare at-risk children for school. The School Readiness Act states that a school readiness program must be established for children under the age of kindergarten eligibility who meet the following criteria:

- Children determined to be at risk of abuse, neglect, or exploitation and who are currently clients of the Children and Family Services Program Office of the Department of Children and Family Services.
- Children at risk of welfare dependency.
- Economically disadvantaged children (children of working families whose family income does not exceed 150 percent of the federal poverty level).
- Three-year-old children and four-year-old children who have disabilities.
- Children who meet the federal and state requirements for eligibility for the migrant preschool program but who do not meet the criteria of economically disadvantaged.

The school readiness program is to be phased in, pursuant to s. 411.01, F.S. When the program is implemented, it will phase out the prekindergarten early intervention programs as provided for in s. 230.2305, F.S., and preschool programs as provided for in s. 228.061, F.S.

B. EFFECT OF PROPOSED CHANGES:

Requirements for School Attendance

HB 51 allows children who turn five years old after September 1, 2001, but prior to January 1, to take a school readiness uniform screening to determine readiness for kindergarten. This program is implemented on a one month per year basis for a period of four years. If a child is assessed as ready to enter kindergarten he or she may enroll at that time. If a child is assessed as not ready to enter kindergarten, he or she is subject to the admission requirements of section 232.01(2), F.S., and must wait until the following school year to enroll.

During the first year of the program, children who turn five after September 1, 2001, but before October 1, 2001, are eligible to take a readiness assessment. They are allowed to start school in the fall of 2001 if they are assessed as ready. In the following year, children born before November 1 are eligible. In the third year, students born before December 1 are eligible. In the fourth year, students born before January 1 are allowed to take the uniform screening and start school, if assessed as ready.

Enrollment

The Department of Education projects that by phasing in this program on a one month per year basis, an approximate maximum of 16,625 students would be eligible to take the school readiness uniform screening.

Not all children eligible to take the uniform screening are expected to take the uniform screening. Of those who take the uniform screening, not all will be assessed as ready for kindergarten. The number of students entering kindergarten at a younger age is estimated to be substantially fewer than the 16,625 estimated maximum.

By implementing this alternative kindergarten entrance option during the 2001-2002 school year, school districts will be given a year to estimate and prepare for the small estimated increase in kindergarten students the next year.

Readiness Program

HB 51 allows all children from birth to the age of kindergarten eligibility who meet the eligibility criteria in s. 411.01(6), F.S., to be eligible for admission to the school readiness program of their choice pursuant to s. 411.01, F.S.

This language conforms to the School Readiness legislation passed in 1999 and was included in the bill to indicate that the prekindergarten early intervention programs provided for in s. 228.061, F.S., and the preschool program provided for in s. 228.061, F.S., will be phased out and the readiness programs in s. 411.01, F.S., will take their place.

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 Department of Education is required to adopt rules to implement the alternative kindergarten entrance option.

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

Yes. School districts are to administer the school readiness uniform screening to children whose parents choose to pursue the alternative entrance option. The new

uniform screening administration should have a minimal impact on the school districts because readiness assessments are already required to be administered to all students enrolled in kindergarten.

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

No.

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

An agency or program is not eliminated or reduced.

(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?

The bill affords families an alternative entrance option for their children to attend kindergarten.

- 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:

The 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:

- (1) parents and guardians?

Yes. Parents of children who turn five years old between certain dates are given the option of deciding whether or not their child takes the school readiness uniform screening.

- (2) service providers?

The designated school district representative may be responsible for assessing readiness and administering the uniform screening.

(3) government employees/agencies?

The designated school district representative may be responsible for assessing readiness and administering the screening.

D. STATUTE(S) AFFECTED:

Amends s. 232.01, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends s. 232.01, F.S., to phase in a program over a four year period on a one month per year basis for allowing admission into kindergarten for any child whose fifth birthday falls after September 1 but before January 1 and has been assessed as ready for kindergarten through a school readiness uniform screening. States any child who is assessed as not ready for kindergarten is subject to current admission criteria.

Requires the Department of Education to adopt rules to implement the provisions of this program.

Provides that all children from birth to the age of kindergarten admission who meet the eligibility criteria in s. 411.01(6), F.S., are eligible for admission to the school readiness of their choice pursuant to s. 411.01.

Section 2: Provides an effective date of July 1, 2000.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

Negligible. School districts must provide the school readiness uniform screening to all kindergarten enrollees. The provisions of this bill extend the uniform screening to children who otherwise would not be eligible to enroll because of age requirements. Estimates identify about 16,625 children who would be eligible for enrollment because of the provisions of this bill. Of the 16,625, not all would choose to take the uniform screening and not all would be assessed ready.

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:

Negligible. School districts must provide the school readiness uniform screening to all kindergarten enrollees. The provisions of this bill extend the uniform screening to children who otherwise would not be eligible to enroll because of age requirements. Estimates identify about 16,625 children who would be eligible for enrollment because of the provisions of this bill. Of the 16,625, not all would choose to take the uniform screening and not all would be assessed as ready.

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:

The department states that the majority of children whose parents seek early entry to kindergarten are those whose children are in "private" pre-school programs. This may result in an increased need for private kindergarten schools and programs.

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

None.

D. **FISCAL COMMENTS:**

None.

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 the authority of counties or municipalities to raise revenue.

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

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

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

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VII. SIGNATURES:

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