

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 757 Voluntary Prekindergarten Education

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

**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 468

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Innovation Subcommittee		Dehmer	Healy
2) PreK-12 Appropriations Subcommittee			
3) Education Committee			

### SUMMARY ANALYSIS

The bill:

- requires the Just Read, Florida! Office to train Voluntary Prekindergarten (VPK) through grade 3 personnel on effective research-based reading instructional strategies and interventions;
- requires each Early Learning Coalition to coordinate with the Florida's Office of Early Learning (OEL) to assign student identification numbers to each VPK student;
- requires each public and private school in the VPK program to provide parents the results of the evidence based pre- and post-assessments within 10 days after administration of each assessment;
- requires statewide kindergarten screening to emphasize and directly assess early literacy and numeracy skills;
- authorizes a child that is at risk of not attaining the VPK performance standards to reenroll in one of the school-year programs for the subsequent year at the request of the child's parent; and
- changes the date the DOE must report its findings on district implementation of reading plans from February 1, to December 1, and clarifies that the report must include findings from the previous school year.

The bill appropriates \$10 million to the DOE for development and training of VPK through grade 3 teachers, reading coaches and school principals on research-based reading instructional strategies and interventions.

See fiscal impact to state government.

This bill takes effect July 1, 2017.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Just Read! Florida**

###### **Present Situation**

The Just Read, Florida! Office (office):

- trains highly effective reading coaches;
- creates effective reading instruction and trains K-12 teachers and principals on effective content-area-specific reading strategies (the strategies must be developed for all content areas in the K-12 curriculum);
- provides parents with strategies for assisting their children in reading;
- reviews, evaluates and provides technical assistance to school districts' implementation of the K-12 comprehensive reading plan;
- works with the Florida Center for Reading Research to provide information on research-based reading programs;
- periodically reviews teacher certification examinations and works with teacher preparation programs to integrate research-based reading instructional strategies into teacher preparation programs; and
- administers grants and perform other functions as necessary to meet the goal that all students read at grade level.

###### **Effect of Proposed Changes**

The bill requires the office to train Voluntary Prekindergarten (VPK) through grade 3 teachers, reading coaches and school principals on effective research-based reading instructional strategies and interventions for all students. The training must be consistently delivered statewide in an appropriate format. The office shall collaborate with the Office of Early Learning (OEL) to develop the training.

The bill also requires the office to train teachers and principals in grades 4 through 12 in content-area-specific reading strategies instead of teachers and principals in grades kindergarten through 12. These strategies must be developed for all content areas in the grade 4-12 curriculum instead of grades kindergarten through 12 curriculum.

##### **Voluntary Prekindergarten (VPK) Education Program**

###### **Present Situation**

In 2004, the Legislature established the VPK Education Program, a voluntary, free prekindergarten program offered to eligible four-year-old children in the year before admission to kindergarten.<sup>1</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 be enrolled in the Gardiner Scholarship program to be eligible for the VPK Education Program.<sup>2</sup> The child is eligible for the VPK Education Program during that program year or the subsequent year and remains eligible until enrollment in kindergarten or attaining six years of age by February 1, of any

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<sup>1</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. The VPK program originated from a ballot initiative proposing an amendment to the Florida Constitution in the November 2002 general election. The amendment required the Legislature to establish a free prekindergarten education program for every four-year old child residing in Florida by the 2005 academic year. Voters approved the amendment by a total of 59 percent. Art. IX, s. 1(b)-(c), Fla. Const.; see also Florida Department of State, Division of Elections, *Voluntary Universal Prekindergarten Education*, <http://election.dos.state.fl.us/initiatives/initdetail.asp?account=34708&seqnum=1> (last visited March 9, 2017).

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

school year.<sup>3</sup> Parents may choose either a school-year or summer program offered by either a public school or private prekindergarten provider.<sup>4</sup>

Local oversight of the VPK Education Program is provided by early learning coalitions (ELC) and school districts. Each ELC is the single point of entry for VPK Education Program registration and enrollment in the coalition's county or multi-county service area.<sup>5</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 Education Programs.<sup>6</sup> Local oversight of individual VPK Education Program providers is split, with ELCs providing administration over programs delivered by private prekindergarten providers and school districts administering public school VPK Education Programs.<sup>7</sup>

The OEL,<sup>8</sup> and the Department of Children and Family Services 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 Education Program.<sup>9</sup> OEL oversees ELCs regarding child enrollment, attendance reporting and reimbursement of VPK Education Program providers and monitors VPK Education Program providers for compliance with program requirements.<sup>10</sup> OEL administers the accountability requirements of the VPK Education Program at the state level.

