
SENATE BILL 5828

State of Washington 60th Legislature 2007 Regular Session

By Senators Kauffman, McAuliffe, Tom, Rasmussen, Eide, Oemig, Clements, Hobbs, Weinstein, Rockefeller, Kline and Kohl-Welles

Read first time 02/02/2007. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to early child development and learning; amending
2 RCW 43.215.020 and 43.215.070; adding new sections to chapter 43.215
3 RCW; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that education is the
6 single most effective investment that can be made in children, the
7 state, the economy, and the future. A well-educated citizenry is
8 essential both for the preservation of democracy and for enhancing the
9 state's ability to compete in the knowledge-based global economy.

10 As recommended by Washington learns, the legislature declares that
11 the overarching goal for education in the state is to have a world-
12 class, learner-focused, seamless education system that educates more
13 Washingtonians to the highest levels of educational attainment.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.215 RCW
15 to read as follows:

16 EARLY LEARNING ADVISORY COUNCIL. (1) The early learning advisory
17 council is established to advise the department on statewide early
18 learning community needs and progress.

1 (2) The council shall work in conjunction with the department to
2 develop a statewide early learning plan that crosses systems and
3 sectors to promote alignment of private and public sector actions,
4 objectives, and resources, and to ensure school readiness.

5 (3) The council shall include diverse, statewide representation
6 from public, nonprofit, and for-profit entities. Its membership shall
7 reflect regional, racial, and cultural diversity to adequately
8 represent the needs of all children and families in the state.

9 (4) Council members shall serve two-year terms. However, to
10 stagger the terms of the council, the initial appointments for twelve
11 of the members shall be for one year. Once the initial one-year to
12 two-year terms expire, all subsequent terms shall be for two years,
13 with the terms expiring on June 30th of the applicable year. The terms
14 shall be staggered in such a way that, where possible, the terms of
15 members representing a specific group do not expire simultaneously.

16 (5) The council shall consist of not more than twenty-five members,
17 as follows:

18 (a) The governor shall appoint at least one representative from
19 each of the following: The department, the office of financial
20 management, the department of social and health services, the
21 department of health, the higher education coordinating board, and the
22 state board for community and technical colleges;

23 (b) One representative from the office of the superintendent of
24 public instruction, to be appointed by the superintendent of public
25 instruction;

26 (c) At least six leaders in early childhood education, to be
27 appointed by the governor;

28 (d) Two members of the house of representatives and two members of
29 the senate, to be appointed by the speaker of the house of
30 representatives and the president of the senate, respectively;

31 (e) Two parents, one of whom serves on the department's parent
32 advisory council, to be appointed by the governor;

33 (f) Two representatives of the private-public partnership created
34 in RCW 43.215.070, to be appointed by the partnership board; and

35 (g) The executive director of the governor's office of Indian
36 affairs.

37 (6) The council shall be cochaired by one representative of a state

1 agency and one nongovernmental member, to be elected by the council for
2 two-year terms;

3 (7) Each member of the board shall be compensated in accordance
4 with RCW 43.03.240 and reimbursed for travel expenses incurred in
5 carrying out the duties of the board in accordance with RCW 43.03.050
6 and 43.03.060.

7 (8) The department shall provide staff support to the council.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.215 RCW
9 to read as follows:

10 FIVE-STAR VOLUNTARY RATING SYSTEM. Subject to the availability of
11 amounts appropriated for this specific purpose, the department, in
12 collaboration with community and statewide partners, shall implement a
13 five-star voluntary rating system applicable to licensed or certified
14 child care centers and homes and early education programs. The purpose
15 of the rating system is to give parents better information about the
16 quality of child care and early education programs, and to increase the
17 quality of early learning programs throughout the state. Nothing in
18 this section changes the department's responsibility to collectively
19 bargain over mandatory subjects.

20 **Sec. 4.** RCW 43.215.020 and 2006 c 265 s 103 are each amended to
21 read as follows:

22 (1) The department of early learning is created as an executive
23 branch agency. The department is vested with all powers and duties
24 transferred to it under this chapter and such other powers and duties
25 as may be authorized by law.

