STATE BOARD OF EDUCATION Consent Item September 29, 2014

SUBJECT: Approval of New Rule 6M-8.620, Voluntary Prekindergarten (VPK) Pre- and Post-Assessments

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1001.213(2), Florida Statutes

EXECUTIVE SUMMARY

The Office of Early Learning administers federal and state child care funds and partners with 30 local early learning coalitions to deliver comprehensive early learning services statewide. The office oversees three programs—the School Readiness Program, the Voluntary Prekindergarten (VPK) Education Program, and Child Care Resource and Referral services. OEL is required to submit its proposed rules to the State Board of Education for approval.

<u>Section 1002.67, Florida Statutes</u>, requires each private and public VPK provider to implement an evidenced-based pre- and post-assessment. For 2012-13 and 2013-14, the General Appropriations Act (GAA) specifies this instrument as the <u>Florida Voluntary</u> <u>Prekindergarten Assessment</u> developed by the Department of Education in collaboration with the Florida Center for Reading Research at Florida State University. This is an on-demand tool, administered one-on-one with children, and focuses on the development of pre-academic skills (i.e., print knowledge, phonological awareness, early mathematics, and oral language/vocabulary). The 2014-15 program year marks the third full year implementing this requirement.

The 2014-15 GAA outlines that a combination of two pre- and post-assessments will be used collectively to meet this requirement. The new pre- and post-assessment will be observational and will cover the remaining domains of the Standards for Four-Year-Olds. This instrument is currently being procured by OEL/Department of Education.

The proposed rule specifies procedures for ordering materials, at no cost, reporting results, verification of compliance and the consequences for non-compliance for VPK providers.

The pre- and post-assessments provide valuable information for VPK instructors to use to inform instruction during the year.

Supporting Documentation Included: Proposed Rule 6M-8.620, Voluntary Prekindergarten (VPK) Pre- and Post-Assessments; Form OEL-VPK BBORS (August 2014); Sections 1001.213(2), 1002.67(3), (4), 1002.73(2)(d) and 1002.79, Florida Statutes.

Facilitator/Presenter: Shan Goff, Executive Director, Office of Early Learning

6M-8.620 Voluntary Prekindergarten (VPK) Pre- and Post-Assessments

(1) Pre- and Post-Assessments.

(a) Each private or public Voluntary Prekindergarten Education Program provider must implement the pre- and post-assessments as directed by the Office of Early Learning, in accordance with section 1002.67(3), Florida Statutes (F.S.).

(b) The pre- and post-assessments include both a progress monitoring tool and an observational instrument. The progress monitoring tool is identified as the Florida VPK Assessment and adopted by reference. The observational instrument will be selected through the state's procurement process.

(2) Ordering Assessment Materials.

(a) VPK Assessment Materials. Private VPK providers and school districts must register and request VPK Assessment pre- and post-assessment materials via the VPK Assessment Online Ordering System at https://marcomcentral.app.pti.com/graphiccommunicationscorp/earlylearning.

(3) Administration of Pre- and Post-Assessments.

(a) Assessment periods.

<u>1. All VPK providers operating a 540-hour school-year program with a class schedule that begins in August or</u> September and ends in April or May are required to administer the VPK Assessment Period 1 (AP1) during the month of September and Assessment Period 3 (AP3) during the last month of the VPK Program.

2. Programs for which class schedules differ from (3)(a)1., including summer programs, are required to administer the VPK assessment items for AP1 in the first 30 days of the program and AP3 in the 30 days prior to the end of the program.

(b) Qualified assessors. The pre- and post-assessments shall be administered by individuals, consistent with the assessment publisher's instructions, who are employed by a private VPK provider or school district and meet the following requirements:

<u>1. Participate in one of the following professional development opportunities to ensure the proper</u> administration of the approved pre- and post-assessments:

a. Instructor-led training available through OEL VPK regional facilitators and other OEL-approved VPK trainers from early learning coalitions and school districts across the state. VPK providers on probation who chose the Staff Development Plan must have required staff participate in instructor-led training to receive credit on their Department of Children and Families transcript.

b. Web-based training, if available.

c. Training DVD, if available. A training DVD is included in each VPK assessment kit and contains the same information provided in the instructor-led training.

2. Meet the minimum qualifications to be a VPK instructor during the school-year program, regardless of the program (summer or school-year).

(c). Confirmation and attestation. Each private VPK provider and school district shall confirm and attest that every individual administering the pre- and post-assessments has met the criteria outlined in (3)2.(b).

(4) Requirement to Report Assessment Results Online.

(a) VPK providers and public schools must register their VPK programs, enter programmatic and demographic information, and enter data of the results of the assessments on Form OEL-VPK BBORS (August 2014) located by logging into the following website: <u>https://www.brightbeginningsfl.org/login.aspx</u>, which is hereby adopted by reference.