### **Effect of Proposed Changes**

The bill requires each ELC to coordinate with the OEL to assign student identification numbers to each VPK student.

### **VPK Curricular Requirements**

#### **Present Situation**

Each private provider and public school may select or design its own curriculum,<sup>11</sup> which must:

- be developmentally appropriate;
- be designed to prepare a student for early literacy;
- enhance the age-appropriate progress of students in attaining VPK Educational Program performance standards adopted by OEL; and
- prepare students to be ready for kindergarten based on the statewide kindergarten screening.<sup>12</sup>

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<sup>3</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.

<sup>4</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. The 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>5</sup> Section 1002.53(4)(a)-(b), F.S. There are currently 30 ELCs. Florida's Office of Early Learning, *Early Learning Coalitions*, 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).

<sup>6</sup> Section 1002.53(4)(c), F.S.

<sup>7</sup> Sections 1002.55(1), 1002.61(1)(a)-(b), and 1002.63(1), F.S.

<sup>8</sup> In 2013, the Legislature established the Office of Early Learning in the Office of Independent Education and Parental Choice within the 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 Education Program. s. 1, ch. 2013-252, *codified at* 1001.213, F.S.

<sup>9</sup> Sections 1001.213 and 1002.75(1)-(2), F.S.

<sup>10</sup> Section 1002.75(2), F.S.

<sup>11</sup> Section 1002.67(2)(a), F.S.

**STORAGE NAME:** h0757.PKI

**DATE:** 3/17/2017

However, a public school or private prekindergarten provider that is placed on probation for failing to meet the minimum kindergarten readiness rate adopted by OEL must take certain corrective actions, including the use of an OEL-approved curriculum or a staff development plan to strengthen instruction in language development and phonological awareness.<sup>13</sup>

Each public and private school in the VPK Education Program must implement evidence-based pre- and post-assessments that are valid, reliable, developmentally appropriate and designed to measure student progress.<sup>14</sup>

### **Effect of Proposed Changes**

The bill requires that each public and private school in the VPK Education Program provide parents the results of the pre- and post-assessments, including any resources that might be helpful to their students, within 10 days after administration of the assessment. The results must be reported at the aggregate level, distributed to the respective ELC and districts and be available on the office's webpage 30 days after administering the assessment.

The bill authorizes the OEL to determine the eligibility criteria for enrollment and reenrollment in the school year VPK Education Program.

### **Statewide Kindergarten Screening**

#### **Present Situation**

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 Education Program. Historically, the DOE has adopted instruments for this purpose.<sup>15</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>16</sup>

#### **Effect of Proposed Changes**

The bill requires the statewide kindergarten screening to be a single instrument that emphasizes and directly assesses early literacy and numeracy skills.

### **VPK Attendance and Reporting**

#### **Present Situation**

The OEL established payment procedures and a uniform student attendance policy used for funding purposes.<sup>17</sup> Funds are distributed monthly to ELCs for payments to public schools or private

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<sup>12</sup> Section 1002.67(2)(b), F.S.

<sup>13</sup> Section 1002.67(4), F.S.

<sup>14</sup> Section 1002.67(3)(a) and (b), F.S.

<sup>15</sup> Section 1002.69(1), F.S.

<sup>16</sup> Florida's Office of Early Learning, *VPK Prekindergarten Readiness Rate Resources for Parents*, <https://vpk.fldoe.org/InfoPages/ParentInfo.aspx> (last visited March 9, 2017); Florida's Office of Early Learning, *Florida Kindergarten Readiness Screener (FLKRS)*, [http://www.floridaeearlylearning.com/providers/provider\\_resources/florida\\_kindergarten\\_readiness\\_screener.aspx](http://www.floridaeearlylearning.com/providers/provider_resources/florida_kindergarten_readiness_screener.aspx) (last visited March 9, 2017).