26 (2) The primary duties of the department are to implement state
27 early learning policy and to coordinate, consolidate, and integrate
28 child care and early learning programs in order to administer programs
29 and funding as efficiently as possible. The department's duties
30 include, but are not limited to, the following:

31 (a) To support both public and private sectors toward a
32 comprehensive and collaborative system of early learning that serves
33 parents, children, and providers and to encourage best practices in
34 child care and early learning programs;

35 (b) To improve parent education and support;

1 (c) To carry out activities to improve the quality of early
2 learning opportunities for young children including activities in
3 cooperation with the private-public partnership;

4 (d) To administer child care and early learning programs;

5 (e) To standardize internal financial audits, oversight visits,
6 performance benchmarks, and licensing criteria, so that programs can
7 function in an integrated fashion;

8 (f) To assist in the implementation of the private-public
9 partnership and cooperate with that partnership in pursuing its goals
10 including providing data and support necessary for the successful work
11 of the partnership;

12 (g) To work cooperatively and in coordination with the early
13 learning council; ~~((and))~~

14 (h) To collaborate with the K-12 school system at the state and
15 local levels to ensure appropriate connections and smooth transitions
16 between early learning and K-12 programs; and

17 (i) Upon the development of an early learning information system,
18 to make available to parents timely inspection and complaint
19 information through the internet and other means.

20 (3) The department's programs shall be designed in a way that
21 respects and preserves the ability of parents and legal guardians to
22 direct the education, development, and upbringing of their children.
23 The department shall include parents and legal guardians in the
24 development of policies and program decisions affecting their children.

25 **Sec. 5.** RCW 43.215.070 and 2006 c 265 s 108 are each amended to
26 read as follows:

27 (1) In addition to other duties under this chapter, the director
28 shall actively participate in a nongovernmental private-public
29 partnership focused on supporting government's investments in early
30 learning and ensuring that every child in the state is prepared to
31 succeed in school and in life. Except for licensing as required by
32 Washington state law and to the extent permitted by federal law, the
33 director of the department of early learning shall grant waivers from
34 the rules of state agencies for the operation of early learning
35 programs requested by the nongovernmental private-public partnership to
36 allow for flexibility to pursue market-based approaches to achieving
37 the best outcomes for children and families.

1 (2) In addition to other powers granted to the director, the
2 director may:

3 (a) Enter into contracts on behalf of the department to carry out
4 the purposes of this chapter;

5 (b) Accept gifts, grants, or other funds for the purposes of this
6 chapter; and

7 (c) Adopt, in accordance with chapter 34.05 RCW, rules necessary to
8 implement this chapter, including rules governing child day care and
9 early learning programs under this chapter. This section does not
10 expand the rule-making authority of the director beyond that necessary
11 to implement and administer programs and services existing July 1,
12 2006, as transferred to the department of early learning under section
13 501, chapter 265, Laws of 2006. The rule-making authority does not
14 include any authority to set mandatory curriculum or establish what
15 must be taught in child day care centers or by family day care
16 providers.

17 (3) In order to meet its partnership responsibilities, the
18 department shall:

19 (a) Work collaboratively with the nongovernmental private-public
20 partnership; and

21 (b) Actively seek public and private money for distribution as
22 grants to the private-public partnership.

23 (4) In order to meet its partnership responsibilities, the
24 nongovernmental private-public partnership shall:

25 (a) Work with and complement existing statewide efforts by
26 enhancing parent education and support, child care, preschool, and
27 other early learning environments;

28 (b) Accept and expend funds to be used for quality improvement
29 initiatives, including but not limited to parent education and support,
30 and support the alignment of existing funding streams and coordination
31 of efforts across sectors;

32 (c) In conjunction with the department, provide leadership to early
33 learning private-public partnerships forming in communities across the
34 state. These local partnerships shall be encouraged to seek local
35 funding and develop strategies to improve coordination and exchange
36 information between the community, early care and education programs,
37 and the K-12 system; and

1 (d) Assist the statewide movement to high quality early learning
2 and the support of parents as a child's first and best teacher.

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.215 RCW
4 to read as follows:

5 RULES REVIEW. In conjunction with child care providers and other
6 early learning leaders, the department shall review and revise child
7 care provider rules in order to emphasize the need for mutual respect
8 among parents, providers, and state staff who enforce rules. Revised
9 rules shall clearly focus on keeping children safe and improving early
10 learning outcomes for children. The department shall develop a plan by
11 July 2007 that outlines the process and timelines to complete the rules
12 review. Nothing in this section changes the department's
13 responsibility to collectively bargain over mandatory subjects.

14 NEW SECTION. **Sec. 7.** Captions used in this act are not any part
15 of the law.

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