

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

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

Prepared By: Children, Families, and Elder Affairs Committee

BILL: CS/SB 2400

INTRODUCER: Children, Families and Elder Affairs Committee and Senator Wilson

SUBJECT: Child Care Services

DATE: April 11, 2007

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Toman	Jameson	CF	Fav/CS
2.			JU	
3.			HA	
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**I. Summary:**

Committee Substitute/Senate Bill 2400 states that it is the intent of the Legislature that children who are under kindergarten age, and who are under the jurisdiction of a circuit court due to a documented case of child abuse, abandonment or neglect, will be given first priority for placement in public child care centers that have been designated Gold Seal Quality Care facilities. The bill provides that to the extent that there is a conflict with a priority placement pursuant to s. 411.01(6), F.S., a child who is at least three years of age shall have first priority.

The bill provides that the licensing entity for each district shall ensure compliance with the Legislative intent by developing a process for receiving feedback and addressing complaints.

The bill provides that the act will take effect July 1, 2007.

This bill substantially amends the following section of the Florida Statutes: 402.301.

**II. Present Situation:**

Studies have shown that children's social, emotional, and learning abilities are influenced by the quality of care they receive. This is especially true for at-risk children, who are less likely to be subjected to recurring abuse or neglect when they receive quality child care.<sup>1</sup>

<sup>1</sup> DCF Staff Analysis & Economic Impact, SB 2400 (March 2, 2007).

### Gold Seal Quality Care Programs

In 1996, the Florida Legislature established the Gold Seal Quality Care program<sup>2</sup> to acknowledge child care facilities and family day care homes that are accredited by nationally recognized agencies and whose standards reflect high quality in the level of care and supervision provided to children.<sup>3</sup> In addition, the Legislature established provisions for Gold Seal providers participating in the subsidized child care program (a.k.a. school readiness and early learning programs) to receive a higher reimbursement per child than providers without a Gold Seal designation.<sup>4 5</sup>

In 1999, the Legislature revised the program to provide tax incentives for participating in the Gold Seal Quality Care program.<sup>6</sup> Since then, the Legislature has revised the maximum amount of the reimbursement. Currently, the rate differential cannot exceed 20 percent above the reimbursement rate established by the local early learning coalition (a.k.a. the local school readiness coalition).<sup>7</sup>

In December 2004, Voluntary Pre-Kindergarten (VPK) legislation was passed and signed into law. This bill requires participating child care facilities and homes to maintain quality care accreditation and higher education standards for staff. The Gold Seal Quality Care program is an approved accreditation for child care providers to be eligible to participate in VPK.<sup>8 9</sup>

According to summary data provided by the Department of Children and Family's website,<sup>10</sup> there are currently 2,380 Gold Seal programs in the state of Florida. In at least 16 counties, there are fewer than five Gold Seal programs;<sup>11</sup> in one county, there are no Gold Seal programs at all.<sup>12</sup>

### School Readiness Programs

Pursuant to s. 411.01(6), F.S., priority for participation in school readiness programs is given to children, ages three to school entry, who are served by the Family Safety Program Office (FSPO) of DCF or by a community-based care (CBC) agency and who need child care to minimize risk of **further** abuse, neglect, or abandonment. Other populations eligible for participation (but not given priority) include, *inter alia*, children under the age of kindergarten eligibility who are at risk of abuse, neglect, or exploitation, and children who are at risk of welfare dependency.

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<sup>2</sup> Section 402.281, F.S.

<sup>3</sup> The Gold Seal Quality Care Program does not have a set of independent standards. Rather, it identifies child care facilities that offer a level of care that exceeds the minimum child care licensing standards established by the Florida Statutes and the Florida Administrative Code by meeting the higher standards of the approved accrediting agencies.

<sup>4</sup> Section 402.3051, F.S.

<sup>5</sup> <http://www.dcf.state.fl.us/childcare/goldseal.shtml#Index>

<sup>6</sup> Section 212.08(5)(m), F.S.

<sup>7</sup> <http://www.dcf.state.fl.us/childcare/goldseal.shtml#Index>

<sup>8</sup> Section 1002.55 (3)(b), F.S.

<sup>9</sup> <http://www.dcf.state.fl.us/childcare/goldseal.shtml#Index>

<sup>10</sup> <http://www.dcf.state.fl.us/childcare/goldseal.shtml>

<sup>11</sup> Baker, Calhoun, Dixie, Flagler, Glades, Gulf, Hamilton, Hardee, Jefferson, Lafayette, Liberty, Madison, Okeechobee, Taylor, Union, and Wakulla counties.

<sup>12</sup> Liberty county.

In FY 2005-2006, an average of 164,848 children per month were enrolled in school readiness programs. During that year, an average of 48,078 children per month were on the waiting list to receive services.<sup>13</sup> Funding for the program during FY 2005-2006 was \$659.1 million. Of the total, \$172.5 million was met with a General Revenue appropriation, and the remainder was met with federal dollars.

### **III. Effect of Proposed Changes:**

The bill states that it is the intent of the Legislature that children who are under the age of eligibility for kindergarten and under the jurisdiction of a circuit court due to a documented case of child abuse, abandonment or neglect will receive first priority for placement in public child care centers that have been designated Gold Seal Quality Care facilities pursuant to s. 402.281, F.S.

Because many Gold Seal child care facilities are also school readiness programs, the bill provides that to the extent a placement conflict arises between a child up to age of kindergarten who is to receive priority placement pursuant to the bill and a child who is at least three years of age and entitled to priority pursuant to s. 411.01(6), F.S., the child three years and older will have first priority.

The bill provides that the licensing entity for each district shall ensure that providers with a Gold Seal Quality Care designation comply with the bill's Legislative intent by developing a process for receiving consumer feedback and addressing complaints.

The bill states that the act will take effect on July 1, 2007.

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

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

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<sup>13</sup> Information available online at [www.floridajobs.org/earlylearning/SRS.html](http://www.floridajobs.org/earlylearning/SRS.html).

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

According to the Agency for Workforce Innovation (AWI), for each child enrolled in a school readiness program that is designated Gold Seal Quality Care, payment may be up to 20 percent over the approved payment rate, subsequently increasing each child's average cost of care. The fiscal impact of this legislation is difficult to determine because the number of children under the jurisdiction of the circuit court is difficult to determine.<sup>14</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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

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<sup>14</sup>Agency for Workforce Innovation, 2007 Legislative Bill Analysis, SB 2400 (March 7, 2007).

## **VIII. Summary of Amendments:**

None.

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