

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1229 Committee on Early Grade Success

**SPONSOR(S):** Grall and others

**TIED BILLS:** IDEN./SIM. **BILLS:** SB 806

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	15 Y, 0 N	McAlarney	Duncan
2) PreK-12 Appropriations Subcommittee	14 Y, 0 N	Seifert	Potvin
3) Education Committee			

### SUMMARY ANALYSIS

HB 1229 creates the Committee on Early Grade Success, within the Department of Education to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Education Program, and the Kindergarten Readiness Assessment.

The 17-member committee's proposal must include legislative recommendations for the design and implementation of a coordinated child assessment system, including, but not limited to:

- The purpose of a child assessment, with a focus on developmentally appropriate learning gains.
- Attributes for tool selection that provide guidance on procurement policies.
- An implementation schedule and protocols, including the frequency of data collection and a timeline for training to ensure reliability of the system.
- The methodology for collecting and analyzing data that define reporting requirements.
- A budget for the system, including cost analyses for purchasing materials and the necessary technology, training to ensure reliability, and data system management.
- Considerations for student privacy and tracking child development over time.

Members of the committee serve without compensation and to reduce costs, the committee must meet at least three times by teleconference or other electronic means, if possible

The University of Florida Lastinger Center for Learning shall provide the committee with staff necessary to assist the committee in the performance of its duties.

The committee must submit a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2017. Once the report is submitted, the committee expires. The State Board of Education is granted the authority to adopt rules to implement and administer the provisions in the bill.

There is no fiscal impact to this bill.

The bill provides an effective date of July 1, 2017.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

###### School Readiness Program

The School Readiness Program<sup>1</sup> provides subsidies for 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>2</sup> The School Readiness Program offers financial assistance for child care to support working families and children to develop skills for success in school and provides developmental screening and referrals to health and education specialists where needed. These services are provided in conjunction with other programs for young children such as Head Start, Early Head Start, and the Voluntary Prekindergarten Education (VPK) Program.<sup>3</sup>

The School Readiness Program is a state-federal partnership between Florida's Office of Early Learning (OEL)<sup>4</sup> and the Office of Child Care of the United States Department of Health and Human Services.<sup>5</sup> It is administered by early learning coalitions (ELC) at the county or regional level.<sup>6</sup> Florida's OEL administers the program at the state level, including statewide coordination of the ELCs.<sup>7</sup>

The Florida Department of Children and Families' Office of Child Care Regulation (DCF), as the agency responsible for the state's child care provider licensing program, inspects licensed and license exempt child care providers that provide the School Readiness Program for specified health and safety standards.<sup>8</sup> The law authorizes a county to designate a local licensing agency to license providers if its licensing standards meet or exceed DCF's standards. Five counties have done this – Broward, Hillsborough, Palm Beach, Pinellas, and Sarasota. Thus, in these five counties the local licensing agency, not DCF, inspects child care providers that provide the School Readiness Program for health and safety standards.<sup>9</sup>

A parent may apply for a child's admission to the School Readiness Program by submitting an application to an ELC. Florida's OEL has established, and ELCs must use, a single point of entry that enables a parent to enroll his or her child in the School Readiness Program at various locations throughout a county, by telephone, or through an Internet website.<sup>10</sup> In FY 2015-2016 there were

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<sup>1</sup> Section 1, ch. 99-357, L.O.F

<sup>2</sup> Section 1002.87, F.S.

<sup>3</sup> Florida Office of Early Learning,

*Parents*, [http://www.floridaearlylearning.com/parents/early\\_learning\\_programs\\_and\\_services/school\\_readiness.aspx](http://www.floridaearlylearning.com/parents/early_learning_programs_and_services/school_readiness.aspx) (last visited March 24, 2017).

<sup>4</sup> In 2013, the Legislature established the Office of Early Learning in the Office of Independent Education and Parental Choice within the Department of Education (DOE). The office is administered by an executive director and is fully accountable to the Commissioner of Education but shall independently exercise all powers, duties, and functions prescribed by law, as well as adopt rules for the establishment and operation of the School Readiness Program and the VPK Program. Section 1, ch. 2013-252, L.O.F., *codified as s.* 1001.213, F.S.

