

STORAGE NAME: h0307s1.edk

DATE: March 4, 1999

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION K-12
ANALYSIS**

BILL #: CS/HB 307

RELATING TO: Schools/Kindergarten Admission

SPONSOR(S): Representatives Diaz de la Portilla and Goodlette

COMPANION BILL(S): None

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

- (1) EDUCATION INNOVATION YEARS 7 NAYS 0
- (2) EDUCATION K-12
- (3) GOVERNMENTAL RULES AND REGULATIONS
- (4) EDUCATION APPROPRIATIONS
- (5)

I. SUMMARY:

CS/HB 307 allows children who turn five years old after September 1, 1999, to take a kindergarten readiness assessment to determine if they are ready for kindergarten. This program will be implemented on a one month per year basis for a period of four years. If a child is determined to be ready to enter kindergarten he or she may enroll at that time. If a child is determined to be not ready to enter kindergarten, he or she is subject to the admission requirements of s. 232.01(2), F.S., and must wait until the following school year to enter kindergarten.

According to the Florida Department of Education (DOE), in 1996 there were 176,416 children enrolled in Florida's kindergarten classrooms. By phasing in this program on a one month per year basis, an estimated maximum of 14,701 students, statewide, would be eligible to take the kindergarten readiness assessment. Not all children eligible to take the assessment are expected to take the assessment. Of those who take the assessment, not all will be determined to be ready for kindergarten. The number of students entering kindergarten at a younger age is estimated to be substantially fewer than the 14,701 estimated maximum.

The fiscal impact of the bill is indeterminate. However, it is expected to be negligible.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

History of Kindergarten Enrollment

The age requirement for kindergarten enrollment was established in 1965. Children who had attained the age of five years on or before January 1 of the school year were eligible for admission into public kindergartens during that school year.

In 1979 the Legislature passed Ch. 79-288, L.O.F. which changed the kindergarten enrollment date from January 1 to September 1, meaning a child had to be five years old on or before September 1 in order to be eligible for kindergarten. This change was phased in on a one month per year basis for a period of four years. This law also allowed a child who turned five between the cut off date and January 1 of that school year to enter kindergarten if they were determined to be ready for kindergarten.

In 1983 the Legislature passed Ch. 83-324, L.O.F., which removed the date requirements previously established. The ability to enter kindergarten if the child turned five years old after September 1 of that school year, if determined to be ready, was not specified.

In 1997 the Legislature passed HB 137 (Ch 97-190, L.O.F.) With the passage of this bill came a multitude of changes to the education system as a whole. However, the only change to the kindergarten enrollment requirements was to repeal s. 232.04, F.S., and move the requirements for kindergarten attendance into s. 232.01, F.S., with all other provisions for school attendance. The only substantive change in the law was technical.

Requirements for Kindergarten Attendance

Requirements for kindergarten attendance are outlined in s. 232.01, F.S. and are as follows:

- ◆ Children who will have attained the age of five years on or before September 1 of the school year are eligible for admission to public kindergartens during that school year.

Readiness Assessment

Each district within the state currently uses an assessment to determine the readiness level of the child when he or she enters kindergarten. Assessments are not standard throughout the state. Readiness assessments are not currently used to determine whether a child is ready to enter school. They are merely a means to establishing the child's developmental level. Readiness assessments are based on the 16 expectations for school readiness as established by the Department of Education (DOE). These 16 expectations are grouped into three categories, health and physical development; personal, social and behavior development; and preacademic, academic and literacy development. Children who meet 75 percent or more of these expectations are determined to have met the expectations for school readiness. The specific criteria in each category are:

Health and Physical Development

- ◆ The child's immunizations are current.
- ◆ The child displays physical development appropriate for kindergarten.

Personal, Social and Behavioral Development

- ◆ The child complies with rules, limits and routines.
- ◆ The child engages successfully in kindergarten tasks.
- ◆ The child demonstrates appropriate interactions with adults.
- ◆ The child demonstrates appropriate interactions with peers.
- ◆ The child copes effectively with challenges and frustrations.
- ◆ The child demonstrates appropriate self-help skills.
- ◆ The child expresses needs appropriately.

