
SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: February 19, 1998 Revised: _____

Subject: Early Education and Child Care Program

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Crosby</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
2.	<u>_____</u>	<u>_____</u>	<u>ED</u>	<u>_____</u>
3.	<u>_____</u>	<u>_____</u>	<u>WM</u>	<u>_____</u>
4.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
5.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

I. Summary:

This bill establishes the early education and child care program with participation at the option of each county. A State Readiness Commission is established as a citizen board to coordinate efforts toward school readiness and provide independent policy analysis and recommendations to the Governor, the State Board of Education, and the Legislature; membership is set at 12 members of the public, to be appointed by the Governor. A School Readiness Coordinating Council is created and is responsible for implementing the policies of the School Readiness Commission as well as facilitating local implementation. Membership of the School Readiness Coordinating Council is specified. Program eligibility and priority are stated. Performance standards and outcome measures are detailed. The Departments of Children and Family Services and Education must develop and implement the early education and child care program in cooperation with local School Readiness Coalitions; membership of the School Readiness Coalition is specified. This program may be implemented in any county by agreement of the district school system and the Department of Children and Family Services, with the approval of the School Readiness Coordinating Council. School Readiness Coalitions shall develop the plan for implementation; the plan will include scheduled activities and instruction. The School Readiness Coalition shall develop a reimbursement rate schedule to encompass all publicly funded early education and child care programs. All savings received through a sliding fee scale shall be used to help fund extended-day and extended-year services. A fiscal agent is selected to provide all administrative and direct funding services. Parental choice is ensured through voucher or contract. Each School Readiness Coalition shall conduct an evaluation, including performance standards and outcome measures, and submit this in a report to the School Readiness Coordinating Council and the legislature. Nothing in this act shall increase the standards which must be met by family child care providers, but children served by family child care providers will be assessed for school readiness upon entering public or private kindergarten or first grade. This act shall take effect July 1, 1998.

This bill creates section 402.265 of the Florida Statutes. This bill repeals section 411.222(4) of the Florida Statutes.

II. Present Situation:

Currently there are three major publicly funded early child care and education programs: the subsidized child care program, administered by the Department of Children and Families; the prekindergarten early intervention program, administered by the Department of Education; and, the Head Start program, administered through various local agencies by contract with the federal government.

Subsidized Child Care

Florida has operated a subsidized child care program for approximately 20 years. The purpose of the current subsidized child care program, administered by the Department of Children and Families, as described at s. 402.3015, F.S., is “to provide quality child care to enhance the development, including language, cognitive, motor, social, and self-help skills of children who are at risk of abuse or neglect and children of low-income families.” The goal is to promote financial self-sufficiency and life skills for the families of these children. Priority for participation in the subsidized child care program is accorded to children under 13 years of age who are determined to be at risk of abuse, neglect, or exploitation and who are currently clients of the Department’s Children and Families Services Program Office; children at risk of welfare dependency, including children of participants in the WAGES Program, children of migrant farm workers, children of teen parents, and children of other families at risk of welfare dependency; and, children of working poor families.

Prekindergarten Program

The prekindergarten program is established pursuant to s. 230.2305, F.S., and is designed to serve economically disadvantaged 3- and 4-year-olds, the majority of whom shall be 4 years of age, in educational programs administered by Florida’s school districts. This program is funded by a direct appropriation of lottery dollars. School districts may spend the funds they receive to implement and conduct a prekindergarten program or to contract with public or non-public entities to serve eligible children.

Each school district’s prekindergarten plan is developed by the school board in coordination with the local interagency coordinating council on early childhood services. Each coordinating council must include private and subsidized child care program representatives as well as representatives from the federally funded Head Start program.

Head Start

Head Start is a federally funded program. The funds come directly from the federal government to the local grantee, usually private non-profits located in the school district. Though the federal government does provide performance standards which each local grantee must meet, each local grantee is given significant autonomy in planning its curriculum.

Coordination across these and other early education programs and services at the local level is reportedly varied.

III. Effect of Proposed Changes:

Section 1 creates s. 402.265, F.S., to establish the early education and child care program and contains thirteen subsections.

Subsection (1) states the legislative intent as establishing the early education and child care program. Implementation of the program is optional, on a county-by-county basis, but if a county does implement a program, cooperative and integrated funding will be used to coordinate all publicly funded early education and child care programs, including prekindergarten, Head Start, public and private child care, preschool programs for children with disabilities, programs for migrant children, Title I programs, subsidized child care, teen parent programs and others.

Subsection (2) specifically provides that participation in this program is at the option of each county.

