

**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.)

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Prepared By: The Professional Staff of the Committee on Education

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BILL: SB 1372

INTRODUCER: Senator Burgess

SUBJECT: Literacy Improvement

DATE: March 15, 2021

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	<b>Favorable</b>
2.			AED	
3.			AP	

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**I. Summary:**

SB 1372 establishes the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high-quality free books to students in kindergarten through grade 5 who are reading below grade level. The bill:

- Requires the Department of Education or a contracted third party to administer the program using state funds to pay for half of the cost to provide free books to students.
- Authorizes school districts, and charter schools in nonparticipating school districts, to provide for free monthly book delivery to students in kindergarten through grade 5 who exhibit a substantial deficiency in reading and choose to participate in the program.
- Requires participating school districts or charter schools to partner with a nonprofit organization to implement the initiative and to provide half the cost of the program from local funding sources.
- Requires the administrator to annually report to the Legislature and the Commissioner of Education on the performance of the program.

The bill provides an effective date of July 1, 2021.

**II. Present Situation:**

Forty-three percent of the students entering kindergarten in 2020 demonstrated literacy skills that fell below grade-level expectations.<sup>1</sup> Forty-two percent of third grade students were assessed as

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<sup>1</sup> Florida Department of Education, FLKRS Statewide Results, *Fall 2020 Florida Kindergarten Readiness Screener (FLKRS)*, available at <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/flkrs/flkrs-sw-results.stml> (download excel file "Fall 2020 FLKRS Results by District") (last visited Mar. 5, 2021).

reading below grade level in 2019.<sup>2</sup> Students who read below grade level at the end of third grade are less likely to graduate high school by age 19.<sup>3</sup>

The availability of learning materials in the home supports children's language and literacy skills.<sup>4</sup> Children who participate in free book distribution programs between birth to age five experience a positive effect on literacy development.<sup>5</sup>

### **Student Reading Progression**

Each district school board is required to establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of English Language Arts, mathematics, science, and social studies standards.<sup>6</sup> The plan must include criteria that emphasize student reading proficiency in kindergarten through grade 3. Students in kindergarten through grade 3 who exhibit a substantial deficiency in reading based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency.<sup>7</sup>

### **Research-Based Reading Instruction Allocation**

The state allocates funding to school districts for research-based reading instruction to students in kindergarten through grade 12.<sup>8</sup> Funds must be used to provide a system of comprehensive reading instruction to students enrolled in kindergarten through grade 12, including, for example:<sup>9</sup>

- Summer reading camps for students in kindergarten through grade 5 who exhibit certain reading deficiencies, depending on grade level.<sup>10</sup>

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<sup>2</sup> Florida Department of Education, *Florida Standards Assessments* (2019), available at <http://www.fldoe.org/core/fileparse.php/5668/urlt/80FSAResults19.pdf>, at 4.

<sup>3</sup> Donald J. Hernandez, The Annie E. Casey Foundation, *Double Jeopardy: How Third-Grade Reading Skills and Poverty Influence High School Graduation* (2012), available at <https://www.aecf.org/m/resourcedoc/AECF-DoubleJeopardy-2012-Full.pdf#page=3> (last visited Mar. 5, 2021).

<sup>4</sup> Eileen T. Rodriguez & Catherine S. Tamis-LeMonda, *Trajectories of the Home Learning Environment Across the First 5 Years: Associations with Children's Vocabulary and Literacy Prekindergarten*, 82 CHILD DEVELOPMENT 1058, 1059 (2011).

<sup>5</sup> Merel de Bondt et al., *Do Book Giveaway Programs Promote Home Literacy Environment and Children's Literacy-Related Behavior and Skills?*, 90 Review of Education Research 349 (2020), available at <https://journals.sagepub.com/doi/pdf/10.3102/0034654320922140>.

<sup>6</sup> Section 1008.25(2), F.S.

<sup>7</sup> Section 1008.25(5)(a), F.S. Students in kindergarten through grade 2 do not participate in statewide, standardized assessments.

<sup>8</sup> Section 1011.62(9), F.S. The state appropriated \$130 million to school districts for the research-based reading instruction allocation for the 2020-2021 fiscal year. Specific Appropriations 8 and 92, s. 2, ch. 2020-111, L.O.F.

<sup>9</sup> Section 1011.62(9)(c), F.S. The state also appropriated \$236.6 million to school districts for instructional materials for the 2020-2021 fiscal year. Specific Appropriations 8 and 92, s. 2, ch. 2020-111, L.O.F. School districts are authorized to use half of the funds allocated for instructional materials for library books. Section 1006.40(3)(b), F.S. School district expenditures for library books in the 2019-2020 fiscal year totaled \$63.4 million. Florida Department of Education, *School District Annual Financial Reports* (2019-2020), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/1920afrStateSummary.PDF>, at 23 (last visited Mar. 5, 2021).

