

STORAGE NAME: h0307.ei

DATE: February 10, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION INNOVATION
ANALYSIS**

BILL #: HB 307

RELATING TO: Schools/Kindergarten Admission

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

COMPANION BILL(S):

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

- (1) EDUCATION INNOVATION
 - (2) EDUCATION/K-12
 - (3) GOVERNMENTAL RULES AND REGULATIONS
 - (4) EDUCATION APPROPRIATIONS
 - (5)
-

I. SUMMARY:

Currently, a child must have had his fifth birthday on or before September 1 in order to enroll in kindergarten. Each district has its own assessment which is used to establish the child's developmental level. The individual readiness assessments are generally based on the 16 guidelines established by DOE. HB 307 allows children who turn five years old after September 1, but before January 1, to take the assessment of readiness offered in the district. 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 wait until the following school year to enter kindergarten.

According to the Florida Department of Education, in 1996 there were 176,416 children enrolled in Florida's kindergarten classrooms. Florida is ranked fourth in terms of number of children enrolled in kindergarten. The bill increases enrollment, in the first year by 33 percent, or an estimated increase of 58,218 students. (Based on one third of the 1996 total kindergarten enrollment.) Additionally, this increase causes a "bubble effect" meaning, for the next 13 years of their education that class of children will be larger than typical classes. This increase would require additional funding for this "class" or "grade level" of students through their 13 years in Florida's system of free and public schools. This increase could cause a need for more facilities to house the additional students, more teachers and more supplies. Phasing in this program on a one month per year basis will help resolve this issue.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Requirements for School Attendance

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

- ◆ All children who have attained the age of six years or who will have attained the age of six years by February 1 of any school year or who are older than six years of age but who have not attained the age of 16 years, are required to attend school regularly during the entire school term.
- ◆ 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.
- ◆ Children who will have attained the age of three years on or before September 1 of the school year are eligible for admission to prekindergarten early intervention programs during that school year.
- ◆ Any child who has attained the age of six years on or before September 1 of the school year and who has been enrolled in a public school or who has attained the age of six years on or before September 1 and has satisfactorily completed the requirements for kindergarten in a nonpublic school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, will progress according to the district's pupil progression plan.
- ◆ Beginning with the 1991-1992 school year, children with disabilities who have attained the age of three years will be eligible for admission to public special education programs and for related services. Exceptional children who are deaf or hard of hearing, visually impaired, dual sensory impaired, severely physically handicapped, trainable mentally handicapped, or profoundly handicapped, or who have established conditions, or exhibit developmental delays, below age three may be eligible for special programs; or, if enrolled in other prekindergarten or day care programs, they may be eligible for supplemental instruction.
- ◆ The Commissioner of Education may adopt rules under which pupils not meeting the entrance age may be transferred from another state if their parents or guardians have been legal residents of that state.

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. Florida is ranked fourth in terms of number of children enrolled in kindergarten.

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. 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

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ALASKA	August 15
DELAWARE	August 31
STATE	KINDERGARTEN ENTRANCE CUT OFF DATE
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
SOUTH CAROLINA (1996 data)	September 1
SOUTH DAKOTA	September 1
TEXAS	September 1
WEST VIRGINIA	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
STATE	KINDERGARTEN ENTRANCE CUT OFF DATE
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) Four year olds allowed to attend kindergarten

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

B. EFFECT OF PROPOSED CHANGES:

Requirements for School Attendance

HB 307 allows children who turn five years old after September 1, but before January 1, to take the assessment of readiness offered in the district. 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 ss. 232.01(2), F.S., which allows the child to enroll in kindergarten in the following school year after their fifth birthday.

Enrollment

According to the Florida Department of Education, in 1996 there were 176,416 children enrolled in Florida's kindergarten classrooms. Florida is ranked fourth in terms of number of children enrolled in kindergarten. The bill would increase enrollment, in the first year by 33 percent, or an estimated increase of 58,218 students. (Based on one third of the 1996 total kindergarten enrollment.) Additionally this increase would cause a "bubble effect" meaning, for the next 13 years of their education that class of children would be larger than typical classes. Phasing in this program on a one month per year basis would help solve this problem.

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

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

Yes, by allowing children who will turn five between September 1 and January 1 to take the readiness assessment, the school district will have the burden of administering this test.

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

Yes. Children who will turn five years old between September 1 and January 1 are eligible to attend kindergarten if they pass the readiness assessment.

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?

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, probably, the designated school district representative will determine, based on the readiness assessment, which is based on state board rule, whether or not a child who will turn five years old between September 1 and January 1 is ready to enter kindergarten.

- (2) Who makes the decisions?

The child's parent or guardian would have to 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 or not a child who will turn five years old between September 1 and January 1 is ready to enter kindergarten.

- (3) Are private alternatives permitted?

No.

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

No, in fact, the parents or guardians must make a written request for the assessment.

- (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 September 1 and January 1 can 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 September 1 and January 1 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 September 1 and January 1 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.; Allows admission into kindergarten for any child whose fifth birthday falls between September 1 and 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 state board 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:

According to the Florida Department of Education, in 1996 there were 176,416 children enrolled in Florida's kindergarten classrooms. The bill increases enrollment, in the first year by 33 percent, or an estimated increase of 58,218 students. (Based on one third of the 1996 total kindergarten enrollment.) Additionally, this increase causes a "bubble effect" meaning, for the next 13 years of their education that class of children will be larger than typical classes. This increase would require additional funding for this "class" or "grade level" of students through their 13 years in Florida's system of free and public schools. This increase could cause a need for more facilities to house the additional students, more teachers and more supplies. Phasing in this program on a one month per year basis will help resolve this issue.

3. Long Run Effects Other Than Normal Growth:

None

4. Total Revenues and Expenditures:

N/A

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:

The bill would increase enrollment, in the first year by 33 percent, or an estimated increase of 58,218 students. (Based on one third of the 1996 total kindergarten enrollment.) The increase would cause a "bubble effect" meaning, for the next 13 years of their education that class of children would be larger than typical classes. Phasing in this program on a one month per year basis would help solve this problem.

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:

The bill mentions "the board" several times but never specifies which board is to act on the provisions established by the bill. It is assumed that the board mentioned is the State Board of Education but this is never clearly defined. Currently, in s. 232.01, F.S., rule making authority is given to the commissioner rather than to the state board.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

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VII. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Staff Director:

Pamela M. Allen

Ouida J. Ashworth