(b) Deadlines to enter results.

<u>1. For VPK providers with classes on schedules aligned with subparagraph (3)(a)1., assessment data for AP1 shall be entered by October 31 and assessment data for AP3 shall be entered by June 15.</u>

2. VPK providers with classes on schedules aligned with subparagraph (3)(a)2., are required to enter and submit assessment data no later than 15 days after the last day of the VPK Program.

(5) Early Learning Coalition and School District Responsibilities.

(a) Each coalition and school district shall register to access the VPK Assessment Online Ordering System.

(b) The coalition will be responsible for the review, approval or disapproval of orders for VPK assessment materials placed by VPK private providers. The coalition shall

1. Receive and monitor email notifications from the VPK Assessment Online Ordering System.

2. Review orders and verify that the quantity of materials ordered aligns with the number of VPK classrooms offered by the contracted VPK provider ordering the materials.

<u>3. Approve orders that align with the contracted VPK provider's classroom needs no later than seven (7)</u> calendar days after receiving email notification of orders pending approval.

4. Disapprove orders determined to exceed VPK classroom alignment and notify the VPK provider of the disapproval including the reason for disapproval.

(c) The school district will be responsible for VPK assessment material orders placed by public school VPK providers. The school district shall

1. Order a sufficient quantity of assessment materials to ensure that each VPK classroom has the materials necessary to administer the VPK assessment; and,

2. Ensure that each person who will administer the VPK assessment receives the appropriate assessment materials.

(6) Verification of Compliance.

(a) Each coalition and school district shall designate a staff member to register and serve as the administrator and access the VPK Assessment Online Reporting System on behalf of the coalition or district.

<u>1. The administrator shall receive and monitor email notifications from the VPK Assessment Online Reporting</u> System regarding which providers or schools have entered and submitted assessment data for Assessment Period 1 (AP1) and Assessment Period 3 (AP3).

2. The administrator shall access the coalition or district VPK Assessment Data Status Report to verify which providers and schools have entered and submitted assessment data in the online reporting system.

(e) The coalition shall notify private VPK providers and the school district shall notify public schools that have not entered and submitted assessment data for AP1 and AP3 of their responsibility to do so.

(7) Non-Compliance. If a private prekindergarten provider or public school fails or refuses to comply with this rule, the office will direct the early learning coalition to remove the provider and require the school district to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program for a period of five (5) years, in accordance with s. 1002.67(4)(b), F.S.

<u>Rulemaking Authority 1001.213(2), 1002.67(3), 1002.79 FS. Law Implemented 1002.67(3), (4), 1002.73(2)(d)</u> FS. History–New _____.

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Adding Instructor to the Classroom (Step 1)

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Adding Instructor to the Classroom (Step 3)

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1001.213 Office of Early Learning.—

There is created within the Office of Independent Education and Parental Choice the Office of Early Learning, as required under s. <u>20.15</u>, which shall be administered by an executive director. The office shall be fully accountable to the Commissioner of Education but shall:

(1) Independently exercise all powers, duties, and functions prescribed by law and shall not be construed as part of the K-20 education system.

(2) Adopt rules for the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program. The office shall submit the rules to the State Board of Education for approval or disapproval. If the state board does not act on a rule within 60 days after receipt, the rule shall be filed immediately with the Department of State.

(3) In compliance with part VI of chapter 1002 and its powers and duties under s. <u>1002.82</u>, administer the school readiness program at the state level for the state's eligible population described in s. <u>1002.87</u> and provide guidance to early learning coalitions in the implementation of the program.

(4) In compliance with parts V and VI of chapter 1002 and its powers and duties under s. <u>1002.75</u>, administer the Voluntary Prekindergarten Education Program at the state level.

(5) Administer the operational requirements of the child care resource and referral network at the state level.

(6) Keep administrative staff to the minimum necessary to administer the duties of the office. History.—

1002.67 Performance standards; curricula and accountability.—

(1)(a) The office shall develop and adopt performance standards for students in the Voluntary Prekindergarten Education Program. The performance standards must address the age-appropriate progress of students in the development of:

1. The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution; and

2. Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

By October 1, 2013, the office shall examine the existing performance standards in the area of mathematical thinking and develop a plan to make appropriate professional development and training courses available to prekindergarten instructors.

(b) The office shall periodically review and revise the performance standards for the statewide kindergarten screening administered under s. <u>1002.69</u> and align the standards to the standards established by the state board for student performance on the statewide assessments administered pursuant to s. <u>1008.22</u>.

(2)(a) Each private prekindergarten provider and public school may select or design the curriculum that the provider or school uses to implement the Voluntary Prekindergarten Education Program, except as otherwise required for a provider or school that is placed on probation under paragraph (4)(c).