<sup>5</sup> See U.S. Department of Health and Human Services, *Child Care and Development Fund Fact Sheet*, [https://www.acf.hhs.gov/sites/default/files/occ/ccdf\\_factsheet\\_0.pdf](https://www.acf.hhs.gov/sites/default/files/occ/ccdf_factsheet_0.pdf) (last visited March 24, 2017).

<sup>6</sup> Section 1002.83, F.S.

<sup>7</sup> Section 1001.213(3), F.S.

<sup>8</sup> See ss. 402.301-319, F.S., and Parts V and VI, ch. 1002, F.S.

<sup>9</sup> Section 402.306(1), F.S.; Department of Children and Families, *Licensing Information*, <http://www.myflfamilies.com/service-programs/child-care/child-care-licensure> (last visited March 24, 2017).

<sup>10</sup> Section 1002.81(14), F.S.; see Florida's Office of Early Learning, *Family Portal*, <https://familyservices.floridaearlylearning.com/> (last visited March 24, 2017).

207,164 children enrolled in the School Readiness program.<sup>11</sup> In FY 2015-2016, there were 8,890 School Readiness program providers.<sup>12</sup>

### *Florida Office of Early Learning (OEL) Responsibilities*

Florida's Office of Early Learning (OEL) is the lead agency in Florida for administering the federal Child Care and Development Fund (CCDF) block grant from which funds are used to implement the School Readiness Program. Florida law requires OEL to focus on improving the educational quality of all program providers participating in the School Readiness Program while preserving parental choice by permitting parents to choose from a variety of child care categories.<sup>13</sup>

OEL must adopt, in rule, a statewide provider contract to be used by each School Readiness Program provider, review and approve each Early Learning Coalition's (ELC) school readiness plan every 2 years, and monitor and evaluate the performance of each ELC in administering the School Readiness Program and the Voluntary Prekindergarten Program (VPK).<sup>14</sup> OEL must also adopt specific system support services for the state's School Readiness Program including statewide data information program requirements that include:

- Eligibility requirements.
- Financial reports.
- Program accountability measures.
- Child progress reports.<sup>15</sup>

Additional support services include child care resource and referral services and a single point of entry<sup>16</sup> and uniform waiting list.<sup>17</sup> To promote informed child care choices OEL may provide technical assistance and guidance on additional support services to complement the School Readiness Program, including:

- Rating and improvement systems.
- Warm-line services.<sup>18</sup>
- Anti-fraud plans.
- School Readiness Program standards.
- Child screening and assessments.
- Training and support for parental involvement in children's early education, including research on child development and best practices.
- Family literacy activities and services.<sup>19</sup>

### *Performance Standards, Benchmarks, and Assessments*

OEL must develop and adopt performance standards and benchmarks to address the age-appropriate progress of children in the development of school readiness skills. The performance standards for children from birth to 5 years of age must be aligned with the standards for children in the VPK program and must address the following domains:<sup>20</sup>

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<sup>11</sup> Florida Office of Early Learning *2015-2016 Annual Report*, p.19, available at [http://www.floridaearlylearning.com/sites/www/Uploads/Annual%20Report2016\\_Final\\_ADA.pdf](http://www.floridaearlylearning.com/sites/www/Uploads/Annual%20Report2016_Final_ADA.pdf) (last visited March 24, 2017).

<sup>12</sup> *Id.* at 18.

<sup>13</sup> Section 1002.82(1) and (2)(a)-(b), F.S. Care and curriculum by a faith-based provider must not be limited or excluded in any of these categories. *Id.*

<sup>14</sup> Section 1002.82(2)(e), (m), and (p), F.S.

<sup>15</sup> Section 1002.82(2)(f)1.a., F.S.

<sup>16</sup> *See s.* 1002.82(14), F.S.

<sup>17</sup> Section 1002.82(2)(f)1.c., F.S.

<sup>18</sup> Florida's OEL must "administer a statewide toll-free Warm-Line for the purpose of providing assistance and consultation to child care facilities and FDCHs regarding health, developmental, disability, and other special needs." Section 1002.82(2)(r), F.S.

<sup>19</sup> Section 1002.82(2)(f)2., F.S.

