

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 449 Children's Initiatives
SPONSOR(S): Stafford
TIED BILLS: **IDEN./SIM. BILLS:** SB 720

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee	13 Y, 0 N	Gilani	Brazzell
2) Local, Federal & Veterans Affairs Subcommittee	10 Y, 0 N	Renner	Miller
3) Health & Human Services Committee	18 Y, 0 N	Gilani	Calamas

SUMMARY ANALYSIS

Section 409.147, F.S., establishes Florida children's initiatives, previously called Florida Children's Zones, to assist disadvantaged areas within the state in creating a community-based service network that develops, coordinates, and provides quality education, accessible healthcare, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within their boundaries.

This section further outlines the process for a county or municipality (or designated area) to receive the designation as a children's initiative, and grants the Ounce of Prevention Fund of Florida, Inc., a nonprofit organization, the exclusive authority to designate an area as a children's initiative. There are currently five designated Florida children's initiatives. Three of these children's initiatives are codified in statute.

HB 449 codifies in statute the remaining two existing Florida children's initiatives, one in Tampa (Tampa Sulphur Springs Neighborhood of Promise Success Zone) and one in Miami (Overtown Children and Youth Coalition).

The bill specifies that the initiatives are subject to Florida public records laws, Florida public meeting laws, and Florida procurement laws.

The bill does not appear to have a fiscal impact on state or local government.

The bill provides an effective date of July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

History of Children's Initiatives

Founded in 1970, Harlem Children's Zone, Inc. (HCZ) is a nonprofit, community-based organization that aims to enhance the quality of life for children and families living in poverty-stricken neighborhoods of New York City.¹ In the 1990s, HCZ launched a pilot project to address the poor living conditions, drug problems, failing schools, violent crime, and chronic health problems that were affecting the children and families of an impoverished community.² The project began with a single block and has grown to 97 blocks, serving 12,509 youth and 12,498 adults each year through collaboration between the local community, nonprofit organizations, and institutions.³

HCZ provides comprehensive and individualized support for children from birth through college to promote successful self-sustaining adults.⁴ This includes early childhood programs to make children school-ready, K-12 charter schools, academic support in and after school, afterschool programs, and college preparation programs with an emphasis on entrepreneurship, financial literacy, and career readiness.⁵ The initiative also helps families by providing assistance with housing and safety concerns, tax preparation, legal issues, and childrearing education.⁶ HCZ reports that since 2010, 1,204 families have stayed stable and avoided foster care with the help of HCZ services.⁷ In 2017, HCZ served 13,447 youth age 0 to 24, 100 percent of pre-kindergarten children tested ready for school, and 97 percent of high-school graduates from HCZ's charter schools were accepted into college.⁸

Authorization of Children's Initiatives in Florida

In 2008, using the Harlem Children's Zone as a model, the Legislature created s. 409.147, F.S., which established children's zones, currently referred to as children's initiatives. Florida children's initiatives assist disadvantaged areas within the state in creating a community-based service network that develops, coordinates, and provides equality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within their boundaries.⁹

Section 409.147, F.S., outlines the process for a county or municipality (or designated area) to apply to a nonprofit agency designated in statute, the Ounce of Prevention Fund of Florida, Inc. (Ounce), to designate an area as a children's initiative. The governing body must first adopt a resolution finding the area has issues related to poverty, that changes are necessary for the area to improve, and that resources are necessary for revitalization of the area.¹⁰ The county or municipality must then establish a children's initiative planning team and develop and adopt a strategic community plan.¹¹ Once a county or municipality has completed these steps, they must create a not-for-profit corporation to facilitate fundraising and secure broad community ownership of the children's initiative.¹²

¹ HARLEM CHILDREN'S ZONE, *History*, <https://hcz.org/about-us/history/> (last visited Jan. 29, 2018).

² *Id.*

³ *Id.*

⁴ HARLEM CHILDREN'S ZONE, *About Us*, <https://hcz.org/about-us/> (last visited Nov. 30, 2017).

