

STORAGE NAME: h4223a.cfe

DATE: April 15, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CHILDREN AND FAMILY EMPOWERMENT
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4223

RELATING TO: Early Childhood Assistance

SPONSOR(S): Representatives Kosmas & Heyman

COMPANION BILL(S): Compare HB 683, HB 2131, SB 182

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

- (1) CHILDREN AND FAMILY EMPOWERMENT YEAS 6 NAYS 0
 - (2) HEALTH & HUMAN SERVICES APPROPRIATIONS
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

The bill creates the Children First Program, governing board & coordinating council with responsibility for creating and maintaining coordinated programmatic, administrative, and fiscal policies, and a common set of early care and education standards for all school readiness programs.

The Coordinating Council has responsibility for implementing policies developed by the governing board, monitoring progress toward achievement of the goals established by the governing board, assessing gaps in current services statewide, recommending quality standards, monitoring the implementation of a common set of early care and education standards, approving community plans, facilitating local implementation, providing technical assistance, recommending common eligibility requirements for similar programs, and helping to secure waivers, within the guidelines established by the governing board and changes in law from the state and federal governments. The coordinating council makes recommendations to the governing board regarding changes in state law, rule, or agency policy that may assist communities in improving the well-being of children from birth to 5 years of age.

The coordinating council provides for creation of county Children First coalitions; provides for coalition initiation grants, for block grant funding and for waiver authority to waive state requirements. Each county coalition will develop community plans.

The bill also provides for the creation of school readiness coalitions that may receive grants from the School Readiness Commission to enhance the preparation of children for kindergarten.

The bill would have a fiscal impact of \$1,675,000 for incentive grants for the establishment of local coalitions and development of their plans, indeterminant cost impacts on state agencies to support the state board and coordinating council, and costs determined through the General Appropriations Act for board and coordinating council staffing and the operation of the program.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Currently there are three major publicly funded early child care and education programs: the subsidized child care program, administered by the Department of Children and Families; the prekindergarten early intervention program, administered by the Department of Education; and, the Head Start program, administered through various local agencies by contract with the federal government.

Subsidized Child Care

Florida has operated a subsidized child care program for approximately 20 years. The purpose of the current subsidized child care program, administered by the Department of Children and Families, as described at s. 402.3015, F.S., is "to provide quality child care to enhance the development, including language, cognitive, motor, social, and self-help skills of children who are at risk of abuse or neglect and children of low-income families." The goal is to promote financial self-sufficiency and life skills for the families of these children. Priority for participation in the subsidized child care program is accorded to children under 13 years of age who are determined to be at risk of abuse, neglect, or exploitation and who are currently clients of the Department's Children and Families Services Program Office; children at risk of welfare dependency, including children of participants in the WAGES Program, children of migrant farm workers, children of teen parents, and children of other families at risk of welfare dependency; and, children of working poor families. Performance measures approved for this program in FY 98/99 state that 80 percent of children age four placed with contracted providers who have been in care for nine months, will enter kindergarten ready to learn as determined through DOE or local school systems' readiness assessment.

Prekindergarten Program

The prekindergarten program is established pursuant to s. 230.2305, F.S., and is designed to serve economically disadvantaged 3- and 4-year-olds, the majority of whom shall be 4 years of age, in educational programs administered by Florida's school districts. This program is funded by a direct appropriation of lottery dollars. School districts may spend the funds they receive to implement and conduct a prekindergarten program or to contract with public or non-public entities to serve eligible children.

Each school district's prekindergarten plan is developed by the school board in coordination with the local interagency coordinating council on early childhood services. Each coordinating council must include private and subsidized child care program representatives as well as representatives from the federally funded Head Start program.

Head Start

Head Start is a federally funded program. The funds come directly from the federal government to the local grantee, usually private non-profits located in the school district. Though the federal government does provide performance standards which each local grantee must meet, each local grantee is given significant autonomy in planning its curriculum.

Coordination across these and other early education programs and services at the local level is reportedly varied.