(b) Each private prekindergarten provider's and public school's curriculum must be developmentally appropriate and must:

1. Be designed to prepare a student for early literacy;

2. Enhance the age-appropriate progress of students in attaining the performance standards adopted by the department under subsection (1); and

3. Prepare students to be ready for kindergarten based upon the statewide kindergarten screening administered under s. <u>1002.69</u>.

(c) The office shall review and approve curricula for use by private prekindergarten providers and public schools that are placed on probation under paragraph (4)(c). The office shall maintain a list of the curricula approved under this paragraph. Each approved curriculum must meet the requirements of paragraph (b).

(3)(a) Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must implement an evidence-based pre- and post-assessment that has been approved by rule of the State Board of Education.

(b) In order to be approved, the assessment must be valid, reliable, developmentally appropriate, and designed to measure student progress on domains which must include, but are not limited to, early literacy, numeracy, and language.

(c) The pre- and post-assessment must be administered by individuals meeting requirements established by rule of the State Board of Education.

(4)(a) Each early learning coalition shall verify that each private prekindergarten provider delivering the Voluntary Prekindergarten Education Program within the coalition's county or multicounty region complies with this part. Each district school board shall verify that each public school delivering the program within the school district complies with this part.

(b) If a private prekindergarten provider or public school fails or refuses to comply with this part, or if a provider or school engages in misconduct, the office shall require the early learning coalition to remove the provider and require the school district to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of 5 years.

(c)1. If the kindergarten readiness rate of a private prekindergarten provider or public school falls below the minimum rate adopted by the office as satisfactory under s. <u>1002.69</u>(6), the early learning coalition or school district, as applicable, shall require the provider or school to submit an improvement plan for approval by the coalition or school district, as applicable, and to implement the plan; shall place the provider or school on probation; and shall require the provider or school to take certain corrective actions, including the use of a curriculum approved by the office under paragraph (2)(c) or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office.

2. A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 1., including the use of a curriculum or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office, until the provider or school meets the minimum rate adopted by the office as satisfactory under s. <u>1002.69(6)</u>. Failure to implement an approved improvement plan or staff development plan shall result in the termination of the provider's contract to deliver the Voluntary Prekindergarten Education Program for a period of 5 years.

3. If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum rate adopted by the office as satisfactory under s. <u>1002.69(6)</u> and is not granted a good cause exemption by the office pursuant to s. <u>1002.69(7)</u>, the office shall require the early learning coalition or the school district to remove, as applicable, the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program for a period of 5 years.

(d) Each early learning coalition and the office shall coordinate with the Child Care Services Program Office of the Department of Children and Families to minimize interagency duplication of activities for monitoring private prekindergarten providers for compliance with requirements of the Voluntary Prekindergarten Education Program under this part, the school readiness program under part VI of this chapter, and the licensing of providers under ss. 402.301-402.319.

History.—s. 1, ch. 2004-484; s. 28, ch. 2010-210; s. 453, ch. 2011-142; s. 11, ch. 2011-175; s. 7, ch. 2012-133; s. 10, ch. 2013-252.

1002.73 Department of Education; powers and duties; accountability requirements.—

(1) The department shall administer the accountability requirements of the Voluntary Prekindergarten Education Program at the state level.

(2) The department shall adopt procedures for its:

(a) Approval of prekindergarten director credentials under ss. <u>1002.55</u> and <u>1002.57</u>.

(b) Approval of emergent literacy training courses under ss. <u>1002.55</u> and <u>1002.59</u>.

(c) Administration of the statewide kindergarten screening and calculation of kindergarten readiness rates under s. <u>1002.69</u>.

(d) Implementation of, and determination of costs associated with, the state-approved prekindergarten enrollment screening and the standardized postassessment approved by the department, and determination of the learning gains of students who complete the state-approved prekindergarten enrollment screening and the standardized postassessment approved by the department.

(e) Approval of specialized instructional services providers under s. <u>1002.66</u>.

(f) Annual reporting of the percentage of kindergarten students who meet all state readiness measures.

(g) Granting of a private prekindergarten provider's or public school's request for a good cause exemption under s. 1002.69(7).

(3) Except as provided by law, the department may not impose requirements on a private prekindergarten provider that does not deliver the Voluntary Prekindergarten Education Program or receive state funds under this part.

History.—s. 1, ch. 2004-484; s. 8, ch. 2009-3; s. 31, ch. 2010-210; s. 6, ch. 2010-227; s. 14, ch. 2011-175.

1002.79 Rulemaking authority.—The Office of Early Learning shall adopt rules under ss. <u>120.536(1)</u> and <u>120.54</u> to administer the provisions of this part conferring duties upon the office. History.—s. 1, ch. 2004-484; s. 458, ch. 2011-142; s. 79, ch. 2012-96; s. 16, ch. 2013-252.