

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

**BILL:** PCS/SB 468 (114168)

**INTRODUCER:** Appropriations Committee (Recommended by Appropriations Subcommittee on Pre- K- 12 Education) and Senator Stargel

**SUBJECT:** Voluntary Prekindergarten Education

**DATE:** April 24, 2017                      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Benvenisty</u>	<u>Graf</u>	<u>ED</u>	<b>Favorable</b>
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	<b>Recommend: Fav/CS</b>
3.	<u>Sikes</u>	<u>Hansen</u>	<u>AP</u>	<b>Pre-meeting</b>
4.	_____	_____	<u>RC</u>	_____

**Please see Section IX. for Additional Information:**  
 COMMITTEE SUBSTITUTE - Substantial Changes

**I. Summary:**

PCS/SB 468 revises provisions related to the Voluntary Prekindergarten Education (VPK) program and duties of the Just Read! Florida Office (Just Read! Florida). Specifically, the bill:

- Requires the Just Read, Florida! to train Voluntary Prekindergarten through grade 3 teachers, reading coaches, and school principals on effective research-based instructional strategies.
- Requires the Office of Early Learning (OEL) to determine eligibility for enrollment and reenrollment in the school year VPK program.
- Requires each early learning coalition (ELC) to coordinate with the OEL to assign student identification numbers to each student who enrolls in the program.
- Clarifies that the Department of Education (DOE) must adopt a single statewide kindergarten readiness screening that is a direct assessment of early literacy and numeracy skills.
- Requires private prekindergarten providers and public schools in the VPK program to provide parents with the results of the pre- and post- assessment within 10 days after the administering the assessment.
  - Requires the results of the pre- and post- assessments to be reported at the aggregate level, distributed to the respective ELCs and school districts, and displayed on the OEL’s website within 30 days after the administration of the assessment.
- Authorizes a child who is at risk of not attaining the performance standards specified in law to reenroll, at the request of the child’s parent, in one of the school-year programs offered by

a provider that has met the adopted minimum readiness rate provided in law for the subsequent year.

The bill allows, beginning in the 2018-2019 school year, a child who is at risk of not attaining the performance standards specified in law to reenroll, at the request of the child's parent, in one of the school-year VPK programs offered by a provider that has met the adopted minimum readiness rate for the subsequent year. The cost of authorizing VPK reenrollment for these children is indeterminate. The Office of Early Learning estimates programming changes necessary to allow a child to reenroll in VPK for an additional year will cost approximately \$185,000.

The bill takes effect July 1, 2017.

## II. Present Situation:

In 2004, the Legislature established the Voluntary Prekindergarten Education (VPK) Program, a voluntary, free prekindergarten program offered to eligible four-year-old children in the year before admission to kindergarten.<sup>1</sup>

### Voluntary Prekindergarten Education Program

Florida's Office of Early Learning (OEL) governs the day-to-day operations of the VPK program.<sup>2</sup> The OEL oversees early learning coalitions (ELCs) regarding child enrollment, attendance reporting, and reimbursement of VPK program providers and monitors VPK program providers for compliance with program requirements.<sup>3</sup> The OEL administers the accountability requirements of the VPK program at the state level.<sup>4</sup> The Florida Department of Education (DOE) is responsible for adopting and requiring each school district to administer a statewide kindergarten readiness screening within the first 30 days of each school year.<sup>5</sup>

Local oversight of the VPK program is provided by the early learning coalitions (ELC) and school districts.<sup>6</sup> Each ELC is the single point of entry for VPK program registration and enrollment in the coalition's county or multi-county service area.<sup>7</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 programs.<sup>8</sup> Local oversight of individual VPK programs is split, with the ELCs providing administration over programs delivered by the private prekindergarten providers and school districts administering the public school VPK programs.<sup>9</sup>

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<sup>1</sup> Section 1, ch 2004-484, L.O.F.; part V, ch. 1002, F.S.

<sup>2</sup> Sections 1001.213 and 1002.75, F.S.

<sup>3</sup> Section 1002.75, F.S.

<sup>4</sup> *Id.*

<sup>5</sup> Sections 1002.69(1) and 1002.73, F.S.

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

<sup>7</sup> *Id.* at (4)(a).

<sup>8</sup> *Id.* at (4)(c).

<sup>9</sup> Sections 1002.55(1), 1002.61(1)(a)-(b) and 1002.63(1), F.S.