The following table shows requirements, funding levels, and eligibility for the three programs.

Major Early Care and Education Programs For Children Under The Age Of Five

	Child Care	Prekindergarten E.I.	Head Start
Total Funding	\$332 million	\$97 million	\$152 million
Avg. Expenditure Per Child Per Year	\$3,750	\$3,200	\$4,968 (for comprehensive services)
Hours of Service	10 hours per day, 249 days per year	6 hours per day, 180 days per year	6-12 hours per day, 180-260 days per year
Avg. Expenditure Per Child Per Hour	\$1.44	\$2.96	\$4.20-\$4.50
Children Served	72,750 (under age 5)	27,000	30,614
Maximum Family Income	150% of federal poverty level	130% of federal poverty level	100% of federal poverty level
Parent Fees Charged	Yes; sliding scale	No	No
Staff Requirements	Centers have 1 CDA or equivalent per 20 children Family day care homes complete 3-hour course. No requirements for informal providers.	DOE-certified teacher or CDA with supervision from certified teacher; others complete a 30-hour training	Teacher must have CDA or equivalent. Aide must have diploma and be enrolled in CDA program.

Staff: Child Ratios			
Birth-12 Months	1:4		Birth through 3 1:4
12-24 Months	1:6		
Two-year-olds	1:11		
Three-year-olds	1:15	1:10	1:7.5
Four-year-olds	1:20	1:10	1:10

Child Care Licensing

The Department of Children and Families Services also licenses child care facilities and some family day care homes and maintains a registry of other family day care homes that are not subject to licensure. All child care facilities must have their licenses renewed annually and must meet specified licensing standards delineated in s. 402.305, F.S., including minimum staff credentials, sanitation and safety, and child discipline. Child care centers and certain homes are subject to periodic inspections to ensure compliance with state requirements. Inspectors have the right to enter and inspect places seeking a license or a license renewal; they may enter places suspected of being unlicensed child care facilities with the permission of the owner or upon presentation of a court warrant.

Chapter 411 and The State Coordinating Council for Early Childhood Services

Chapter 411, F.S., requires collaboration between DOE and CFS to provide early assistance to children who are handicapped or at risk of developmental delay in order to help the children achieve optimum growth and development. This chapter creates the State Coordinating Council for Early Childhood Services which advises the Governor, the Legislature, and state agencies regarding the coordination of the various programs serving preschool children. The council members represent the various public and private programs and services for preschool children and their families. The council is not assigned to a single agency, but rather floats back and forth between DOE and CFS in alternate years. In some years the council was without support staff in its assigned agency, a situation which contributed to an unevenness in the council's effectiveness. The Readiness Committee recommended reexamining the role of this council.

The Readiness Committee Recommendations

The Governor's Commission on Education was created by executive order on September 20, 1996, to conduct a wholesale review of Florida's public schools from prekindergarten through college. The commission was specifically asked to address the objective of improving readiness for school, and an appointed Readiness Committee made recommendations that were adopted by the commission on December 15, 1997. The recommendations are as follows:

1. Elevate health care, child care, and early education for children 0-5, and their families, to the top of Florida's agenda, statewide and in every county.

