

**STORAGE NAME:** h1927a.grr

**DATE:** April 13, 2000

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
GOVERNMENTAL RULES & REGULATIONS  
ANALYSIS**

**BILL #:** HB 1927

**RELATING TO:** Kindergarten Eligibility

**SPONSOR(S):** Representatives Diaz de la Portilla

**TIED BILL(S):**

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

- (1) EDUCATION K-12 WD
  - (2) GOVERNMENTAL RULES & REGULATIONS YEAS 5 NAYS 3
  - (3) EDUCATION APPROPRIATIONS
  - (4)
  - (5)
- 

**I. SUMMARY:**

Current law allows children who are five years old on or before September 1 of the school year to attend kindergarten.

HB 1927 allows children who turn 5 years old after September 1 but prior to January 1, to take a school readiness uniform screening. Children who are assessed as ready may attend kindergarten. Beginning in the 2001-2002 school year, this program is implemented on a one month per year basis for a period of 4 years. If a child is assessed as ready to enter kindergarten he or she may enroll at that time. If a child is assessed as not ready to enter kindergarten, he or she is subject to the current admission requirements and must wait until the following school year to enroll.

The Department of Education (DOE) projects an increase in base FEFP funding of \$32 million, \$49 million, and \$65 million in years 1 through 3, respectively. This funding estimate assumes that 50% of the children who take the school readiness uniform screening will be assessed as ready. These cost estimates do not reflect an increase in total cost to the state because children who are eligible to attend kindergarten at a younger age will not be receiving an extra year of education. Rather, these figures represent costs that the state will incur one year earlier.

The implementation date for the alternative entrance option begins in the 2001-2002 school year. This time frame will give school districts the opportunity to estimate and to prepare for any additional kindergarten students that may pursue the alternative entrance option the following year.

The effective date of the bill is July 1, 2000.

There is one amendment traveling with the bill.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |   |  |   |
|-----------------------------------|---|--|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/>            |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

Less Government

The Department of Education is required to adopt rules to allow any child who is assessed by a school district as ready for entrance into kindergarten to be eligible for admission during that school year.

School districts are to administer the school readiness uniform screening to children whose parents choose to pursue the alternative kindergarten entrance option; however, the new uniform screening administration should have a minimal impact on the school districts because readiness assessments are already required to be administered to all students enrolled in kindergarten.

B. PRESENT SITUATION:

History of Kindergarten Enrollment

The date established for kindergarten age eligibility has changed in Florida several times. The age requirement for kindergarten enrollment was established in 1965. Children who had attained 5 years of age 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. This change was phased in on a one month per year basis for a period of 4 years. This law also allowed a child who turned 5 between September 1 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. Permission to enter kindergarten if the child turned 5 years old after September 1 of that school year was not specifically granted.

Requirements for Kindergarten Attendance

Section 232.01, F.S., provides that children who attain 5 years of age on or before September 1 of the school year are eligible for admission to public kindergartens during that school year.

### Readiness Screening

Currently, each school district uses an unstandardized assessment to determine the readiness level of a child when he or she enters kindergarten. The readiness assessment is not used to preclude or inhibit admission.

In 1999, the Florida Partnership for School Readiness, s. 411.01, F.S., was established to create a school readiness uniform screening to be adopted by the Department of Education. This screening will become the new readiness assessment to be administered to all children upon entrance into kindergarten. By July 1, 2000, the partnership must prepare and submit to the State Board of Education a uniform screening, which must provide objective data regarding the following expectations for school readiness. The uniform screening must, at a minimum, include each child's:

- Immunizations and other health requirements as necessary;
- Physical development;
- Compliance with rules, limitations, and routines;
- Ability to perform tasks;
- Interactions with adults;
- Interactions with peers;
- Ability to cope with challenges;
- Self-help skills;
- Ability to express his or her needs;
- Verbal communication skills;
- Problem-solving skills;
- Ability to follow verbal directions;
- Demonstration of curiosity, persistence, and exploratory behavior;
- Interest in books and other printed materials;
- Ability to pay attention to stories;
- Participation in art and music activities; and
- Ability to identify colors, geometric shapes, letters of the alphabet, numbers, and spatial and temporal relationships.

### Current Enrollment

The Florida Department of Education (DOE) projects that 175,699 children will be enrolled in Florida's kindergartens during the 1999-2000 school year.

### Other States' Requirements for Enrollment into Kindergarten

The Council of Chief State School Officers identifies 16 states (including Florida) with provisions requiring a child to attain 5 years of age by September 1. Two states, Connecticut and Vermont, require a child to be 5 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.

### Alternative Kindergarten Entrance Options

In 1998, the Nebraska Legislature amended their kindergarten admission laws which require a child to be 5 years old on or before October 15 to be eligible to attend kindergarten. Now, Nebraska school boards are given the option to admit a child who will reach the age of 5 between October 16 and February 1. The parents of the child must submit an affidavit stating one of three qualifiers. The first two deal with the family moving from one jurisdiction to another. The third states that the child must demonstrate, through school board approved assessment procedures, the capability of carrying a kindergarten workload.