⁵ HARLEM CHILDREN'S ZONE, *Our Programs*, <https://hcz.org/our-programs/> (last visited Nov. 30, 2017).

⁶ *Id.*

⁷ HARLEM CHILDREN'S ZONE, *Our Results*, <https://hcz.org/results/> (last visited Nov. 30, 2017).

⁸ *Id.* This was the first graduating class that included children who began with HCZ from kindergarten, see <https://hcz.org/news/100-college-acceptance-hcz-promise-academy/> (last visited Nov. 30, 2017).

⁹ S. 409.147(1)(b), F.S.

¹⁰ S. 409.147(4)(a), F.S.

¹¹ S. 409.147(5), 409.147(6), F.S.

¹² S. 409.147(7), F.S.

Florida's Codified Children's Initiatives

In authorizing the establishment of children's zones in 2008, the Legislature also created the Magic City Children's Zone, Inc., as a 10-year pilot project zone and provided it \$3.6 million non-recurring general revenue funds.¹³ The Legislature designated the Ounce in proviso as the agent to oversee the pilot program and directed the funds to be used as a grant over a three-year period to carry out the activities in the zone.¹⁴ In 2009, the Legislature amended s. 409.147(8)(a), F.S., to change the 10-year pilot zone to a 10-year project and changed the name of the Magic City Children's Zone to the Miami Children's Initiative. Additionally, it instructed the Department of Children and Families (DCF) to work in collaboration with a contracted not-for-profit corporation to implement the initiative and made the not-for-profit corporation responsible for the development, evaluation, fiscal management, and oversight of the Miami Children's Initiative.

The 2013 Legislature codified in statute two additional existing Florida children's initiatives, New Town Success Zone in Jacksonville and Parramore Kidz Zone in Orlando, and exempted them from the existing statutory language regarding evaluation, fiscal management, and oversight by the not-for-profit corporation.

These three initiatives are not subject to control, supervision, or direction by any department of the state.¹⁵ They are, however, subject to the requirements of chapter 119, F.S., relating to public records, chapter 286, F.S., relating to public meetings and records, and chapter 287, F.S., relating to procurement of commodities or contractual services.

The Ounce of Prevention Fund of Florida

The Ounce is a private, nonprofit corporation dedicated to shaping prevention policy and investing in innovative prevention programs that provide measurable benefits to Florida's children, families, and communities.¹⁶ The Ounce identifies, funds, supports, and tests innovative programs to improve the life outcomes of children, preserve and strengthen families, and promote healthy behavior and functioning in society.¹⁷ The Legislature identifies the Ounce as the only organization able to designate areas as Florida's children initiatives.¹⁸ DCF is required to contract with a not-for-profit corporation for implementation and oversight of the Miami Children's Initiative.¹⁹ While s. 409.147, F.S., does not specify the Ounce as that nonprofit corporation, proviso language in the initial appropriation did designate the Ounce to receive the initial three-year contract in 2008, which expired in 2011.

Tampa Sulphur Springs Neighborhood of Promise Success Zone

The Tampa Sulphur Springs Neighborhood of Promise Success Zone (Tampa initiative) was founded in 2009 by the Tampa Metropolitan Area YMCA in partnership with local organizations like United Way Suncoast and the Children's Board of Hillsborough County.²⁰ The Ounce designated the Tampa initiative as a Florida children's initiative in 2016.²¹

¹³ S. 3, General Appropriations Act of 2008, 2008-152 L.O.F.

¹⁴ In August 2008, DCF developed a three-year non-renewable contract with the Ounce (LJ829), paying \$300,000 a month, which expired in 2011. DCF has not contracted with the Ounce or any other nonprofit to oversee the Miami Children's initiative since 2011.

¹⁵ S. 409.147(8)(a), 409.147(9)(a), 409.147(10)(a), F.S.

¹⁶ THE OUNCE OF PREVENTION FUND OF FLORIDA, <https://www.ounce.org/> (last visited Nov. 30, 2017).

¹⁷ Id.