Preacademic, Academic and Literacy Development

- ◆ The child demonstrates verbal communication skills necessary to success in kindergarten.

- ◆ The child demonstrates problem solving skills necessary to success in kindergarten.
- ◆ The child follows verbal directions.
- ◆ The child demonstrates curiosity, persistence and exploratory behavior.
- ◆ The child demonstrates interest in books and other printed materials.
- ◆ The child attends to stories.
- ◆ The child participates in art and music activities.

Current Enrollment

According to the Florida Department of Education, in 1996 there were 176,416 children enrolled in Florida's kindergarten classrooms.

Other State's Requirements for Enrollment into Kindergarten

According to the Council of Chief State School Officers, 16 states, including Florida, have a kindergarten enrollment criteria that a child is five years old on or before September 1. Two states, Connecticut and Vermont, require a child to be five years old on or before January 1. Eighteen states have a kindergarten enrollment cut off date that is between September 1 and January 1. Seven states have a cut off date prior to September 1. The chart below outlines, in chronological order, the dates a child must have had their fifth birthday in order to enroll in kindergarten.

STATE	KINDERGARTEN ENTRANCE CUT OFF DATE
INDIANA	June 1
MISSOURI	August 1
ALASKA	August 15
DELAWARE	August 31
KANSAS	August 31
NORTH DAKOTA	August 31
WASHINGTON	August 31
ALABAMA	September 1
ARIZONA(1994 data)	September 1
FLORIDA	September 1
GEORGIA(1996 data)	September 1
IDAHO	September 1
ILLINOIS	September 1
MINNESOTA	September 1
MISSISSIPPI	September 1
NEW MEXICO	September 1
OKLAHOMA	September 1 ⁽¹⁾
OREGON	September 1
STATE	KINDERGARTEN ENTRANCE CUT OFF DATE
SOUTH CAROLINA (1996 data)	September 1

SOUTH DAKOTA	September 1
TEXAS	September 1
WEST VIRGINIA	September 1
WISCONSIN	September 1
UTAH	September 2
MONTANA	September 10
ARKANSAS	September 15
IOWA	September 15
WYOMING	September 15
LOUISIANA	September 30
VIRGINIA	September 30
KENTUCKY	October 1
MAINE	October 15
NEBRASKA	October 15
NORTH CAROLINA	October 15 ⁽²⁾
MICHIGAN	December 1
NEW YORK (1996 data)	December 1
CALIFORNIA	December 2
DIST. OF COLUMBIA(1996 data)	December 31
HAWAII	December 31
MARYLAND	December 31
RHODE ISLAND	December 31
CONNECTICUT	January 1
VERMONT(1996 data)	January 1
COLORADO	Local Education Authority (LEA) Option
MASSACHUSETTS	LEA Option
NEW HAMPSHIRE	LEA Option
NEW JERSEY (1996 data)	LEA Option
PENNSYLVANIA	LEA Option

NOTES:

(1) 4 year olds allowed to attend kindergarten

(2) 4 year olds may go to kindergarten if birthday reached by April 15 of preceding school year.

***represents change since 1995

B. EFFECT OF PROPOSED CHANGES:

Requirements for School Attendance

CS/HB 307 allows children who turn five years old after September 1, 1999, but prior to January 1, to take a kindergarten readiness assessment to determine if they are ready for kindergarten. This program will be implemented on a one month per year basis for a period of four years. If a child is determined to be ready to enter kindergarten he or she may enroll at that time. If a child is determined to be not ready to enter kindergarten, he or she is subject to the admission requirements of s. 232.01(2), F.S., and must wait until the following school year to enter kindergarten.

During the first year of the program, children who will turn five after September 1, 1999, but before October 1, 1999, will be eligible to take a readiness assessment. They will be allowed to start school in the fall of 1999 if they are deemed ready. In the following year, students born before November 1st will be so eligible. Similarly, in the third year, students born before December 1st will be eligible, and finally, in the fourth year, students born before January 1st will be allowed to take the readiness assessment and start school if successful.