Subsection (3) establishes the State Readiness Commission as an oversight group for all early education and child care. The State Readiness Commission shall be composed of 12 members of the public, appointed by the Governor.

Subsection (4) establishes the State Readiness Coordinating Council to review local coalition plans and coordinate the goals of the State Readiness Commission. Membership is specified as follows: the Deputy Commissioner of Education Programs, Department of Education; the Secretary of the Department of Children and Family Services or a designee; the Secretary of the Department of Health or a designee; the Chair of the Child Care Partnership Board; the Executive Director of the State WAGES Board; the President of the Florida Pediatric Society; the Chair of the Florida Council of 100; the President of the Head Start Directors Association; the President of the Florida Children's Forum; the Chair of the Developmental Disabilities Council; the Director of the Healthy Start Coalition Association; the President of the Florida School Board Association; the Chair of the Florida Association of Family Child Care Homes; the Chair of a School Readiness Coalition; and, an additional five members from the private sector business community.

Subsection (5) provides program eligibility. Priority is stated as follows:

- ▶ children under 13 years of age who are current clients of the Department of Children and Families and who are determined to be at risk of abuse, neglect or exploitation, children at risk of welfare dependency, and children of the working poor;
- ▶ 3- and 4-year-olds who may not be economically disadvantaged but who have disabilities;
- ▶ economically disadvantaged children, children with disabilities, and children at risk of future school failure, from birth to age 4, who are served at home through a home visitor or intensive parent education program; and
- ▶ children who are not economically disadvantaged but who meet federal and state requirements for eligibility for the migrant preschool program.

The term “economically disadvantaged” is defined as a child whose family income is below 150 percent of the federal poverty level or who is eligible to participate in the free lunch program.

The criteria for eligibility and priority seem to be a hybrid of those for existing programs. For example, pursuant to chapter 402, F.S., subsidized child care priorities are those children at risk of abuse, neglect, or exploitation; children at risk of welfare dependency; and, children of the working poor. Prekindergarten priority groups include economically disadvantaged 4-year-olds (75 percent of program participants); the other 25 percent of participating children include 3- and 4-year-olds who are abused, prenatally exposed to alcohol or harmful drugs or from foster homes or who are marginal in terms of Exceptional Student Education placement; 3- and 4-year-olds with disabilities; economically disadvantaged 3-year-olds; children in the above mentioned groups who are served at home through home visitor programs and intensive partner education programs; children meeting state and federal requirements for eligibility for the migrant preschool program; and, finally, non economically disadvantaged, fee paying children. s. 230.2305(2)(a), F.S. The prekindergarten program defines an “economically disadvantaged” child as one eligible to participate in the free lunch program. s. 230.2305(2)(b), F.S.

Except under very specific circumstances, as described in the Head Start Act, 42 U.S.C. 9801 *et seq.*, criteria for eligibility for Head Start may include children from low income families (family income below the poverty line); families who, without assistance in child care, would be eligible for public assistance; and children in the geographic area served who would benefit from such a program but do not meet the financial eligibility criteria.

Subsection (6) details performance standards and outcome measures which all publicly funded early education and child care programs must meet. Standards and measures include preparing preschool children to enter kindergarten ready to learn, providing extended day and extended year services when possible, coordinating staff development and teaching opportunities, expanding access to community services and resources for families to help achieve economic self-sufficiency, providing a simplified point of entry and unified waiting list, and serving at least as many children as were served prior to implementation of the program.

Programs must contain the following elements:

- ▶ staff-child interaction;
- ▶ developmentally appropriate curriculum;
- ▶ an appropriate staff to child ratio;
- ▶ continuity of care;
- ▶ group size;
- ▶ a healthy and safe environment;
- ▶ varied family components;
- ▶ quality services at an identified cost; and
- ▶ a resource and referral network to assist parents in making informed choices.

By comparison, program standards vary slightly in existing programs. For example, outcomes listed in conjunction with licensing standards in the subsidized child care program are designed to address the health, nutritional, safety, and sanitation needs of those children in child care as well as to provide for adequate physical surroundings. s. 402.305(1), F.S. The child development needs of children in child care are also addressed in this section of law. Outcomes in the prekindergarten program must be consistent with the state's first educational goal, readiness to start school, and must also consider efficiency measures such as the employment of a simplified point of entry, coordinated staff development programs, and other efforts within the state to increase the opportunity for welfare recipients to become self-sufficient. s. 230.2305(3)(b), F.S.

Subsection (7) provides that the Departments of Children and Family Services and Education must develop and implement the early education and child care program in cooperation with the School Readiness Coalition established in each participating county. The School Readiness Coalition will consist of a minimum of 12 members and membership is suggested. If a county elects to participate in the early education and child care program, the School Readiness Coalition will replace the district interagency coordinating council in that county.