### Readiness Program

The School Readiness Act (Ch. 99-357, L.O.F.) was passed during the 1999 session. The intent of this act was to establish programs that effectively prepare at-risk children for school. The School Readiness Act states that a school readiness program must be established for children under the age of kindergarten eligibility who meet the following criteria:

- Children determined to be at risk of abuse, neglect, or exploitation and who are currently clients of the Children and Family Services Program Office of the Department of Children and Family Services.
- Children at risk of welfare dependency.
- Economically disadvantaged children (children of working families whose family income does not exceed 150 percent of the federal poverty level).
- Three-year-old children and 4-year-old children who have disabilities.
- Children who meet the federal and state requirements for eligibility for the migrant preschool program but who do not meet the criteria of economically disadvantaged.

The school readiness program is to be phased in, pursuant to s. 411.01, F.S. When the program is implemented, it will phase out the prekindergarten early intervention programs as provided for in s. 230.2305, F.S., and preschool programs as provided for in s. 228.061, F.S.

## C. EFFECT OF PROPOSED CHANGES:

### Requirements for School Attendance

HB 1927 allows children who turn 5 years old after September 1 but prior to January 1, to take a school readiness uniform screening to determine readiness for kindergarten. Beginning in the 2001-2002 school year, this program is implemented on a one month per year basis for a period of 4 years. Upon the written request of an eligible child's parent or guardian, the school district must provide one opportunity for the child to participate in the school readiness uniform screening at a time convenient to the parent or guardian. If a child is assessed as ready to enter kindergarten he or she may enroll at that time. If a child is assessed as not ready to enter kindergarten, he or she is subject to the admission requirements of section 232.01(2), F.S., and must wait until the following school year to enroll.

During the first year of the program, children who turn 5 after September 1, 2001, but before October 1, 2001, are eligible to take a readiness assessment. They are allowed to start school in the fall of 2001 if they are assessed as ready. In the following year, children born before November 1 are eligible. In the third year, students born before December 1

are eligible. In the fourth year, students born before January 1 are eligible to take the uniform screening and start school, if assessed as ready.

Department of Education estimates of early enrollment are as following:

<u>School Year</u>	<u>Estimate of children who will be assessed ready for early enrollment</u>
2001-2002	10,007
2002-2003	15,245
2003-2004	20,338
2004-2005	25,543

Readiness Program

HB 1927 clarifies that all children from birth to the age of kindergarten eligibility who meet the eligibility criteria in s. 411.01(6), F.S., to be eligible for admission to the school readiness program of their choice pursuant to s. 411.01, F.S.

This language conforms to the School Readiness legislation passed in 1999 and was included in the bill to indicate that the prekindergarten early intervention programs provided for in s. 228.061, F.S., and the preschool program provided for in s. 228.061, F.S., will be phased out and the readiness programs provided for in s. 411.01, F.S., will be implemented.

The implementation date for the alternative entrance option begins in the 2001-2002 school year. This time frame will give school districts the opportunity to estimate and to prepare for any additional kindergarten students that may pursue the alternative entrance option the following year.

D. SECTION-BY-SECTION ANALYSIS:

**Section 1.** Amends s. 232.01, F.S., to phase in a program over a 4-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 assessed as ready for kindergarten through a school readiness uniform screening; states that any child who is assessed as not ready for kindergarten is subject to current admission criteria; requires the Department of Education to adopt rules to implement the provisions of this program; provides that all children from birth to the age of kindergarten admission who meet the eligibility criteria in s. 411.01(6), F.S., are eligible for admission to the school readiness of their choice pursuant to s. 411.01, F.S.

**Section 2.** Provides an effective date of July 1, 2000.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DOE projects an increase in base FEFP funding of \$32 million, \$49 million, and \$65 million in years 1 through 3, respectively. This funding estimate assumes that 50% of the children who take the school readiness uniform screening will be assessed as ready. These cost estimates do not reflect an increase in total cost to the state because children who are eligible to attend kindergarten at a younger age will not be receiving an extra year of education. Rather, these figures represent costs the state will incur one year earlier.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

DOE projects an increase in base FEFP funding of \$32 million, \$49 million, and \$65 million in years 1 through 3, respectively. This funding estimate assumes that 50% of the children who take the school readiness uniform screening will be assessed as ready. These cost estimates do not reflect an increase in total cost to the districts because children who are eligible to attend kindergarten at a younger age will not be receiving an extra year of education. Rather, these figures represent costs that districts will incur one year earlier.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Private schools may implement early entrance assessment testing for kindergarten.

D. FISCAL COMMENTS:

See above.

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:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The Department of Education is required to adopt rules to allow any child who is assessed by a school district as ready for entrance into kindergarten to be eligible for admission during that school year.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On April 12, 2000, the Committee on Governmental Rules & Regulations adopted the following amendment and reported the bill favorably, as amended:

**Amendment 1** - Inserted the word "or" to clarify that students who meet any of the four criteria listed in law may progress according to the district's pupil progression plan.

VII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL RULES & REGULATIONS:

Prepared by:

Staff Director:

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Shari Z. Whittier

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