Enrollment

According to DOE, in 1996 there were 176,416 children enrolled in Florida's kindergarten classrooms. By phasing in this program on a one month per year basis, an approximate maximum of 14,701 students would be eligible to take the kindergarten readiness assessment.

Not all children eligible to take the assessment are expected to take the assessment. Of those who take the assessment, not all will be determined to be ready for kindergarten. The number of students entering kindergarten at a younger age is estimated to be substantially fewer than the 14,701 estimated maximum.

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?

Yes. The Commissioner of Education may adopt rules to implement the provisions for allowing children to take the assessment of readiness for kindergarten. Specifically, the Commissioner of Education will need rules for determining kindergarten readiness. The bill also specifies that readiness is determined by rule.

- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, school districts will now have to administer the readiness assessment to children whose parents choose to pursue the alternative entrance option. The new test administration should have a minimal impact on the school districts because they already administer a kindergarten readiness assessment to all students enrolled in kindergarten.

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

No.

- b. If an agency or program is eliminated or reduced:

An agency or program is not 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?

No.

4. Individual Freedom:

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

The bill allows some younger children who are ready for kindergarten to enter kindergarten, but does not require these children to enter kindergarten. This bill increases the options of families to place their children in kindergarten, and, in some cases, possibly for a parent to return to work a year earlier if they did not work during the years they had preschool aged children.

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?

The bill does not specify who will determine readiness. However, the designated school district representative will likely determine, based on the readiness assessment, whether or not a child who will turn five years old, within the dates specified, is ready to enter kindergarten.

(2) Who makes the decisions?

The child's parent or guardian would request the assessment. Although not specifically stated in the bill, it is presumed that the designated school

district representative would determine, based on the readiness assessment results, whether a child, who will turn five years old within the specified dates, is ready to enter kindergarten.

(3) Are private alternatives permitted?

No.

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

No.

(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, parents of children who will turn five years old between the specified dates, decide whether or not they would like their child to take the readiness assessment to determine if they are ready to enter kindergarten.

(2) service providers?

Although not specified in the bill, it will probably be the designated school district representative who will determine, based on the readiness assessment results, whether or not a child who will turn five years old between the specified dates is ready to enter kindergarten.

(3) government employees/agencies?

The designated school district representative will determine, based on the readiness assessment results, whether or not a child who will turn five years old between the specified dates is ready to enter kindergarten.

D. STATUTE(S) AFFECTED:

Amends s. 232.01, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1 Amends s. 232.01, F.S.; Phases in a program over a four year period on a one month per year basis for allowing admission into kindergarten for any child whose fifth birthday falls after September 1 but before January 1 and has been determined ready through an assessment of readiness for kindergarten. States any child who is determined not to be ready for kindergarten is subject to current admission criteria. Includes a provision for the Commissioner of Education to adopt rules to implement the provisions of this program.

Section 2 Provides an effective date of July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

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

None.

D. FISCAL COMMENTS:

None.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenue.

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

This bill does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

HB 307 was prefiled with the Florida House of Representatives on January 12, 1999, and referred to the Committee on Education Innovation on January 21, 1999.

HB 307 was amended in the Education Innovation Committee of the House on February 15, 1999, and made into a committee substitute. The committee substitute differs from the bill in the following ways:

◆ Phases in the program on a one month per year basis over a four year period by providing parents with the option of enhanced kindergarten enrollment if their child is determined ready through the use of a kindergarten readiness assessment and whose fifth birthday falls within the following time frames:

First Year--after September 1, 1999 but before October 1, 1999;

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Second Year--after September 1, 2000 but before November 1, 2000;

Third Year--after September 1, 2001 but before December 1, 2001;

Fourth Year--after September 1, 2002 but before January 1, 2003.

- ◆ Changes rule making authority from the state board to the Commissioner of Education.

VII. SIGNATURES:

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