2. Recognizing the primacy of parental responsibility, enhance all parents' understanding of child development. Maximize their involvement in publicly funded care and education programs.
3. Reform state and local governance and organization structures.
 - A. To elevate the well-being of children from birth to five to a top priority at the state level, the Legislature should create a Florida Children's Policy Council.
 - B. The state should create a Children's Cabinet, reporting to the Florida Children's Policy Council . . .
 - C. The role of the State Coordinating Council for Early Childhood Services . . . should be reexamined.
 - D. Each county should be encouraged, with significant incentive funding and waiver authority, to create or designate local children's services councils or their equivalents . . .
4. Ensure that every program or service for children before kindergarten is recognized as part of Florida's readiness system.
 - A. Blend early childhood funding streams over which the state and local governments have control to maximize services from existing funding.
 - B. Increase the quality of early childhood programs, particularly child care.
1. Review regulatory requirements and licensing and registration standards.
2. Improve professional development to improve the quality of care giving, to provide opportunities for increased pay, and to reduce turnover.
3. Encourage accreditation.
4. Link program training and delivery at the local level.
5. Use new federal funding and tobacco liability funds to pay for early childhood health enhancements to increase readiness for school.
6. Make a multi-year commitment to fully fund comprehensive child care and quality early education, as developed in local coalitions, through a combination of federal, state, local, and private resources.
7. Enhance the role of public schools in the provision of coordinated early childhood services.
8. Increase private sector involvement.
9. Improve performance measures and evaluations of early childhood care and education programs.
 - A. Competitive outside evaluation of all state-funded children's readiness programs, including subsidized child care should be resumed.
 - B. The DOE should complete its refinement of the kindergarten readiness system to gather more useful information regarding the background of all children assessed in kindergarten for performance budgeting purposes.
 - C. The standards (required of the DOE and DCF by the 1996 Legislature) should be finalized and become the basis for performance based budgeting and any other accountability reporting by early childhood care and education programs

B. EFFECT OF PROPOSED CHANGES:

The bill creates the Children First Program, governing board & coordinating council with responsibility for creating and maintaining coordinated programmatic, administrative, and fiscal policies, and a common set of early care and education standards for all school readiness programs.

The Coordinating Council has responsibility for implementing policies developed by the governing board, monitoring progress toward achievement of the goals established by the governing board, assessing gaps in current services statewide, recommending quality standards, monitoring the implementation of a common set of early care and education standards, approving community plans, facilitating local implementation, providing technical assistance, recommending common eligibility requirements for similar programs, and helping to secure waivers, within the guidelines established by the governing board and changes in law from the state and federal governments. The coordinating council makes recommendations to the governing board regarding changes in state law, rule, or agency policy that may assist communities in improving the well-being of children from birth to 5 years of age.

The coordinating council provides for creation of county Children First coalitions; provides for coalition initiation grants, for block grant funding and for waiver authority to waive state requirements. Each county coalition will develop community plans.

The bill also provides for the creation of school readiness coalitions that may receive grants from the School Readiness Commission to enhance the preparation of children for kindergarten.

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? The activities required in the bill would appear to require rules to implement.
- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The bill requires assistance from state agency personnel and resources as necessary to support the governing board and coordinating council. This could result in an indeterminant level of recurring and non-recurring state resources.

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

No

b. If an agency or program is 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?

Not specified in the bill.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

Not specified in the bill.

- 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:

- (1) Who evaluates the family's needs?

Unclear.

- (2) Who makes the decisions?

Parents.

- (3) Are private alternatives permitted?

Current private alternatives are maintained.

- (4) Are families required to participate in a program?

Readiness screening appears to be mandatory.

(5) Are families penalized for not participating in a program?

No.

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.

(2) service providers?

No.

(3) government employees/agencies?

Yes.

D. STATUTE(S) AFFECTED:

Amends Chs. 230, 383, 391, 402, 411; repeals 411.222(4), F.S.

E. SECTION-BY-SECTION RESEARCH:

Section 1 creates s. 411.21, F.S., establishing the Children First Program.

Subsection (1) provides legislative intent that all children in Florida, from birth until they enter kindergarten, have access to quality developmental assistance to ensure that they are ready to succeed when they enter kindergarten.

Subsection (2) provides that all programs serving children 0 to 5 years of age are to be viewed as school readiness programs.

Subsection (3) provides for the creation of the Children First Governing Board. The board provides for creating and maintaining coordinated programmatic, administrative, and fiscal policies, and a common set of early care and education standards for all school readiness programs.

The members of the board include:

◆ The Governor,

- ◆ The majority leaders of the House and Senate,
- ◆ The minority leaders of the House and Senate,
- ◆ The Commissioner of education,
- ◆ The chair of the Child Care Executive Partnership,
- ◆ The chair of the WAGES State Program Board of Directors,
- ◆ The president of the Florida Pediatric Society,
- ◆ The chair of the Florida Council of 100, and
- ◆ Five members representing private sector, community, and social service leaders selected by a majority vote of the other 10 members.

