

HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

BILL #:	CS/HB 153	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Choice & Innovation Subcommittee; Lee and others	116 Y's	0 N's
COMPANION BILLS:	CS/SB 1116	GOVERNOR'S ACTION:	Pending

SUMMARY ANALYSIS

CS/HB 153 passed the House on April 24, 2015, and subsequently passed the Senate on April 29, 2015. 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 a local nonprofit 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.

Child care personnel serving children participating in the pilot project 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 project. State funds may not be spent on screening. Additionally, emergent literacy instructors must complete an OEL-approved emergent literacy training course.

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.

Subject to the Governor's veto powers, the effective date of the bill is July 1, 2015.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF 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

Child care personnel employed by licensed child care facilities, licensed and registered family day care homes, large family child care homes, licensed-exempt child care providers, and nonpublic schools and VPK program instructors employed by public schools, must undergo Level 2¹² background screening.¹³

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.floridaeearlylearning.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 Level 2 background screening requires individuals to be screened against a statutorily prescribed list of 51 offenses. *See* s. 435.04, F.S.

¹³ Sections 402.302(3) and (15)(definitions of "child care personnel" and "screening"), 402.305(2)(child care facilities), 402.313(3)(family day care homes), 402.3131(2)(large family child care homes), 1002.55(3)(d)-(e)(private provider of VPK school year program), 1002.61(5)-(6)(public school and private providers of the VPK summer program), and 1002.63(5)-(6), F.S. (public school provider of school year VPK program).

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 County¹⁴ as an example of a qualifying organization.

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.

Child care personnel serving children participating in the pilot project must undergo level 2 background screening. These requirements apply to owners, operators, employees, and volunteers working with children.¹⁵ The organization must certify to OEL its compliance with screening requirements before OEL may issue state funds for the pilot project. State funds may not be spent on screening. Additionally, instructors must complete an OEL-approved emergent literacy training course.

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 who resides 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.

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; this will require an appropriation in the FY 2015-16 General Appropriations Act (GAA). The 2013 Legislature appropriated \$110,000 to fund the pilot project for FY 2013-14 and the 2014 Legislature appropriated \$200,000 for FY 2014-15 fiscal year. Both appropriations were vetoed by the Governor.¹⁶

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

¹⁴ Parent Academy, <http://www.parentacademyslc.org/> (last visited Jan. 23, 2015).

¹⁵ See s. 402.302(3), F.S. (definition of child care personnel).

¹⁶ 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 did not occur.

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The nonprofit organization selected by OEL to administer the pilot project will receive state funds (if appropriated in the GAA).

D. FISCAL COMMENTS:

None.