<sup>10</sup> All students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment. Section 1011.62(9)(c)5., F.S.

- Supplemental instructional materials that are grounded in scientifically based reading research as identified by the Just Read, Florida! Office.<sup>11</sup>
- Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.

District school boards must develop K-12 comprehensive reading plans which detail the specific uses of the research-based reading instruction allocation. The plans must provide for intensive reading interventions through integrated curricula that incorporate strategies identified by the Just Read, Florida! Office and are delivered by a teacher who is certified or endorsed in reading.<sup>12</sup> In the 2020-2021 fiscal year, school districts allocated \$36.9 million of the total \$130 million appropriated under the research-based reading instruction allocation<sup>13</sup> for elementary reading intervention teachers, supplemental reading materials and interventions, and summer reading camps.<sup>14</sup>

### **Parental Notification and Choice**

The parent of any student who exhibits a substantial deficiency in reading must be notified in writing of the deficiency and of all available services and proposed interventions, and be provided with a “read at home plan,” which outlines strategies that parents can use to help their children improve in reading.<sup>15</sup>

Students enrolled in public school in grades 3 through 5 and score below grade level on the statewide, standardized English Language Arts (ELA) assessment in the prior school year may also be eligible for a reading scholarship account of \$500.<sup>16</sup> A total of 6,763 students received reading scholarship accounts in the 2019-2020 school year.<sup>17</sup> The state appropriated \$7.6 million for reading scholarship accounts for the 2020-2021 school year.<sup>18</sup>

In the 2020-2021 school year, 112,295 students enrolled in public schools in kindergarten through grade 5 were identified as having substantial deficiencies in reading.<sup>19</sup>

### **Book Distribution Programs**

An Act to amend the national reading program in 1975<sup>20</sup> authorized the federal government to contract with a third-party entity to subcontract with local agencies to establish, operate, and provide an equal share of the cost of reading motivational programs which include the

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<sup>11</sup> Just Read, Florida! is an office within the Department of Education (DOE) established to help students read at their highest potential. Section 1001.215, F.S.

<sup>12</sup> Section 1011.62(9)(d)1., F.S.

<sup>13</sup> *Supra*, note 8.

<sup>14</sup> Email, Florida Department of Education (Mar. 11, 2021).

<sup>15</sup> Section 1008.25(5)(c), F.S.

<sup>16</sup> Section 1002.411, F.S.

<sup>17</sup> Email, Office of Program Policy Analysis and Government Accountability, *School Choice Landscape*, at 34 (March 5, 2021).

<sup>18</sup> Specific Appropriation 112, s. 2, ch. 2020-111, L.O.F.

<sup>19</sup> Email, Florida Department of Education (Mar. 11, 2021).

<sup>20</sup> Pub. L. No. 94-194, 89 Stat. 1103.

distribution of books to schoolchildren.<sup>21</sup> The inexpensive book distribution program was last financed with \$25 million in 2010.<sup>22</sup> The Every Student Succeeds Act of 2015<sup>23</sup> repealed the inexpensive book distribution program.<sup>24</sup>

In 2020, the Tennessee Governor’s Early Literacy Foundation (GELF) and the Tennessee Department of Education, in collaboration with Scholastic, the global children’s publishing, education and media company, announced the launch of a new K-3 Book Delivery program to deliver 580,000 books to 58,000 kindergarten through third grade students and teachers across the state.<sup>25</sup> The GELF has operated a book distribution program in collaboration with Dolly Parton’s Imagination Library to distribute books to children from birth to the age of five since 2004.<sup>26</sup> The Tennessee Legislature appropriated \$4,525,000 for the Governor’s Books from Birth Fund for the 2019 fiscal year,<sup>27</sup> and the Books from Birth program mailed 3.4 million books.<sup>28</sup>

### III. Effect of Proposed Changes:

SB 1372 creates s. 1003.485, F.S., to establish the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high-quality free books to students in kindergarten through grade 5 who are reading below grade level expectations.

Under the initiative, a high-quality, hardcopy book is delivered on a monthly basis to eligible students enrolled in a participating school district or a charter school that chooses to participate when its sponsor chooses not to participate. The bill defines a participating school district or charter school as a “participating entity.” Parents of students who participate in the program are provided resources to help improve their student’s reading skills and instill a love of reading.

#### State-Level Administrator

Implementation of the initiative is split between participating entities, in partnership with local nonprofit organizations, and a state administrator, who may either be the Department of Education (DOE) or a contracted, third-party entity. The bill requires the state-level administrator to:

- Develop a process for participating entities to apply to participate in the program. A participating entity is required to identify:

<sup>21</sup> *Id.* at 89 Stat. 1105.