Subsection (8) states that this program may be implemented in any county by agreement of the district school system and the Department of Children and Family Services district, with the approval of the School Readiness Coordinating Council. School Readiness Coalitions shall prepare and submit the plan for implementation. The early education and child care program shall include minimum standards and provisions. Two or more counties may join together to plan and implement a program of this type.

Subsection (9) provides for reimbursement, stating that the School Readiness Council shall develop a reimbursement rate schedule to encompass all publicly funded early education and child care programs.

Subsection (10) lists requirements relating to the fiscal agent, allowing the fiscal agent to be a public entity, a private non-profit, or a partnership of the two. The fiscal agent will provide all administrative and direct funding and is responsible for monitoring providers.

Subsection (11) provides that the program shall be provided by voucher or contract to ensure parental choice through flexibility in early education and child care arrangements, as well as payment arrangements. The Department of Children and Family Services, in consultation with the Comptroller, shall establish an electronic disbursement system for disseminating funds and vouchers.

Subsection (12) provides that each School Readiness Coalition shall conduct an evaluation, including performance standards and outcome measures, and provide an annual report and accounting to the School Readiness Commission and the Legislature.

Subsection (13) states that, in the event of a conflict between state and federal requirements, federal requirements control.

Section 2 provides that nothing in this act shall increase the standards which must be met by family child care providers and that children served by family child care providers will be assessed upon entering public or private kindergarten or first grade.

Section 3 repeals subsection (4) of s. 411.222, F.S.

Section 4 provides that this act shall take effect July 1, 1998.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None. Implementation of such a program is at the option of each county. Once a county decides to implement a program, cooperative and integrated funding will be used to coordinate all publicly funded early education and child care programs, including prekindergarten, Head Start, and other services and programs.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

The corresponding trust fund is established in Senate Bill 180. Pursuant to the provisions of Section 19(f)(2), Article II, Florida Constitution, the trust fund, as outlined in SB 180, shall be terminated on July 1, 2002 (unless terminated sooner). Prior to its scheduled termination, the trust fund shall be reviewed pursuant to s. 215.3206(1) and (2), F.S.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill requires each School Readiness Coalition to conduct an evaluation and submit an annual report to the State Readiness Commission and Legislature. No estimated cost and/or increase in cost is provided to staff by the Departments of Children and Family Services or Education.

VI. Technical Deficiencies:

In the Committee Substitute for Senate Bill 182 the proposed staff to child ratios are amended out. The intent of this amendment was that current law control in this area. At subsection (2), however, the language of the early education and child care program reads that “The provisions of this section shall supersede and prevail over any provisions of ss. 230.2305....” Though it is apparent that the existing prekindergarten staff to child ratios must control, the language of subsection (2) should be clarified to more clearly indicate this intent.

VII. Related Issues:

Recently, a report entitled “Children First: Florida’s School Readiness Initiative” was released by the Governor’s Commission on Education. This report suggested a number of recommendations for specific improvements Florida can make in better preparing our children for school and also pointed out shortcomings in the current system. One recommendation involves reorganization as necessary to better coordinate early education efforts. This bill is consistent with this recommendation. Another recommendation would include increased private sector involvement. Again, this bill is consistent with the Commission’s proposal.

Regarding the funding source, the Department of Children and Families has expressed concern that there may be some Child Care and Development Trust Fund issues. It is estimated, however, that maintaining the Department of Children and Family Services’ eligibility criteria, continuing parental choice, and the clear predominance of federal requirements will alleviate these concerns.

Furthermore, there may be issues with the blending of Head Start (federal) funds. For example, in conversations with Head Start representatives, staff has been told that a blending of funds cannot be achieved with the Head Start funding source. The Head Start Act does, indeed, describe how federal Head Start funds will be spent, eligibility for participation, the administrative cap, and other specifications. The *National Head Start Association, 30 Years of Head Start: 1965-1995* booklet, however, quotes three December 1993 recommendations of the Advisory Committee on Head Start Quality and Expansion, including a recommendation to “encourage Head Start to forge partnerships with key community and state institutions and programs in early childhood, family support, health, education, and mental health. These partnerships should be reviewed regularly to ensure that they accommodate changes in families and communities, as well as state and national policies. **This effort should include continuity and coordination with schools; linking with other federal, state and local resources; and encouraging partnerships with the private sector.**” [Emphasis added.]

Finally, there may be other outstanding issues related to the blending of lottery funds (currently used for the prekindergarten program). Though staff did request information on this potential problem from the Department of Education on at least two occasions, such information is not forthcoming.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