<sup>20</sup> Section 1002.82(2)(j), F.S.; rule 6M-4.700, F.A.C.; Florida's Office of Early Learning, *Early Learning and Developmental Standards*.

- Approaches to learning.
- Cognitive development and general knowledge.
- Numeracy, language, and communication.
- Physical development.
- Self-regulation.

OEL is also required to select valid, reliable, and developmentally appropriate assessments for use as preassessment and postassessment for the ages ranges established in ELC plans. The assessments must be designed to measure the domains of the performance standards listed above, provide appropriate accommodations for children with disabilities and English learners, and be administered by qualified individuals and consistent with the publisher's instructions.<sup>21</sup>

### *Early Learning Coalition Responsibilities*

Each ELC administers the School Readiness Program,<sup>22</sup> the VPK Program,<sup>23</sup> and the state's child care resource and referral network in its county or multicounty region.<sup>24</sup> There are currently 30 ELCs.<sup>25</sup> Each ELC is governed by a board of directors comprised of various stakeholders and community representatives. Three board members, including the chair, are appointed by the Governor.<sup>26</sup>

In order to participate in the School Readiness Program, each ELC must submit a school readiness plan to OEL for approval.<sup>27</sup> The plan must include, but is not limited to:

- The ELC's operations, including its membership and articles of incorporation and bylaws, if applicable.
- The minimum number of children to be served by care level.
- The procedures for implementing program requirements such as single point of entry, uniform waiting list, eligibility and enrollment, sliding fee scale, and payment rate.
- A detailed description of the ELC's quality activities and services.
- A detailed budget outlining the estimated expenditures for state, federal, and local matching funds.
- A detailed accounting of all revenues and expenditures during the previous state fiscal year.<sup>28</sup>
- Policies and procedures governing procurement, maintenance of tangible personal property, maintenance of records, information technology security, and disbursement controls.
- A description of the procedures for monitoring school readiness program providers, including the process for responding to a parental complaint.
- Documentation that the coalition has solicited and considered comments regarding the proposed school readiness plan from the local community.

An ELC with an approved school readiness plan must implement a comprehensive system of school readiness services which enhances the cognitive, social, and physical development of children to

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[http://www.floridaearlylearning.com/parents/parent\\_resources/floridas\\_early\\_learning\\_and\\_development\\_standards\\_birth\\_to\\_five.aspx](http://www.floridaearlylearning.com/parents/parent_resources/floridas_early_learning_and_development_standards_birth_to_five.aspx) (last visited March 22, 2017).

<sup>21</sup> Section 1002.82(2)(k), F.S.

<sup>22</sup> Part VI, ch. 1002, F.S.

<sup>23</sup> Part V, ch. 1002, F.S.

<sup>24</sup> Section 1002.84, F.S.

<sup>25</sup> Florida's Office of Early Learning, *Early Learning Coalitions List*, available at

[http://www.floridaearlylearning.com/parents/find\\_quality\\_child\\_care/locate\\_a\\_child\\_care\\_resource\\_referral\\_program/countys\\_early\\_learning\\_coalition.aspx](http://www.floridaearlylearning.com/parents/find_quality_child_care/locate_a_child_care_resource_referral_program/countys_early_learning_coalition.aspx) (last visited March 22, 2017). Florida law permits the establishment of 31 or fewer ELCs. Section 1002.83(1), F.S.

<sup>26</sup> Section 1002.83(3), F.S.

<sup>27</sup> Section 1002.85(2), F.S.

<sup>28</sup> Section 1002.85(2)(a)-(i), F.S.

achieve the children's performance standards.<sup>29</sup> Specific ELC requirements include, but are not limited, to:

- Establishing a uniform waiting list to track eligible children.
- Administering a child care resource and referral network for its service area.
- Establishing a regional Warm-Line.
- Establishing age-appropriate screening for children birth to 5 years.
- Implementing age appropriate preassessment and postassessment of children, if specified in the coalition's plan.
- Determining child eligibility.
- Establishing a parent sliding fee scale.
- Complying with federal and state procurement requirements.
- Establishing proper information technology security controls.
- Monitoring School Readiness Program providers.<sup>30</sup>