Subsection (4), labeled as a second subsection (3) on page 5, creates the Children First Coordinating Council which has responsibility for implementing policies developed by the governing board, monitoring progress toward achievement of the goals established by the governing board, assessing gaps in current services statewide, recommending quality standards, monitoring the implementation of a common set of early care and education standards, approving community plans, facilitating local implementation, providing technical assistance, recommending common eligibility requirements for similar programs, and helping to secure waivers, within the guidelines established by the governing board and changes in law from the state and federal governments. The coordinating council makes recommendations to the governing board regarding changes in state law, rule, or agency policy that may assist communities in improving the well-being of children from birth to 5 years of age.

By October 1, 1999, the coordinating council must submit to the governing board a report concerning the feasibility of combining funding streams for school readiness programs into the Children First Readiness trust Fund.

The members of the council include:

- ◆ The Secretary of Children and Family Services,
- ◆ The Secretary of Health,
- ◆ The Secretary of Labor and Employment Security,
- ◆ The executive director of the Department of Revenue,
- ◆ The Director of Health Care Administration,
- ◆ The Deputy Commissioner for Educational Programs of the Department of Education,
- ◆ The president of the Florida Head Start Director's Association,
- ◆ The president of the Florida Children's Forum,
- ◆ The chair of the Developmental Disabilities Council,
- ◆ The director of the Healthy Start Coalition Association,
- ◆ The chair of the Florida Interagency Coordinating Council for Infants and Toddlers,
- ◆ The coordinator of the Parent Resource Organization,
- ◆ The president of the Children's Services Council Association,
- ◆ The executive director of the Florida School Boards Association,
- ◆ The chair of the Florida Association of Child Care Management,
- ◆ The chair of the Florida Family Child Care Associates, Inc.,
- ◆ The president of the Early Childhood Association of Florida, and
- ◆ The chairs of two Children First coalitions, and
- ◆ The chairs of two local WAGES coalitions.

The latter four members are selected by a majority of the other members.

By December 31, 1998, the State Coordinating Council for Early Childhood Services is to submit a final report of recommendations on early childhood health care, and then, on December 31, 1998, cease to exist.

The coordinating council shall prepare and submit to the State Board of Education a system for measuring school readiness. The system must include a screening instrument, or instruments, which shall provide objective data according to Florida's Expectations for School Readiness regarding:

- ◆ The child's immunizations.
- ◆ The child's display of physical development appropriate for kindergarten.
- ◆ The child's compliance with rules, limitations, and routines.
- ◆ The child's successful engagement in kindergarten tasks.
- ◆ The child's demonstration of appropriate interaction with adults.
- ◆ The child's demonstration of appropriate interaction with peers.
- ◆ The child's ability to effectively cope with challenges and frustrations.
- ◆ The child's demonstration of appropriate self-help skills.

Subsection (5), labeled as subsection (4), provides for staffing the governing board and coordinating council.

Subsection (6), labeled as subsection (5) on page 9, creates the Children's First Coalitions. Coalitions are encouraged and authorized but not required in each county to assume overall responsibility for the well-being of children from birth to 5 years of age. The membership of the coalitions is not prescribed beyond a requirement that local public and private leaders in health care, early care, education, disabilities, and child welfare are included. The fiscal agent would be an entity with demonstrated capacity in fiscal management.

Subsection (7), labeled as a second subsection (5) on page 10, provides incentives and a development and review process for community plans.

Subsection (8), labeled subsection (6) on page 12, provides for \$25,000 for organizing a Children First coalition in counties that submit a letter of intent to organize to the Governor by September 1, 1998. Community plans submitted by January 15, 1999 and approved by February 1, 1999 shall receive block grant funding. Beginning in January 1999, a call for \$25,000 initiation grants a block grant every 6 months. Block grant funding will be based on the General Appropriations Act.