### ***Child Eligibility and Enrollment***

The OEL is responsible for determining eligibility criteria for VPK programs.<sup>10</sup> A child is eligible if he or she is four years of age on or before September 1 of the school year during which he or she is enrolling and until the school year during which the child is eligible for admission or is admitted to kindergarten, whichever occurs first.<sup>11</sup>

A child involved in a VPK program specified in law may withdraw from the VPK program for good cause<sup>12</sup> and reenroll, provided the child has not completed more than 70 percent of the authorized program hours or expended more than 70 percent of the authorized funds.<sup>13</sup> A child that has not substantially completed any VPK 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.<sup>14</sup>

### ***VPK Program Accountability***

The OEL is required to develop and adopt performance standards for students enrolled in a VPK program.<sup>15</sup> The performance standards must address the age-appropriate progress of students in the development of:<sup>16</sup>

- The capabilities, capacities, and skills required under Art. IX, s. 1(b), of the Florida Constitution;<sup>17</sup> and
- Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic awareness, and vocabulary and comprehension development.

Florida law requires the DOE to adopt a statewide kindergarten screening (screening) that assesses the readiness of each student for kindergarten based upon the performance standards<sup>18</sup> adopted for the VPK program.<sup>19</sup> The screening must be administered to each kindergarten student in a school district within the first 30 school days of each school year.<sup>20</sup> Data from the screening is used to calculate the VPK provider kindergarten readiness rate.<sup>21</sup>

The OEL annually calculates each public school's or private provider's kindergarten readiness rate based on the percentage of students who have met all state readiness measures and student learning gains, as determined by the results of the pre- and post-assessments during at least two years.<sup>22</sup> Currently, the instrument is a developmental screening tool based on the Work Sampling

<sup>10</sup> Section 1002.75(2)(a).

<sup>11</sup> Section 1002.53(2), F.S.

<sup>12</sup> Section 1002.71(4)(b), F.S.

<sup>13</sup> *Id.* at (4)(a).

<sup>14</sup> Section 1002.71(4)(b), F.S.

<sup>15</sup> Section 1002.67(1)(a), F.S.

<sup>16</sup> *Id.*

<sup>17</sup> An early childhood development and education program means an organized program designed to address and enhance each child's ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.. Art. IX, s. X, Fla. Const.

<sup>18</sup> Section 1002.67(1), F.S.

<sup>19</sup> Section 1002.69(1), F.S.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.* at (5).

<sup>22</sup> *Id.* at (4) – (5).

System (WSS).<sup>23</sup> 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>24</sup>

Additionally, each VPK program private prekindergarten provider and public school must administer an evidence-based pre- and post-assessment approved by the State Board of Education, which must be valid, reliable, developmentally appropriate, and designed to measure student progress on a variety of domains, including, but not limited to, early literacy and language.<sup>25</sup>

### **Just Read, Florida! Office**

In 2006, the Legislature created the Just Read, Florida! Office (Office) within the DOE to oversee implementation of the statewide public school reading requirements.<sup>26</sup> The Office is required to, among other things:<sup>27</sup>

- Provide technical assistance to school districts in the development and implementation of district plans for use of the research-based reading allocation.<sup>28</sup>
- Review, evaluate, and provide technical assistance to school districts' implementation of the K-12 comprehensive reading plan.
- Work with the Florida Center for Reading Research<sup>29</sup> to provide information on research-based reading programs and effective reading in the content area strategies.
- Train kindergarten through grade 12 teachers and school principals on effective content-area-specific reading strategies.

Florida law requires DOE to monitor and track the implementation of each district's K-12 comprehensive reading plan and report its findings annually to the Legislature by February 1.<sup>30</sup>

<sup>23</sup> Email, Florida Department of Education (March 30, 2017).

<sup>24</sup> Florida's Office of Early Learning, *VPK Prekindergarten Readiness Rate Resources for Parents*, <https://vpk.fldoe.org/InfoPages/ParentInfo.aspx> (last visited March 31, 2017); Florida's Office of Early Learning, *Florida Kindergarten Readiness Screener (FLKRS)*, [http://www.floridaearlylearning.com/providers/provider\\_resources/florida\\_kindergarten\\_readiness\\_screener.aspx](http://www.floridaearlylearning.com/providers/provider_resources/florida_kindergarten_readiness_screener.aspx) (last visited March 31, 2017).

<sup>25</sup> Section 1002.67(1)(a), F.S. The OEL must periodically review and revise the performance standards for the statewide kindergarten screening and align the standards to those established by the State Board of Education for student performance on statewide, standardized assessments. *Id.* at (1)(b).

<sup>26</sup> Section 8, ch. 2006-74, L.O.F., *codified as s.* 1001.215, F.S.