ELCs are required to submit an annual report to OEL by October 1 of each year. The report must include information such as the total number of children served, details of expenditures by fund source, and an evaluation of its direct enhancement services.<sup>31</sup>

### *Funding*

The School Readiness Program receives funding from a mixture of federal and state sources, including the federal Child Care Development Fund (CCDF) block grant, the Federal Grants Trust Fund, the federal Temporary Assistance for Needy Families block grant, and the state general revenue funds.<sup>32</sup>

For FY 2015-16, a total of \$560.5 million was appropriated for the School Readiness Program from state and federal funds, including \$136.9 million from the state's General Revenue Fund, \$326.4 million from the CCDF block grant, \$489,286 from Federal Grants Trust Fund, and \$96.6 million from the Welfare Transition Trust Fund.<sup>33</sup>

### Voluntary Prekindergarten Education (VPK) Program

The VPK program is a voluntary, free prekindergarten program offered to eligible four-year-old children in the year before admission to kindergarten.<sup>34</sup> A child must be a Florida resident and attain four years of age on or before September 1 of the program year, and not enrolled in the Gardiner Scholarship program to be eligible for the VPK program.<sup>35</sup> The child is eligible for the VPK program during that program year or the subsequent program year and remains eligible until enrollment in kindergarten or attaining six years of age by February 1 of any school year.<sup>36</sup> Parents may choose either a school-year

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<sup>29</sup> Section 1002.84(1), F.S.

<sup>30</sup> Section 1002.84, F.S.

<sup>31</sup> Section 1002.84(18), F.S.

<sup>32</sup> Specific Appropriation 88, s. 2, ch. 2014-51, L.O.F.

<sup>33</sup> *Id.*

<sup>34</sup> Section 1, ch. 2004-484, L.O.F.; part V, ch. 1002, F.S.; *see also* Art. IX, s. 1(b)-(c), Fla. Const.

<sup>35</sup> Section 1002.53(2), F.S.

<sup>36</sup> Section 1002.53(2), F.S. Children who attain five years of age on or before September 1 of the academic year are eligible for admission to public kindergarten. Section 1003.21(1)(a)2., F.S.

or summer program offered by either a public school or private prekindergarten provider.<sup>37</sup> In FY 2015-2016, there were 6,459 VPK providers.<sup>38</sup>

### *Local Oversight*

Local oversight of the VPK program is provided by early learning coalitions (ELC) and school districts. Each ELC is the single point of entry for VPK program registration and enrollment in the coalition's county or multi-county service area.<sup>39</sup> Each ELC must coordinate with each school district in the coalition's service area to develop procedures for enrolling children in public school VPK programs.<sup>40</sup> 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>41</sup>

### *State Oversight*

Florida's Office of Early Learning (OEL), and the Department of Children and Family Services (DCF) each play a role in the state-level oversight of the VPK program. As lead agency for Florida's school readiness system, Florida's OEL governs the day-to-day operations of the VPK program.<sup>42</sup> OEL oversees ELCs regarding child enrollment, attendance reporting, and reimbursement of VPK program providers and monitors VPK program providers for compliance with program requirements.<sup>43</sup> OEL administers the accountability requirements of the VPK program at the state level. The Department of Education is responsible for adopting and requiring each school district to administer a statewide kindergarten readiness screening within the first 30 days of each school year.<sup>44</sup>

DCF administers the state's child care provider licensing program, oversees the state mandated child care personnel training, and posts VPK program provider profiles on its Internet website.<sup>45</sup>

### *Enrollment*

Parents may enroll their child in the VPK program by submitting an application to an ELC.<sup>46</sup> OEL has established, and ELCs must use a single point of entry, the online Family Portal, that enables a parent to enroll his or her child in the VPK program at various locations throughout a county, by telephone, or through an Internet website.<sup>47</sup> The ELC must determine the child's eligibility, and provide the parent with a profile of eligible VPK program providers in the county where the child is being enrolled.<sup>48</sup> The profile must include information regarding provider services, curricula, instructor credentials, instructor-to-student ratios, and kindergarten readiness rates (when available).<sup>49</sup>

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<sup>37</sup> Section 1002.53(3), F.S. In 2010, the Legislature established a specialized instructional services program for children with disabilities as an option under the VPK program. Section 3, ch. 2010-227, *codified at* s. 1002.53(3)(d), F.S. Beginning with the 2012-13 academic year, a child who has a disability is eligible for specialized instructional services if the child is eligible for the VPK program and has a current Individual Education Plan (IEP) developed by the district school board. Specialized instructional services include applied behavior analysis, speech-language pathology, occupational therapy, and physical therapy. DOE is responsible for approving SIS providers. Section 1002.66, F.S. Children who participate in the program are eligible to receive a McKay Scholarship to enroll in and attend a private school. *See* s. 1002.39(2)(a)1., F.S.