<sup>17</sup> Section 1002.71(5)(b) and (6)(d), F.S.; see also rule 6M-8.204, F.A.C.

prekindergarten providers.<sup>18</sup> Each ELC is advanced funds based on projected attendance. Once a public school or private prekindergarten provider begins delivery of VPK Educational Program services, the parent of each student in the VPK Educational 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>19</sup> Payments disbursed after the initial advance payment are reconciled based on actual attendance.<sup>20</sup> Each ELC must report student enrollment to the OEL on a monthly basis.<sup>21</sup>

A VPK student may withdraw and reenroll in a program for good cause if the student has not completed more than 70 percent of the authorized program hours or expended more than 70 percent of the authorized funds. A child that has not substantially completed any VPK Education Program can withdraw from the program due to an extreme hardship beyond the child's or parent's control, reenroll in one of the summer programs and be reported as a full-time equivalent student in the summer program.

### **Effect of Proposed Changes**

The bill authorizes a child that is at risk of not attaining the VPK performance standards to reenroll in one of the school-year programs, which is offered by a provider that has met the adopted minimum kindergarten readiness rate, for the subsequent year at the request of the child's parent. The prekindergarten program may report the child for funding purposes as a full-time equivalent student in the school-year program in which they are enrolled.

### **Research Based Reading Instruction**

#### **Present Situation**

School districts and the office annually negotiate a comprehensive reading plan. Based on the reading plan, the DOE allocates specific funds to the district for implementation. The DOE is responsible for monitoring and tracking the implementation of each district's reading plan. The DOE must report its findings to the Legislature by February 1, of each year.<sup>22</sup>

#### **Effect of Proposed Changes**

The bill changes the date the DOE must report its findings to the Legislature from February 1, to December 1, and clarifies that the report will include findings from the previous school year.

#### **B. SECTION DIRECTORY:**

**Section 1.** Amends s. 1001.215, F.S., relating to the Just Read, Florida! Office.

**Section 2.** Amends s. 1002.53, F.S., relating to VPK Education Program.

**Section 3.** Amends s. 1002.67, F.S., relating to performance standards, curricula and accountability.

**Section 4.** Amends s. 1002.69, F.S., relating to statewide kindergarten screening, kindergarten readiness rates, state-approved prekindergarten enrollment screening and good cause exemptions.

**Section 5.** Amends s. 1002.71, F.S., relating to funding, financial and attendance reporting.

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<sup>18</sup> Section 1002.71(5)(b), F.S.

<sup>19</sup> Section 1002.71(6)(b)1.-2., F.S.

<sup>20</sup> Section 1002.71(5)(b), F.S.

<sup>21</sup> Section 1002.71(3)(c), F.S.

<sup>22</sup> Section 1011.62(9)(d), F.S.

**Section 6.** Amends s. 1011.62, F.S. relating to funds for operation of schools.

**Section 7.** Provides an appropriation from the General Revenue Fund to the Department of Education.

**Section 8.** Provides an effect date of July 1, 2017.

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

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

1. Revenues:

None.

2. Expenditures:

The bill appropriates \$10 million dollars from the General Revenue Fund to the DOE for the development and training of VPK through grade 3 teachers, reading coaches and school principals on research-based reading instructional strategies and interventions.

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

1. Revenues:

None.

2. Expenditures:

None.

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

None.

### **D. FISCAL COMMENTS:**

In 2016-2017, there are 154,359 VPK full-time equivalent (FTE) students as of the March 10, 2017 Early Learning Estimating Conference. Applying an estimated 20 percent of students not being ready for kindergarten, it is estimated to cost \$78,244,163 for 30,872 students to retake the VPK school year program.

154,359.38	2016-17 VPK FTE as of 3-10-17
20%	Estimated students not ready for kindergarten
30,871.88	
\$2,437	2016-17 School Year BSA
\$75,234,772	
4%	Administrative Fee
\$3,009,391	
\$78,244,163	Estimated Cost of VPK "retakes"

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

#### **B. RULE-MAKING AUTHORITY:**

None.

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

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

Not Applicable.