

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: CS/SB 1116

INTRODUCER: Appropriations Committee and Senator Abruzzo

SUBJECT: Literacy Jump Start Pilot Project

DATE: April 23, 2015

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	<b>Favorable</b>
2.	Sikes	Elwell	AED	<b>Favorable</b>
3.	Sikes	Kynoch	AP	<b>Fav/CS</b>

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1116 requires the Office of Early Learning (OEL) to establish a 5-year Literacy Jump Start Pilot Project in St. Lucie County to provide emergent literacy instruction to low-income, at-risk children. OEL must select an organization to administer the pilot project and one or more municipalities to participate in the project. Both the organization and the municipalities must be located in St. Lucie County.

The Department of Education estimates an annual minimum cost of \$54,560 per facility for the Literacy Jump Start Pilot Project. Senate Bill 2500, the Senate's Fiscal Year 2015-2016 proposed General Appropriations Bill, does not include an appropriation for the Literacy Jump Start Pilot Project.

The bill provides an effective date of July 1, 2015.

**II. Present Situation:**

The Office of Early Learning (OEL), which is within the Office of Independent Education and Parental Choice and accountable to the Commissioner of Education, administers the Voluntary Prekindergarten Education (VPK) Program and the School Readiness program at the state level.<sup>1</sup> The Florida Department of Children and Families (DCF) Office of Child Care Regulation

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<sup>1</sup> Section 1001.213, F.S.

regulates child care providers who have early learning programs because DCF is the agency responsible for the state's child care provider licensing program.<sup>2</sup> Both programs are administered at the county or regional level by early learning coalitions (ELC).<sup>3</sup>

### ***Voluntary Prekindergarten Education Program***

The VPK program is available to each child residing in the state who is four years old on or before September 1 of the school year, and the program remains available to the child until the child is eligible for admission to public school kindergarten or is admitted to kindergarten, whichever occurs sooner.<sup>4</sup> Parents may choose either a school-year or summer program offered by a public school or private prekindergarten provider, or a specialized instructional service program for a child with disabilities who is eligible for such a program.<sup>5</sup> A parent enrolling a child in the VPK program must complete and submit an application to the early learning coalition (ELC),<sup>6</sup> not the individual program provider, which oversees the program.<sup>7</sup>

The VPK program may be offered by either a private prekindergarten provider or a public school. Local oversight of individual VPK program providers is split with ELCs providing administration over programs delivered by private prekindergarten providers and school districts administering public school VPK programs.<sup>8</sup>

Children enrolled in the VPK Program receive instruction in emergent literacy and mathematics skills necessary for kindergarten readiness.<sup>9</sup> Among other things, Florida law requires OEL to adopt child performance standards and minimum standards for emergent literacy training courses for prekindergarten instructors. The performance standards and emergent literacy training courses must encompass oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.<sup>10</sup>

### ***School Readiness Program***

The School Readiness program provides subsidized child care services and early childhood education for children of low-income families, children in protective services who are at risk of abuse, neglect, or abandonment, and children with disabilities.<sup>11</sup> The School Readiness program is a state-federal partnership between the OEL and the Office of Child Care of the United States

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<sup>2</sup> See ss. 402.301-402.319, F.S.; Parts V and VI, ch. 1002, F.S.

<sup>3</sup> Sections 1002.83-1002.85, F.S. There are currently 31 ELCs, which is the maximums permitted by law. Section 1002.83(1), F.S.; see Florida's Office of Early Learning, *Coalitions*, <http://www.floridaearlylearning.com/coalitions.aspx> (last visited March 9, 2015).

<sup>4</sup> Section 1002.53, F.S.

<sup>5</sup> Section 1002.53(3), F.S. To be eligible for a specialized instructional services program, a child must be evaluated and determined to be eligible, have a current individual educational plan developed by the local school board, and be eligible under s. 1002.66, F.S., for the program. Section 1002.53(3)(d), F.S.

<sup>6</sup> An "early learning coalition" or "coalition" is described in s. 1002.83, F.S. Section 1002.51(4), F.S. Throughout the 67 counties, there are to be 31 or fewer early learning coalitions to provide access to enhancement services at the local level. Each coalition must consist of 15-30 members and have members who meet specific requirements described in statute. See s. 1002.83, F.S.

<sup>7</sup> Section 1002.53(4), F.S.

<sup>8</sup> See ss. 1002.53(6), 1002.55(1), 1002.61(1), and 1002.63(1), F.S.

<sup>9</sup> Section 1002.67(1)(a), F.S.

<sup>10</sup> Sections 1002.59(1) and 1002.67(1), F.S.

<sup>11</sup> Section 1002.87, F.S.; see s. 1002.81(1), F.S. (defining what it means to be an "at-risk child").

Department of Health and Human Services.<sup>12</sup> The School Readiness program receives funding from a mixture of state and federal sources, including the federal Child Care and Development Fund (CCDF) block grant, the federal Temporary Assistance for Needy Families block grant, and general revenue and other state funds.<sup>13</sup> The program is administered by ELCs.<sup>14</sup>

Additional publicly funded early learning programs for low-income, at-risk children offered in Florida include Head Start,<sup>15</sup> Early Head Start<sup>16</sup>, Migrant and Seasonal Head Start<sup>17</sup>, and Home Instruction for Parents of Preschool Youngers<sup>18</sup>.