<sup>38</sup> *See supra* note 11.

<sup>39</sup> Section 1002.53(4)(a)-(b), F.S.

<sup>40</sup> Section 1002.53(4)(c), F.S.

<sup>41</sup> Sections 1002.55(1), 1002.61(1)(a)-(b), and 1002.63(1), F.S.

<sup>42</sup> Sections 1001.213 and 1002.75(1)-(2), F.S.

<sup>43</sup> Section 1002.75(2), F.S.

<sup>44</sup> Sections 1002.69(1)-(3) and 1002.73, F.S.

<sup>45</sup> Sections 402.301-402.319, F.S.; *see also* Florida Department of Children and Families, *Parent Resources*, <http://www.myflfamilies.com/service-programs/child-care/parent-resources> (last visited March 27, 2017).

<sup>46</sup> Section 1002.53(4)(a)-(b), F.S.; *see also* rule 6M-8.201(1)(b), F.A.C.

<sup>47</sup> Sections 1002.53(4)(a) and 1002.82, F.S.

<sup>48</sup> Section 1002.53(4)-(5), F.S.; *see also* rules 6M-8.202(1) and 6M-8.201(4)(a), F.A.C.

<sup>49</sup> Section 1002.53(5)(a)-(b), F.S.; *see also* rule 6M-8.201(4)(a)4.-7., F.A.C.

The enrollment process is complete when the parent chooses a program offered by an eligible VPK program provider and the child's enrollment is recorded by the ELC.<sup>50</sup> A public school or private prekindergarten provider is prohibited from charging any fees for the VPK program. Additionally, a public school or private prekindergarten provider may not require a child to enroll for, or require the payment of a fee for, any supplemental services as a condition of enrollment in the VPK program.<sup>51</sup>

For FY 2015-2016 175, 233 children were enrolled in VPK: 163,582 (school year); 11,466 (summer); and 185 (VPK Specialized Instructional Services).<sup>52</sup>

Each district school board determines which district schools will offer the school-year and summer VPK programs and such schools must apply with the ELC.<sup>53</sup> School districts must offer a summer VPK program and may limit enrollment at individual public schools so long as admission is provided to every eligible student who seeks enrollment in the district's summer program.<sup>54</sup>

### *Kindergarten Screening*

Within the first 30 school days of each academic year, each school district must screen each kindergarten student in the school district to determine his or her readiness for kindergarten. Nonpublic schools are authorized to administer the statewide kindergarten screening to each kindergarten student in a nonpublic school who was enrolled in the VPK program. Historically, DOE has adopted instruments for this purpose.<sup>55</sup> Currently, the instrument is a developmental screening tool based on the Work Sampling System (WSS). A subset of WSS performance indicators is provided in five domains: Personal and Social Development; Language and Literacy; Mathematical Thinking; Scientific Thinking; and Physical Development, Health, and Safety.<sup>56</sup>

### *Kindergarten Readiness Rate*

DOE is required to adopt a kindergarten readiness screener based on Florida's VPK program standards. These standards describe what children should know and be able to do at the end of VPK in five domains: physical health; approaches to learning; social and emotional development; language, communication and emergent literacy; and cognitive development and general knowledge (math, science, social studies and the arts). Students must be tested within the first 30 school days of kindergarten and the statewide screener must provide objective data concerning each student's readiness for kindergarten.

