HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 153 Literacy Jump Start Pilot Project
SPONSOR(S): Lee, Jr.
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee		Beagle	Healy
2) Education Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

The bill requires the Office of Early Learning (OEL) to establish a 5-year Literacy Jump Start Pilot Project in St. Lucie County to provide emergent literacy instruction to low-income, at-risk children. OEL must select an organization to administer the pilot project and one or more municipalities to participate in the project. Emergent literacy instruction must be delivered in a subsidized housing unit located within an eligible municipality to facilitate parent and child access to services. The organization may coordinate with the St. Lucie County Health Department to provide basic health screening and immunization in conjunction with emergent literacy instruction.

Instructors working with pilot program children must complete an OEL-approved emergent literacy training course. Instructors or noninstructional personnel who have direct contact with pilot program children and volunteers must undergo level 2 background screening. The organization must certify to OEL its compliance with screening requirements before OEL may issue state funds for the pilot program. State funds may not be spent on screening.

The organization must submit an annual accountability report to OEL, the St. Lucie County Early Learning Coalition, the Governor, the President of the Senate, and the Speaker of the House of Representatives. Among other things, the report must include information regarding expenditures of state funds; additional funding sources used for the pilot project; and children who received emergent literacy instruction, health screenings, and immunizations. Additionally, the organization must verify by affidavit to OEL all expenditures of state funds.

The bill has a fiscal impact on state government. *See* Fiscal Analysis & Economic Impact Statement.

The bill requires level 2 background screening for "instructors or noninstructional personnel who have direct contact with children . . . and volunteers." This provision could be construed to require all individuals who volunteer with the organization to meet level 2 background screening requirements, regardless of whether they have any contact with children participating in the pilot program. This could result in added cost to the organization. *See* Drafting Issues & Other Comments.

The bill takes effect July 1, 2015.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Florida's Office of Early Learning (OEL) provides state-level administration for two state-funded early learning programs serving preschool age children – the School Readiness Program and the Voluntary Prekindergarten Education (VPK) Program.[1] Both programs are administered at the county or regional level by early learning coalitions (ELC).[2]

The VPK Program is a voluntary, free prekindergarten program offered to eligible four-year old children in the year before admission to kindergarten.[3] Children enrolled in the VPK Program receive instruction in emergent literacy and mathematics skills necessary for kindergarten readiness.[4] Among other things, Florida law requires OEL to adopt child performance standards and minimum standards for emergent literacy training courses for prekindergarten instructors. The performance standards and emergent literacy training courses must encompass oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.[5]

The School Readiness Program provides subsidies for child care services and early childhood education for children of low-income families; children in protective services who are at risk of abuse, neglect, or abandonment; and children with disabilities. The School Readiness Program is a state-federal partnership between OEL and the Office of Child Care of the United States Department of Health and Human Services.[6] Among other things, children participating in the program receive instruction in school readiness skills.[7]

Additional publicly-funded early learning programs for low-income, at-risk children offered in Florida include the Head Start,[8] Early Head Start,[9] Migrant and Seasonal Head Start,[10] and Home Instruction for Parents of Preschool Youngsters (HIPPY).[11]

Effect of Proposed Changes

The bill requires OEL to establish a 5-year Literacy Jump Start Pilot Project in St. Lucie County to provide emergent literacy instruction to low-income, at-risk children. OEL must select an organization to administer the pilot project and one or more municipalities to participate in the project. Both the organization and the municipalities must be located in St. Lucie County. The organization must be a not-for-profit corporation qualified as charitable under section 501(c)(3) of the Internal Revenue Code that provides training to parents to assist their children with success in school. The bill identifies the Parent Academy of St. Lucie County[12] as an example of a qualifying organization.

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[1] Parts V and VI, ch. 1002, F.S.

[2] Sections 1002.83-1002.85, F.S. There are currently 31 ELCs, which is the maximum permitted by law. Section 1002.83(1), F.S.; *see* Florida's Office of Early Learning, *Coalitions*, http://www.floridaearlylearning.com/coalitions.aspx (last visited Jan. 23, 2015)(*see* "Coalition Directory").

