

**RCW 28A.300.072 Transition to kindergarten program.** (1) The intent of the legislature is to continue and rename transitional kindergarten as the transition to kindergarten program and that the program be established in statute with the goal of assisting eligible children in need of additional preparation to be successful kindergarten students in the following school year. The transition to kindergarten program is not part of the state's statutory program of basic education under RCW 28A.150.200.

(2) (a) The office of the superintendent of public instruction shall administer the transition to kindergarten program and shall adopt rules under chapter 34.05 RCW for the administration of, the allocation of state funding for, and minimum standards and requirements for the transition to kindergarten program. Initial rules, which include expectations for school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools transitioning existing programs to the new requirements established in this section must be adopted in time for the 2023-24 school year, and permanent rules must be adopted by the beginning of the 2024-25 school year.

(b) School districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools operating a transition to kindergarten program shall adopt policies regarding eligibility, recruitment, and enrollment for this program that, at a minimum, meet the requirements of subsection (3) of this section.

(3) The rules adopted under subsection (2) of this section must include, at a minimum, the following requirements for school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools operating a transition to kindergarten program:

(a) (i) A limitation on program enrollment to eligible children. Eligible children include only those who:

(A) Have been determined to benefit from additional preparation for kindergarten; and

(B) Are at least four years old by August 31st of the school year they enroll in the transition to kindergarten program;

(ii) A requirement, as practicable, for school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools to prioritize families with the lowest incomes and children most in need for additional preparation to be successful in kindergarten when enrolling eligible children in a transition to kindergarten program;

(iii) Access to the transition to kindergarten program does not constitute an individual entitlement for any particular child.

(b) Except for children who have been excused from participation by their parents or legal guardians, a requirement that the Washington kindergarten inventory of developing skills as established by RCW 28A.655.080 be administered to all eligible children enrolled in a transition to kindergarten program at the beginning of the child's enrollment in the program and at least one more time during the school year.

(c) A requirement that all eligible children enrolled in a transition to kindergarten program be assigned a statewide student identifier and that the transition to kindergarten program be considered a separate class or course for the purposes of data reporting requirements in RCW 28A.320.175.

(d) A requirement that a local child care and early learning needs assessment is conducted before beginning or expanding a transition to kindergarten program that considers the existing availability and affordability of early learning providers, such as the early childhood education and assistance programs, head start programs, and licensed child care centers and family home providers in the region. Data available through the regionalized data dashboard maintained by the department of children, youth, and families or any other appropriate sources may be used to inform the needs assessment required by this subsection.

(e) (i) A requirement that school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools adhere to guidelines, as developed by the office of the superintendent of public instruction, related to:

(A) Best practices for site readiness of facilities that are used for the program;

(B) Developmentally appropriate curricula designed to assist in maintaining high quality programs; and

(C) Professional development opportunities.

(ii) The office of the superintendent of public instruction must develop a process for conducting site visits of any school district, charter school as allowed by subsection (7) of this section, or state-tribal education compact school operating a transition to kindergarten program and provide feedback on elements listed in this subsection (3) (e).

(f) A prohibition on charging tuition or other fees to state-funded eligible children for enrollment in a transition to kindergarten program.

(g) A prohibition on establishing a policy of excluding an eligible child due only to the presence of a disability.

(4) (a) The office of the superintendent of public instruction, in collaboration with the department of children, youth, and families, shall develop statewide coordinated eligibility, recruitment, enrollment, and selection best practices and provide technical assistance to those implementing a transition to kindergarten program to support connections with local early learning providers.

(b) School districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools must consider the best practices developed under this subsection (4) when adopting the policies required under subsection (2) (b) of this section.

(5) Nothing in this section prohibits school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools from blending or colocating a transition to kindergarten program with other early learning programs.

(6) (a) Funding for the transition to kindergarten program must be based on the following:

(i) The distribution formula established under RCW 28A.150.260 (4) (a), (5), (6), (8), and (10) (a) and (b), calculated using the actual number of annual average full-time equivalent eligible children enrolled in the program. A transition to kindergarten child must be counted as a kindergarten student for purposes of the funding calculations referenced in this subsection, but must be reported separately.

(ii) The distribution formula developed in RCW 28A.160.150 through 28A.160.192, calculated using reported ridership for eligible children enrolled in the program.

(b) Funding provided for the transition to kindergarten program is not part of the state's statutory program of basic education under RCW 28A.150.200 and must be expended only for the support of operating a transition to kindergarten program.

(7) Charter schools authorized under RCW 28A.710.080(2) are immediately permitted to operate a transition to kindergarten program under this section. Beginning with the 2025-26 school year, any charter school authorized under RCW 28A.710.080 (1) or (2) is permitted to operate a transition to kindergarten program under this section. [2023 c 420 § 1.]