In 2012, DOE adopted rule 6M-8.601, Florida Administrative Code (F.A.C.), establishing that the Florida Kindergarten Readiness Screener (FLKRS) would consist of two distinct screening tools. The first would be the Early Childhood Observations System (ECHOS) (an observational tool that looks broadly across all domains of development) and the second would be the Florida Assessments for Instruction in Reading (FAIR) (measures emergent literacy skills). In fall 2014 the ECHOS instrument was replaced by a different broad, observational tool, Work Sampling System (WSS), and the FAIR was replaced by a newer version, FAIR-FS (Florida Standards). In September 2014, the administration

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<sup>50</sup> Section 1002.53(3) and (6), F.S.; *see also* rule 6M-8.202(2)(a), (c), and (d), F.A.C.

<sup>51</sup> Section 1002.71(8), F.S.

<sup>52</sup> Florida Office of Early Learning *2015-2016 Annual Report*, p. 17, available at [http://www.floridaearlylearning.com/sites/www/Uploads/Annual%20Report2016\\_Final\\_ADA.pdf](http://www.floridaearlylearning.com/sites/www/Uploads/Annual%20Report2016_Final_ADA.pdf) (last visited March 24, 2017).

<sup>53</sup> Sections 1002.61(3)(a) and (8) and 1002.63(3) and (8), F.S.

<sup>54</sup> Sections 1002.53(6)(b) and 1002.61(3)(a), F.S.

<sup>55</sup> Section 1002.69(1), F.S.

<sup>56</sup> Florida's Office of Early Learning, *VPK Prekindergarten Readiness Rate Resources for Parents*, <https://vpk.fldoe.org/InfoPages/ParentInfo.aspx> (last visited March 24, 2017); Florida's Office of Early Learning, *Florida Kindergarten Readiness Screener (FLKRS)*, [http://www.floridaearlylearning.com/providers/provider\\_resources/florida\\_kindergarten\\_readiness\\_screener.aspx](http://www.floridaearlylearning.com/providers/provider_resources/florida_kindergarten_readiness_screener.aspx) (last visited March 24, 2017).

of the FAIR-FS was suspended in kindergarten through second grade across the state for technical issues.

For fall 2015, only one screening tool—a subset of the WSS expanded to include early learning metrics—was administered to Florida kindergarteners. WSS is the only instrument scheduled for use in fall 2016.

In accordance with s. 1002.69(5), F.S., the OEL annually calculates a kindergarten readiness rate for each VPK provider based on results of the FLKRS. The readiness rates are expressed as the percentage of children who are ready for kindergarten based on the criteria provided in the rule 6M-8.601, F.A.C. Children who attended less than 70 percent of a VPK program are not included in a provider's readiness rates, and readiness rates are not calculated for providers with fewer than four children assessed. Providers that do not meet the minimum readiness rate set by the department are placed on probation and required to take certain corrective actions.

For the 2013-14 VPK program year, readiness rates were not calculated for any provider because the FAIR administration was halted in September 2014; therefore no student met the criteria for inclusion in readiness rates. Those providers that did not previously meet the minimum readiness rate remained on probation. During the 2016 legislative session, language in the implementing bill directed the OEL not to adopt a kindergarten readiness rate for the 2014-15 or 2015-16 academic years for VPK providers.<sup>57</sup>

### *The Newly Awarded FLKRS Contract*<sup>58</sup>

On February 24, 2017, school district superintendents were notified that DOE would award Renaissance Learning the new contract for the administration of FLKRS beginning in the 2017-2018 school year. The STAR Early Literacy assessment, previously adopted by some state school districts, will be used. “The assessment is an online, adaptive instrument that students complete independently in approximately 15-20 minutes. The results from the new FLKRS instrument will also be used in calculating the kindergarten readiness rates for the VPK Program, as has been done previously.”<sup>59</sup>

Each student is given a scale score and a percentile score which will assist in quickly identifying those who are not ready and in need of additional support immediately. To meet statutory requirements for administration of FLKRS within the first 30 days of the school year, and allowing for variability in school district calendars, the opening date for testing using the Star Early Literacy platform will be Monday, July 10, 2017, and the closing date will be Friday, October 20, 2017.<sup>60</sup>

DOE, in coordination with the contractor, has planned to provide online resources and training for school staff who will administer the test. In addition, five regional train-the-trainer workshops are scheduled for June 2017, in Tallahassee, Jacksonville, Orlando, Tampa and Miami. Both online and face-to-face training will focus on operation of the new FLKRS testing platform, test administration, system requirements, online resources, reports and other information needed to effectively and securely administer the new screener.<sup>61</sup>