Subsection (9), labeled subsection (7) on page 13, provides for evaluation and performance measures by the coordinating council and an annual report by March 1 of each year.

Subsection (10), labeled subsection (8) on page 14, Provides for the Governor's Commission on Education to assume responsibility for implementing the section until January 1, 1999 or longer if extended by executive order. Following this, responsibility is assumed by the governing board, coordinating council, and staff as described above.

Section 2 provides for the School Readiness Commission to award grants to local school readiness coalitions and for the coalitions and their plans to be submitted according to procedures adopted by the school readiness commission.

Section 3 amends s. 230.2303 (8), F.S. to replace the State Coordinating Council for Early Childhood Services with the Children First Coordinating Council as having jurisdiction over the Florida First Start Program.

Section 4 amends s 383.14 (1)(b) and (2) F.S. to remove references to the State Coordinating Council for Early Childhood Services.

Section 5 amends s. 391.304 (1)(a) F.S., related to program coordination, effective December 31, 1998, to remove references to the State Coordinating Council for Early Childhood Services.

Section 6 amends s. 402.281(3) F.S., related to the Gold Seal Quality Program, effective December 31, 1998, to remove references to the State Coordinating Council for Early Childhood Services.

Section 7 amends s. 402.305(2)(d) and (17) F.S., related to the licensing standards of child care facilities, effective December 31, 1998, to remove references to the State Coordinating Council for Early Childhood Services and the Child Care Technical Review Panel appointed by the council.

Section 8 amends s. 402.3052(1) F.S. related to child development associate training grants, effective December 31, 1998, to remove references to the State Coordinating Council for Early Childhood Services.

Section 9 amends s. 402.45 (6) and (8), F.S. to replace the State Coordinating Council for Early Childhood Services with the Children First Coordinating Council as having jurisdiction over the community resource mother or father program.

Section 10 amends s 411.204 (2)(b) and (5)(c) and (d) F.S., relating to a third party evaluation of program design and conduct, to remove references to the State Coordinating Council for Early Childhood Services.

Section 11 amends s 411.221(2) F.S., related to the prevention and early assistance strategic plan to remove references to the State Coordinating Council for Early Childhood Services.

Section 12 provides for a repeal of s. 411.222(4), F.S., related to the creation of the State Coordinating Council for Early Childhood Services, effective December 31, 1998.

Section 13 provides for an effective date of July 1 of the year in which enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

The bill provides for \$25,000 grants for each county to provide for organizing local coalitions and developing plans. This would require \$1,675,000 statewide.

The bill requires assistance from state agency personnel and resources as necessary to support the governing board and coordinating council. This could result in an indeterminant level of recurring and non-recurring state resources.

2. Recurring Effects:

The bill has a number of recurring cost commitments:

- ◆ an unspecified number of staff for the governing board and coordinating council,
- ◆ council expenses, including per diem and travel expenses, as provided through a General Appropriations Act (GAA) for this purpose,
- ◆ development and administration of a screening instrument,
- ◆ block grant funding, which may be from current funds,
- ◆ grants of school readiness coalitions from funds appropriated in the GAA.

The extent of these costs would appear to be based on legislative decisions in the GAA.

The bill also requires assistance from state agency personnel and resources as necessary to support the governing board and coordinating council. This could result in an indeterminant level of recurring and non-recurring state resources.

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

Indeterminate.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

The bill provides for \$25,000 grants for each county to provide for organizing local coalitions and developing plans. This would require \$1,675,000 statewide.

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2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

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

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

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

N/A

V. COMMENTS:

None.

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Children and Family Empowerment adopted a technical amendment to correct a problem with misnumbered subsections in s. 411.21, F.S. which is created by the bill. This amendment is travelling with the bill.

VII. SIGNATURES:

COMMITTEE ON CHILDREN AND FAMILY EMPOWERMENT:
Prepared by: _____ Legislative Research Director:

ROBERT S. COX

ROBERT BARRIOS