<sup>22</sup> U.S. Office of Management and Budget, *Appendix, Budget of the United States Government, Fiscal Year 2012*, available at <https://www.govinfo.gov/content/pkg/BUDGET-2012-APP/pdf/BUDGET-2012-APP.pdf>, at 344.

<sup>23</sup> Pub. L. 114-95, 129 Stat. 1802.

<sup>24</sup> *Id.* at 129 Stat. 1967.

<sup>25</sup> Governor’s Early Literacy Foundation, *Press Release* (Oct. 21, 2020), <https://governorsfoundation.org/governors-early-literacy-foundation-scholastic-and-tn-department-of-education-to-provide-580000-books-to-k-3-students-and-teachers-in-tennessee/> (last visited Mar. 11, 2020).

<sup>26</sup> Governor’s Books from Birth Foundation, *2019 Year in Review*, available at <https://gelf.app.box.com/s/z7w8nj75b82ofkbs0pkq1f9sij1826ho> (last visited Mar. 11, 2021).

<sup>27</sup> 2019 Tenn. Pub. Ch. 405 page no. 3, available at <https://legiscan.com/TN/text/HB1508/2019> (last visited Mar. 11, 2021).

<sup>28</sup> Governor’s Books from Birth Foundation, *2019 Year in Review*, available at <https://gelf.app.box.com/s/z7w8nj75b82ofkbs0pkq1f9sij1826ho>, at 9 (last visited Mar. 11, 2021).

- At least one partnership with a nonprofit organization to raise public awareness of the initiative, perform fundraising, and conduct or facilitate family literacy engagement activities.
- Local funding sources to pay for 50 percent of the total costs associated with participation.
- Develop, in consultation with the Just Read, Florida! Office, a selection of high-quality books, encompassing diverse subjects and genres, appropriate for each grade level to be mailed to students enrolled in the initiative.
- Facilitate book distribution directly or through an agreement with a book distribution company.
- Develop and provide marketing materials to help school districts and their local partners raise funding and awareness of the initiative, including through the use of partnerships between public libraries and participating entities to implement family engagement events such as family library nights, library card drives, summer access, and other activities.
- Maintain a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to provide books to children.
- Develop training materials, including video training modules resources, to assist families as they engage in reading and improve literacy skills.
- Periodically distribute to participating families helpful tips and hyperlinks to video modules via text message and e-mail.

The bill requires that if the DOE contracts with a third-party entity to act as administrator, the entity must be capable of coordinating statewide marketing, dissemination of books, and development of video training modules, as well as completing all other duties of the administrator.

### ***Annual Report***

Beginning September 30, 2022, and annually thereafter, the administrator must submit a report to the Senate President, the Speaker of the House of Representatives, and the Commissioner of Education documenting the number of students enrolled in the initiative in each participating entity, the academic performance of enrolled students based on available data provided by participating entities, and the amount of funds raised by any local nonprofit organization identified by the participating entity in the application.

### **Student Participation**

A student in kindergarten through grade 5 who is enrolled in a participating entity is eligible under the bill to receive books through the initiative if the student has a substantial reading deficiency or scored below a level 3 on the prior year's statewide, standardized English Language Arts (ELA) assessment. The bill requires the participating entity to notify the parents of eligible students that the student is eligible to receive books at no cost through the New Worlds Reading Initiative and provide the parent the opportunity to enroll his or her child using an application form developed by the administrator.

After a student enrolls in the initiative, the bill requires the participating entity to coordinate with the administrator to initiate monthly book delivery during the school year, which must begin no

later than October 31 and last through at least June 30. The bill authorizes book delivery to continue through the summer months using local funds. Students remain in the initiative until they are promoted to sixth grade or their parent opts out, whichever is earlier. The bill requires that enrolled students have the opportunity, at the beginning of each school year, to identify preferred genres and topics in order to maximize their interest in reading.

Participating entities and partnering nonprofit organizations are required by the bill to raise awareness of the initiative, including information on eligibility and video training modules, through:

- The student handbook.
- The read-at-home plan provided to the parents of students identified with a substantial reading deficiency. The bill also amends s. 1008.25, F.S., to require that the parents of students with a substantial reading deficiency be provided information about the student's eligibility for the New Worlds Reading Initiative, and information on parent training modules and other reading engagement resources available through the initiative.
- Curriculum or parent nights or separate initiative awareness events at each elementary school.
- Events held jointly with the local public library. The bill specifies that library events should coincide with similar family engagement initiatives such as library card drives.

The bill requires books to be delivered at no cost to families. Funding for the delivery of books must be shared equally by the administrator and the applicable local funding source identified by the participating entity in the application on a pro rata basis for each enrolled student. The bill permits the administrator to solicit donations and apply for grants for the purpose of implementing the initiative.

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

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The cost of book distribution required by this bill will require the appropriation of state funds.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1008.25 of the Florida Statutes.

This bill creates section 1003.485 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.