<sup>27</sup> Section 1001.215, F.S.

<sup>28</sup> Each school district is required to annually submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation. The reading plans are submitted to and approved by the Just Read, Florida! Office. Section 1011.62(9)(d), F.S. The requirements for the reading plans are set forth in rule by the State Board of Education. Rule 6A-6.053, F.A.C.

<sup>29</sup> The Florida Center for Reading Research (FCRR) was created at the Florida State University and includes two outreach centers, one at a Florida College System institution in central Florida and one at a south Florida state university. Section 1004.645, F.S. The FCRR conducts basic research on reading, reading growth, reading assessment, and reading instruction; disseminates information about research-based practices related to literacy instruction and assessment; conducts applied research; and provides technical assistance to Florida's schools and the Just Read, Florida! Office. *See* Florida State University, Florida Center for Reading Instruction, *The Center's Four Part Mission*, <http://www.fcrr.org/> (last visited March 31, 2017).

<sup>30</sup> Section 1011.62(9)(d), F.S.

## Florida Center for Reading Research

In 2006, the Legislature created The Florida Center for Reading Research at Florida State University<sup>31</sup> to:

- Provide technical assistance and support to all school districts and schools in this state in the implementation of evidence-based literacy instruction, assessments, programs, and professional development
- Conduct applied research that will have an immediate impact on policy and practices related to literacy instruction and assessment in this state with an emphasis on struggling readers and reading in the content area strategies and methods for secondary teachers.
- Conduct basic research on reading, reading growth, reading assessment, and reading instruction, which will contribute to scientific knowledge about reading.
- Collaborate with the Just Read! Florida Office and school districts in the development of frameworks for comprehensive reading intervention courses for possible use in middle schools and secondary schools.
- Collaborate with the Just Read! Florida Office and school districts in the development of frameworks for professional development activities, using multiple delivery methods for teaching reading in the content area.
- Disseminate information about research-based practices related to literacy instruction, assessment, and programs for students in preschool through grade 12.
- Collect, manage, and report on assessment information from screening, progress monitoring, and outcome assessments through the Florida Progress Monitoring and Reporting Network. The network is a statewide resource that is operated to provide valid and timely reading assessment data for parents, teachers, principals, and district-level and state-level staff in the management of instruction at the individual, classroom, and school levels.<sup>32</sup>

### III. Effect of Proposed Changes:

The bill revises provisions related to the Voluntary Prekindergarten Education (VPK) program and duties of the Just Read! Florida Office (Just Read! Florida). Specifically, the bill:

- Requires the Just Read, Florida! to train Voluntary Prekindergarten through grade 3 teachers, reading coaches, and school principals on effective research-based instructional strategies.
- Requires the Office of Early Learning (OEL) to determine eligibility for enrollment and reenrollment in the school year VPK program.
- Requires each early learning coalition (ELC) to coordinate with the OEL to assign student identification numbers to each student who enrolls in the program.
- Clarifies that the Department of Education must adopt a single statewide kindergarten readiness screening that is a direct assessment of early literacy and numeracy skills.
- Requires private prekindergarten providers and public schools in the VPK program to provide parents with the results of the pre- and post- assessment within 10 days after the administering the assessment.
  - Requires the results of the pre- and post- assessments to be reported at the aggregate level, distributed to the respective ELCs and school districts, and displayed on the OEL's website within 30 days after the administration of the assessment.

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<sup>31</sup> Section 34, chapter 2006-74, L.O.F.

<sup>32</sup> Section 1004.645, F.S.

- Authorizes a child who is at risk of not attaining the performance standards specified in law to reenroll, at the request of the child's parent, in one of the school-year programs offered by a provider that has met the adopted minimum readiness rate provided in law for the subsequent year.

### **Voluntary Prekindergarten Education Program (Sections 2 through 6)**

Section 2 amends s. 1002.51, F.S., to define a "public school prekindergarten provider" to include a charter school authorized to provide a prekindergarten program in its charter that is eligible to deliver a prekindergarten program as specified in law.

Sections 4 and 5 amends ss. 1002.67 and 1002.69, F.S., respectively, to make several changes regarding VPK assessments. Section 3 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. This section also requires the results be reported at the aggregate level, distributed to the respective ELC and districts and be available on the office's website 30 days after administering the assessment. These provisions may help parents provide instructional support at home to improve student performance outcomes and may result in greater transparency in identifying successful VPK programs.

Section 5 requires the statewide kindergarten screening to be a single instrument that emphasizes and directly assesses early literacy and numeracy skills. A single screening instrument may provide greater consistency across the state in assessing the kindergarten readiness rate and greater accountability for VPK programs.