### III. Effect of Proposed Changes:

The bill requires the Office of Early Learning (OEL) to establish a 5-year Literacy Jump Start Pilot Project in St. Lucie County to provide emergent literacy instruction to low-income, at-risk children. OEL must select an organization to administer the pilot project and one or more municipalities to participate in the project. Both the organization and the municipalities must be located in St. Lucie County.

The local organization selected by the OEL must be a not-for-profit corporation, qualified as charitable under s. 501(c) (3) of the Internal Revenue Code, which provides training to parents to assist their children with success in school.<sup>19</sup> The bill identifies the Parent Academy of St. Lucie County as an example of a qualifying organization to implement the project.<sup>20</sup>

Emergent literacy instruction must be delivered in a subsidized housing unit located within an eligible municipality to facilitate parent and child access to services. The organization may coordinate with the St. Lucie County Health Department to provide basic health screening and immunization in conjunction with emergent literacy instruction. This collaboration is likely to provide a means of community outreach for the purpose of improving the availability and effective delivery of emergent literacy<sup>21</sup> instruction.

The OEL requires all child care personnel serving children in the pilot project to meet a minimum standard of having good moral character as determined by the requirement of level 2 employment screening.<sup>22</sup> These requirements apply to owners, operators, employees, and

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<sup>12</sup> 42 U.S.C ss. 618, 9858-9858q; 45 C.F.R. ss. 98, 99; Part VI, ch. 1002, F.S.; U.S. Department of Health and Human Services, *Office of Child Care Fact Sheet*, available at [http://www.acf.hhs.gov/sites/default/files/assets/FS\\_OCC\\_0.pdf](http://www.acf.hhs.gov/sites/default/files/assets/FS_OCC_0.pdf).

<sup>13</sup> Specific Appropriations 78A and 79, s. 2, ch. 2013-40, L.O.F.; see also U.S. Department of Health and Human Services, *Office of Child Care Fact Sheet*, available at [http://www.acf.hhs.gov/sites/default/files/assets/FS\\_OCC\\_0.pdf](http://www.acf.hhs.gov/sites/default/files/assets/FS_OCC_0.pdf).

<sup>14</sup> Sections 1002.83-1002.85, F.S. There are currently 31 ELCs, which is the maximum permitted by law. Section 1002.83(1), F.S.; see Florida's Office of Early Learning, *Early Learning Coalition Directory* (March 9, 2015), available at <http://www.floridaearlylearning.com/coalitions.aspx>.

<sup>15</sup> 42 U.S.C. s. 9831 et. seq.

<sup>16</sup> 42 U.S.C. s. 9840a.

<sup>17</sup> See e.g., 42 U.S.C. s. 9832(17).

<sup>18</sup> Specific Appropriations 87, s. 2, ch. 2014-51, L.O.F.

<sup>19</sup> Section 501(c)(3) of the Internal Revenue Code.

<sup>20</sup> Parent Academy of St. Lucie County, <http://www.parentacademyslc.org/> (last visited March 9, 2015).

<sup>21</sup> The term "emergent literacy" means a variety of early behaviors and skills associated with successful reading and writing development.

<sup>22</sup> Section 402.305(2), F.S.

volunteers working in a child care facility.<sup>23</sup> The organization must certify in writing to OEL its compliance with screening requirements before OEL issues state funds for the pilot project. Additionally, state funds may not be spent on screening and instructors must complete an OEL-approved emergent literacy training course.

In order to participate in the pilot project a child must meet the following criteria:

- Two or three years of age;
- Eligible for a federally subsidized child care program; and
- Be a member of a family that is economically disadvantaged<sup>24</sup> and reside in locally or federally subsidized housing.

The Literacy Jump Start Pilot Project differs from traditional VPK programs in that it allows low-income, at-risk 2-3 year old children to participate in the pilot project. The eligibility criteria for the Literacy Jump Start Pilot Project varies from the School Readiness Program and may likely allow for the participation of additional children.

The organization must submit an annual accountability report to the Office of Early Learning, the Early Learning Coalition of St. Lucie County, the Governor, the President of the Senate, and the Speaker of the House of Representatives. Among other things, the report must document:

- Expenditures of state funds and other sources of funding received for emergent literacy instruction;
- Municipalities selected and names of officers identified for participation;
- The number of children receiving emergent literacy instruction in each municipality;
- Data regarding health screening and immunization services provided to children; and

The bill requires the OEL to allocate funds for the implementation of the pilot project.

The bill provides an effective date of July 1, 2015.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

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<sup>23</sup> See s. 402.302(3), F.S. (definition of child care personnel).

<sup>24</sup> For purposes of SB 1116, “economically disadvantaged” means having a family income that does not exceed 150 percent of the federal poverty level.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

Under CS/SB 1116, the Department of Education estimates an annual minimum cost of \$54,560 per facility for the Literacy Jump Start Pilot Project.<sup>25</sup> Senate Bill 2500, the Senate's Fiscal Year 2015-2016 proposed General Appropriations Bill, does not include an appropriation for the Literacy Jump Start Pilot Project. The Legislature appropriated \$110,000 to fund the pilot project for the 2013-2014 fiscal year and \$200,000 for the pilot project for the 2014-2015 fiscal year. Both appropriations were vetoed by the Governor.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an undesignated section of Florida law.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Appropriations on April 21, 2015:**

The committee substitute clarifies language requiring funds provided for implementing the pilot project may only be used for purposes expressly provided in the bill, without specifically referencing religious indoctrination.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>25</sup> Florida Department of Education, *2015 Agency Legislative Bill Analysis* for SB 1116 (February 24, 2015).