¹⁸ S. 409.147(4), F.S.

¹⁹ S. 409.147(11)(b), F.S.

²⁰ Alexis Quinn Chamberlain, *Sulphur Springs: Nonprofits Lead Neighborhood Transformation*, 83 DEGREES MEDIA (Apr. 10, 2012), <http://www.83degreesmedia.com/features/orgs041012.aspx> (last visited Nov. 30, 2017).

²¹ THE OUNCE OF PREVENTION FUND OF FLORIDA, *Florida Children's Initiative Newsletter June 2016*, https://www.ounce.org/children/FCI_Newsletter_0616.html# (last visited Nov. 30, 2017).

According to the Tampa initiative, it is a collaboration between residents, educators, service providers, governmental agencies, business leaders, and funding partners to provide a child-focused educational delivery system that promotes the caring, nurturing, and successful education of children and to offer support services for the family and community.²² The initiative emphasizes education as a path to success, aiming to have children enter school prepared to succeed, function at grade level, and graduate from high school prepared for college, technical school, or a career.²³ Offered programs include early childhood learning centers for parents and children, afterschool social and educational support systems, and youth recreational programs.²⁴ Program partners also provide the neighborhood with a health center, a community garden, and fresh produce to promote wellness in the community.²⁵

Additionally, the Tampa initiative promotes family stability by providing family support services to improve family functioning, employment assistance programs, and housing programs to provide safe and affordable housing to families.²⁶ In FY 2016-2017, the initiative provided family support services to 90 percent of families in its community; 100 percent reported lower stress, 97 percent reported increased social supports, and 96 percent reported improved wellbeing.²⁷ Ninety-four residents sought out employment assistance and 40 were placed in jobs.²⁸ Since 2009, the initiative has rehabilitated 88 existing homes,²⁹ built 11 new homes,³⁰ and recently received a grant to build 18 new homes.³¹

Overtown Children and Youth Coalition

In 2012, community-based nonprofit organizations in the Overtown community formed the Overtown Children and Youth Coalition (OCYC).³² The OCYC serves Miami's Overtown neighborhood, an area where children and families face extreme levels of poverty, low academic achievement, and health disparities.³³ According to the OCYC, it is a group of professionals, institutions, government officials, residents, and youth whose mission is to provide community-wide action to promote excellence, empowerment, economic growth, and success for all Overtown children and youth from birth through college.³⁴ The Ounce designated OCYC as a Florida children's initiative in 2016.³⁵

²² SULPHUR SPRINGS NEIGHBORHOOD OF PROMISE, *About Us*, <http://www.ssnop.org/about-us-1/> (last visited Nov. 30, 2017).

²³ Id.

²⁴ SULPHUR SPRINGS NEIGHBORHOOD OF PROMISE, *2017-2018 Community Programs*, https://static1.squarespace.com/static/53bb4b12e4b0c9db7aa5f6b0/t/598091984c0dbf091b929db0/1501598105522/SSNOP_Community_2017+e.pdf (last visited Nov. 30, 2017).

²⁵ Id.

²⁶ Id.

²⁷ SULPHUR SPRINGS NEIGHBORHOOD OF PROMISE, *2016-2017 Sulphur Springs Year End Community Report* <https://static1.squarespace.com/static/53bb4b12e4b0c9db7aa5f6b0/t/59a55d85e5dd5bce81614c49/1504009613516/Final+SSNOP+16-17+EOY+Presentation+with+2+updates+.pdf> (last visited Nov. 30, 2017).

²⁸ Id.

²⁹ Id.

³⁰ Ashley Reams Mistretta, *2nd phase of Sulphur Springs revitalization project begins*, 83 DEGREES MEDIA (Sep. 20, 2016), <http://www.a.com/devnews/nehemiah-project-sulphur-springs-tampa-revitalization-092016.aspx> (last visited Nov. 30, 2017). See also, SULPHUR SPRINGS NEIGHBORHOOD OF PROMISE, *2014-2015 Sulphur Springs Year End Community Report*, <https://static1.squarespace.com/static/53bb4b12e4b0c9db7aa5f6b0/t/55e8984ce4b0ea52fcc1e72b/1441306700450/Revised+14-15+SSNOP+End+of+Year+Report.pdf> (last visited Nov. 30, 2017).