### *Funding*

A separate base student allocation per full-time equivalent student in the VPK program is provided in the General Appropriations Act (GAA) for a school-year program and for a summer program.<sup>62</sup> Each

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<sup>57</sup> Section 34, ch. 2016-62, L.O.F.,

<sup>58</sup> Email, Florida Department of Education, March 24, 2017. DOE Memorandum, Selection of New Kindergarten Readiness Screener (FLKRS) for 2017-2018; Implementation of Program and Training for Test Administrators, (February 24, 2017) <https://info.fldoe.org/docushare/dsweb/Get/Document-7855/dps-2017-27.pdf> (last visited March 24, 2017).

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

<sup>61</sup> *Id.*

<sup>62</sup> Section 1002.71(3), F.S.



county's allocation per full-time equivalent student in the VPK program must be calculated by multiplying the base student allocation<sup>63</sup> provided in the GAA by the county's district cost differential.<sup>64</sup> Each public school or private prekindergarten provider must be paid according to the county's allocation per full-time equivalent student.<sup>65</sup>

OEL has established payment procedures and a uniform student attendance policy used for funding purposes.<sup>66</sup> Funds are distributed monthly to ELCs for payments to public schools or private prekindergarten providers.<sup>67</sup> Each ELC is advanced funds based on projected attendance. Once a public school or private prekindergarten provider begins delivery of VPK program services, the parent of each student in the VPK program must verify and certify the student's attendance each month for the prior month, and submit the monthly verification of the student's attendance to the public school or private prekindergarten provider.<sup>68</sup> Payments disbursed after the initial advance payment are reconciled based on actual attendance.<sup>69</sup>

Each ELC must report student enrollment to OEL on a monthly basis. ELCs may not amend student enrollment counts for the prior fiscal year after December 31 of the subsequent fiscal year.<sup>70</sup>

<b>VPK Program Funding: FYs 2010-11 to 2015</b>						
	<b>2010-11<sup>71</sup></b>	<b>2011-12<sup>72</sup></b>	<b>2012-13<sup>73</sup></b>	<b>2013-14<sup>74</sup></b>	<b>2014-15<sup>75</sup></b>	<b>2015-16<sup>76</sup></b>
<b>Total Funding</b>	\$404,372,806	\$394,921,554	\$413,312,552	\$404,927,801	\$396,065,224	\$389,254,479
<b>Per Student Funding: School-Year Program</b>	\$2,562	\$2,383	\$2,383	\$2,386	\$2,437	\$2,437
<b>Per Student Funding: Summer Program</b>	\$2,179	\$2,026	\$2,026	\$2,028	\$2,080	\$2,080

The State Constitution does not require the VPK program to provide transportation for students,<sup>77</sup> and current law does not earmark funding for transportation.<sup>78</sup> However, a public school or private prekindergarten provider may use part of its VPK program funding for student transportation.<sup>79</sup>

<sup>63</sup> Base student allocation for a school-year program must be "equal for each student, regardless of whether the student is enrolled in a school-year prekindergarten program delivered by a public school or a private prekindergarten provider. The base student allocation for a summer prekindergarten program [must] be equal for each student, regardless of whether the student is enrolled in a summer prekindergarten program delivered by a public school or private prekindergarten provider." Section 1002.71(3)(a), F.S.

<sup>64</sup> Section 1002.71(3)(b), F.S. The district cost differential must be calculated by "adding each district's price level index as published in the Florida Price Level Index for the most recent 3 years and dividing the resulting sum by 3. The result for each district [must] be multiplied by 0.008 and to the resulting product [must] be added 0.200; the sum thus obtained [must] be the cost differential for that district for that year." Section 1011.62(2), F.S.

<sup>65</sup> Sections 1002.71(3)(b) and 1011.62(2), F.S.

<sup>66</sup> Section 1002.71(5)(b) and (6)(d), F.S.; *see also* rule 6M-8.204, F.A.C.

<sup>67</sup> Section 1002.71(5)(b), F.S.

<sup>68</sup> Section 1002.71(6)(b)1.-2., F.S.