[3] Part V, ch. 1002, F.S.; *see also* Art. IX, s. 1(b)-(c), Fla. Const.

[4] Section 1002.67(1)(a), F.S.

[5] Sections 1002.59(1) and 1002.67(1), F.S.

[6] Part VI, ch. 1002, F.S.; 42 U.S.C. ss. 618 & 9858-9858q; U.S. Department of Health and Human Services, *Child Care and Development Fund Fact Sheet (2014), available at* http://www.acf.hhs.gov/sites/default/files/assets/FS_OCC_0.pdf.

[7] Section 1002.82(2)(j), F.S. OEL must develop and adopt standards and benchmarks that address the age-appropriate progress of children in the development of school readiness skills. The standards for children from birth to 5 years of age must be aligned with the VPK program performance standards, including language and communication. *Id.*

[8] 42 U.S.C. s. 9831 et. seq.

[9] 42 U.S.C. s. 9840a.

[10] *See e.g.*, 42 U.S.C. s. 9832(17).

[11] Specific Appropriation 87, s. 2, ch. 2014-51, L.O.F.

[12] Parent Academy, http://www.parentacademyslc.org/ (last visited Jan. 23, 2015).

Emergent literacy instruction must be delivered in a subsidized housing unit located within an eligible municipality to facilitate parent and child access to services. The organization may coordinate with the St. Lucie County Health Department to provide basic health screening and immunization in conjunction with emergent literacy instruction.

Instructors serving pilot program children must complete an OEL-approved emergent literacy training course. Instructors or noninstructional personnel who have direct contact with pilot program children and all volunteers must undergo level 2 background screening. The organization must certify to OEL its compliance with screening requirements before OEL may issue state funds for the pilot program. State funds may not be spent on screening. *See* Drafting Issues & Other Comments.

In order to participate in the pilot project, a child must be two or three years of age, eligible for a federally subsidized child care program, and a member of a family that is economically disadvantaged and reside in locally or federally subsidized housing. Under the bill, "economically disadvantaged" means having a family income that does not exceed 150 percent of the federal poverty level.

The organization must submit an annual accountability report to the Office of Early Learning, the St. Lucie County Early Learning Coalition, the Governor, the President of the Senate, and the Speaker of the House of Representatives. Among other things, the report must document expenditures of state funds and data regarding emergent literacy instruction and health screening and immunization services provided to children. Additionally, the organization must verify by affidavit to OEL all expenditures of state funds.

B. SECTION DIRECTORY:

Section 1. Creates an unnumbered section of law; creates the Literacy Jump Start Pilot Project; specifies requirements for the pilot project.

Section 2. Provides an effective date of July 1, 2015.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   The bill requires OEL to allocate funds to implement the Literacy Jump Start Pilot Project; however, an appropriation for the pilot project has not been proposed for FY 2016. The Legislature appropriated $110,000 to fund the pilot project for FY 2014 General Session and $200,000 for FY 2015. Both appropriations were vetoed by the Governor.[13]

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

[13] Specific Appropriation 103, s. 2, ch. 2013-40, L.O.F.; Specific Appropriation 87, s. 2, ch. 2014-51, L.O.F. Additionally, the FY 2015 appropriation was contingent upon passage of HB 85 (2014) or similar legislation, which legislation did not achieve final passage.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Lines 69-82: The bill's background screening requirements could be construed to require level 2 screening for all volunteers affiliated with the organization administering the pilot project, not just those who have direct contact with children participating in the pilot project. This could result in added cost to the organization. Additionally, consideration might be given to classifying the individuals who are required to be screened using the existing statutory term "child care personnel."[14] This term encompasses any employees and volunteers of the organization who have direct contact with participating children.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not Applicable.

[14] *See* s. 402.302(3), F.S. (definition of "child care personnel").