Section 6 amends s. 1002.71, F.S., to authorize, beginning in the 2018-2019 school year, a child who is at risk of not attaining the performance standards specified in law to reenroll, at the request of the child's parent, in one of the school-year programs offered by a provider that has met the adopted minimum readiness rate provided in law for the subsequent year. Section 3 authorizes the OEL to determine the eligibility criteria for reenrollment in the school year VPK Education Program.

Additionally, section 3 amends s. 1002.53, F.S., to require each ELC to coordinate with the OEL to assign student identification numbers to each VPK student.

### **Just Read, Florida! Office (Sections 1 and 7)**

Section 1 amends s. 1001.215, F.S., to require Just Read! Florida to train VPK through grade 3 teachers and reading coaches on effective research-based reading instructional strategies and interventions. This section also removes the requirement for Just Read! Florida to train grade K-3 teachers and school principals on effective content-area-specific reading strategies, and limits that requirement to grade 4-12 teachers and principals.

Section 1 requires Just Read! Florida to collaborate with the Office of Early Learning to develop the training. Contingent upon legislative appropriation, this training must be designed to be consistently delivered statewide in an appropriate format. This section also requires Just Read!

Florida to collaborate with the Florida Center for Reading Research to develop and provide access to sequenced curriculum programming, instructional practices and resources that help elementary schools use state-adopted instructional materials and content-rich to increase students' knowledge and reading skills.

Accordingly, the bill appears to be placing a greater emphasis on early reading instruction and intervention.

Section 7 amends s. 1011.62, F.S., to change the date the DOE must report its findings annually to the Legislature from February 1 to December 1, and clarifies that the report must include findings from the previous school year.

The bill takes effect July 1, 2017.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

According to the Florida Department of Education, early learning coalitions and private VPK program providers may incur additional costs associated with training program delivery, distribution of pre- and post- assessment reports to parents, and issuing or tracking unique student identifiers.<sup>33</sup> Associated costs are indeterminable at this time.<sup>34</sup>

C. Government Sector Impact:

The bill allows a child who is at risk of not attaining the performance standards specified in law to reenroll, at the request of the child's parent, in one of the school-year VPK programs offered by a provider that has met the adopted minimum readiness rate

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<sup>33</sup> Florida Department of Education, *2017 Agency Legislative Bill Analysis for SB 468* (March 17, 2017), at 7.

<sup>34</sup> *Id.*

provided in law for the subsequent year. The cost of authorizing VPK reenrollment for these children is indeterminate.

According to the Department of Education, approximately 20 percent of all VPK children are not ready for kindergarten; therefore, approximately 20 percent of the 157,000 VPK students, or 31,000 children, could potentially opt to retake the school-year program at a projected cost of \$75.5 million (31,000 x \$2,437). However, the actual number of parents who would choose this option is unknown, as it is unlikely that most parents would choose to reenroll their child in VPK rather than attending kindergarten. Current law allows a parent to postpone enrollment in a VPK program for one year if the parents feels the children is not ready. Only 374 children statewide utilized this option in the 2016-2017 fiscal year.<sup>35</sup>

According to the Office of Early Learning (OEL), the Family Portal, Provider Portal and the Coalitions Service Portal will need programming changes to allow a child to reenroll in VPK for an additional year. OEL estimates that it will take 9 information technology contractors to incorporate this change. This includes 3 developers, 2 database analyst/administrators, 2 business analyst and 2 quality assurance (testers). The total team effort will be 2,800 hours over a 2-month period at an estimated cost of \$185,000.

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

None.

#### **VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1001.215, 1002.51, 1002.53, 1002.67, 1002.69, 1002.71, and 1011.62.

#### **IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

##### **Recommended CS by Appropriations Subcommittee on Pre-K-12 Education on April 18, 2017:**

The committee substitute:

- Defines a “public school prekindergarten provider” as including a charter school authorized to provide a prekindergarten program in its charter that is eligible to deliver a prekindergarten program as specified in law.

<sup>35</sup> Email, Florida Department of Education, Office of Early Learning (April 13, 2017).



- Requires Just Read! Florida to collaborate with the Florida Center for Reading Research to develop and provide access to sequenced curriculum programming, instructional practices and resources that help elementary schools use state-adopted instructional materials and content-rich to increase students' knowledge and reading skills.
- Removes the \$10 million appropriation to the Department of Education for the training of VPK through grade 3 teachers, reading coaches, and school principals on research-based reading instructional strategies and interventions.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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