<sup>69</sup> Section 1002.71(5)(b), F.S.

<sup>70</sup> Section 1002.71(3)(c), F.S.

<sup>71</sup> Specific Appropriations 75, s. 2, and 2246, s. 6, ch. 2010-152, L.O.F.

<sup>72</sup> Specific Appropriations 66, s. 2, and 2036, s. 6, ch. 2011-69, L.O.F.

<sup>73</sup> Specific Appropriations 78, s. 2, ch. 2012-118, L.O.F.

<sup>74</sup> Specific Appropriations 82, s. 2, ch. 2013-40, L.O.F.

<sup>75</sup> Specific Appropriation 92, s. 2, ch. 2014-51, L.O.F.

<sup>76</sup> Specific Appropriation 86, s.2, ch. 2015-232, L.O.F.

<sup>77</sup> Art. IX, s. 1 (b)-(c), Fla. Const.

<sup>78</sup> See s. 1002.71(9), F.S.

## Florida Statutory Definition of “Committee”

As defined in s. 20.03 (8), F.S., a “committee” or “task force” means an advisory body created without specific statutory enactment for a time not to exceed 1 year or created by specific statutory enactment for a time not to exceed 3 years and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its assignment.

### **Effect of Proposed Changes**

The bill creates the Committee on Early Grade Success, within the Department of Education to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Education Program, and the Kindergarten Readiness Assessment.

The committee's proposal must include legislative recommendations for the design and implementation of a coordinated child assessment system, including, but not limited to:

- The purpose of a child assessment, with a focus on developmentally appropriate learning gains.
- Attributes for tool selection that provide guidance on procurement policies.
- An implementation schedule and protocols, including the frequency of data collection and a timeline for training to ensure reliability of the system.
- The methodology for collecting and analyzing data that define reporting requirements.
- A budget for the system, including cost analyses for purchasing materials and the necessary technology, training to ensure reliability, and data system management.
- Considerations for student privacy and tracking child development over time.

The committee is composed of 17 members who are residents of the state and appointed as follows:

- Three members appointed by the Governor:
  - One representative from the Office of Early Learning.
  - One representative from the Department of Education.
  - One parent of a child who is 3 to 6 years of age.
- Fourteen members jointly appointed by the President of the Senate and the Speaker of the House of Representatives:
  - One representative of an urban school district.
  - One representative of a rural school district.
  - One representative of an urban early learning coalition.
  - One representative of a rural early learning coalition.
  - One representative of an early learning provider.
  - One representative of a faith-based early learning provider.
  - One representative who is a kindergarten teacher with at least 5 years of teaching experience.
  - One representative who is an elementary school principal.
  - Four representatives with subject matter expertise in early learning, early grade success, or child assessments. The four representatives may not be direct stakeholders within the early learning or public school systems or potential recipients of a contract resulting from the committee's proposal.
  - One member of the Senate.
  - One member of the House of Representatives.

The chair and vice chair must be elected by the committee and the chair must be one of the four members with subject matter expertise in early learning, early grade success, or child assessments. The vice chair must be a member appointed by the President of the Senate and the Speaker of the

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<sup>79</sup> Sections 1002.71(9) and 1011.68, F.S.

House of Representatives, who is not one of the four members who are subject matter experts in early learning, early grade success, or child assessments.

Members of the committee serve without compensation but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061, Florida Statutes. To reduce costs, the committee must meet at least three times by teleconference or other electronic means, if possible. A majority of the members constitutes a quorum.

The University of Florida Lastinger Center for Learning shall provide the committee with staff necessary to assist the committee in the performance of its duties.

The committee is required to submit a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2017. Once the report is submitted, the committee expires. The State Board of Education is granted the authority to adopt rules to implement and administer the provisions in the bill.

**B. SECTION DIRECTORY:**

**Section 1:** Establishes the Early Grade Success Committee within the Department of Education to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Education Program, and the Kindergarten Readiness Assessment.

**Section 2:** Provides an effective date of July 1, 2017.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not Applicable.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The State Board of Education is granted the authority to adopt rules to implement and administer the provisions in the bill.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

It is unclear as to why the State Board of Education is granted the authority to adopt rules to implement and administer the provisions in the bill.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None.