³¹ Ashley Reams Mistretta, *2nd phase of Sulphur Springs revitalization project begins*, 83 DEGREES MEDIA (Sep. 20, 2016), <http://www.83degreesmedia.com/devnews/nehemiah-project-sulphur-springs-tampa-revitalization-092016.aspx> (last visited Nov. 30, 2017).

³² OVERTOWN CHILDREN & YOUTH COALITION, *History*, <http://www.overtowncyc.org/history> (last visited Nov. 4, 2017).

³³ THE OUNCE OF PREVENTION FUND OF FLORIDA, *Children's Initiative Communities in Florida*, https://www.ounce.org/fci_communities.html (last visited Nov. 30, 2017).

³⁴ OVERTOWN CHILDREN & YOUTH COALITION, *Master Plan 2015-2025 Executive Summary*, p. 3, available at: http://docs.wixstatic.com/ugd/e38ba6_4c5d82c43a3f4882b8b041e64b0815c3.pdf (last visited Nov. 30, 2017).

³⁵ THE OUNCE OF PREVENTION FUND OF FLORIDA, *Florida Children's Initiative Newsletter June 2016*, https://www.ounce.org/children/FCI_Newsletter_0616.html# (last visited Nov. 30, 2017).

In 2015, OCYC created a 10-year master plan³⁶ outlining the framework and timeline for implementation of the initiative goals. The plan is still in its early stages of implementation, but through its partner members,³⁷ OCYC provides health and safety services, educational, recreational, and mentorship programs, youth leadership training programs, college preparation programs, and job training and placement services.

Both the Tampa initiative and OCYC projects are currently operating and have been designated by Ounce as Florida children's initiatives.³⁸

Effect of Proposed Changes

The bill codifies the Tampa Sulphur Springs Neighborhood of Promise Success Zone and Overtown Children and Youth Coalition as children's initiatives.

The bill requires a 10-year project in each location, which must be managed by a not-for-profit corporation operating in accordance with ch. 617, F.S. Both initiatives are designed to encompass an area that is large enough to include all of the necessary components of community life, including but not limited to, schools, places of worship, recreational facilities, commercial areas, and common space, yet small enough to allow programs and services to reach every member of the neighborhood who is willing to participate in the project.

The bill finds that public policy requires each corporation to operate in the most open and accessible manner consistent with its public purpose. Each corporation is subject to ch. 119, F.S., relating to public records, ch. 286, F.S., relating to public meetings and records, and ch. 287, F.S., relating to procurement of commodities or contractual services.

Upon designation as a Florida children's initiative, the bill requires the Tampa initiative and OCYC to assist the state in creating a community-based service network and creating programming that develops, coordinates, and provides quality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within their boundaries. The network and programming must be consistent with the legislative intent and purpose of s. 409.147, F.S., the current statute governing Florida children's initiatives.

The bill specifies that the Tampa initiative and OCYC are not subject to control, supervision, or direction by any department of the state in any manner.

These requirements are consistent with existing law for the children's initiatives codified in statute.

The bill provides an effective date of July 1, 2018.

B. SECTION DIRECTORY:

Section 1: Amends s. 409.147, F.S., relating to children's initiatives.

Section 2: Provides an effective date.

³⁶ OVERTOWN CHILDREN & YOUTH COALITION, *Master Plan 2015-2025 Executive Summary*, available at: http://docs.wixstatic.com/ugd/e38ba6_4c5d82c43a3f4882b8b041e64b0815c3.pdf (last visited Nov. 30, 2017).

³⁷ OVERTOWN CHILDREN & YOUTH COALITION, *Members*, <http://www.overtowncyc.org/members> (last visited Nov. 30, 2017).

³⁸ *Supra* fn. 31.

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:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES