

FINAL BILL REPORT

2SHB 2731

PARTIAL VETO

C 231 L 10

Synopsis as Enacted

Brief Description: Creating an early learning program for educationally at-risk children.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Goodman, Haler, Maxwell, Priest, Kagi, Sullivan, Seaquist, Quall, O'Brien, Jacks, Haigh, Pedersen, Darneille, Kenney, Rolfes, Hunter, Williams, Orwall, Liias, Carlyle, Roberts, Simpson, Walsh, Nelson, Kelley, Dickerson, Appleton, Eddy, Sells and Morrell).

House Committee on Early Learning & Children's Services

House Committee on Ways & Means

Senate Committee on Early Learning & K-12 Education

Senate Committee on Ways & Means

Background:

Department of Early Learning.

Created in 2006, the Department of Early Learning (DEL) is charged with implementing state early learning policy and coordinating, consolidating, and integrating child care and early learning programs. One of the purposes underlying the creation of the DEL is to promote linkages and alignment between early learning programs and elementary schools. The DEL has approached a number of its initiatives over the past three years with the ultimate goal of improving school readiness for Washington's children. The Director of the DEL serves on the Quality Education Council.

Quality Education Council.

The Quality Education Council (QEC) was created by statute in 2009 to serve as the education reform implementation and oversight body. The Superintendent of Public Instruction (SPI) serves as chair of the QEC. In its January 2010 report to the Governor and the Legislature, the QEC included 13 recommendations, including a recommendation for the inclusion of an early learning program for at-risk 3- and 4-year-olds within the definition of basic education.

Early Childhood Education and Assistance Program.

The Early Childhood Education and Assistance Program (ECEAP) is the state-funded voluntary preschool program serving children ages 3 and 4 from low-income households.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Children from families with income at or below 110 percent of the federal poverty level are eligible for enrollment in the ECEAP. In addition, under rules adopted by the DEL, up to 10 percent of total enrollment slots may be used to enroll children who do not qualify on the basis of family income, including children with developmental delays. Priority for enrollment is given to children from families with the lowest incomes, children in foster care, and children from families with multiple needs. Program standards for the ECEAP are developed by the DEL and include standards for curriculum, provider credentials, and family support services.

Program of Basic Education.

The 1977 Basic Education Act describes the program of basic education as:

- the goal of the school system, which includes providing students the opportunity to develop essential knowledge and skills in various subjects;
- the instructional program to be made available by school districts; and
- the determination and distribution of state funding to support the instructional program.

Previous Legislation.

In 2009, as it passed the Legislature, Engrossed Substitute House Bill 2261 (ESHB 2261), among other reforms: declared the intent to develop a program of early learning within basic education; directed the SPI and the DEL to convene a working group to develop the basic education program of early learning; and required status reports and a final report be delivered to the QEC. This section of ESHB 2261 was vetoed by the Governor. The Governor's veto message included her commitment to "providing quality early learning programs for all" Washington's children, and requested the SPI and the Director of the DEL "to work together to bring a proposal forward that ensures all Washington children have the benefit of early childhood education." By letter, the Governor also requested that Thrive by Five Washington be included in development of the proposal and that a final report be delivered by December 1, 2009.

The Early Learning Advisory Council incorporated the proposal requested by the Governor in her veto message into the draft Early Learning Plan (ELP) presented to the Legislature on December 2, 2009. Among the recommendations in the current draft ELP is a recommendation to increase investments in, and phase in the implementation of, enhanced early learning opportunities for children ages birth to grade 3. The opportunities should be available to all who wish to access them, and they should work to close the preparation and achievement gap children are experiencing.

Summary:

Beginning September 1, 2011, a voluntary early learning program is established to provide developmentally appropriate and comprehensive services to eligible 3- and 4-year-olds and their families (Program). When fully implemented, the Program will be an entitlement program for eligible children. The DEL is vested with governance and rule-making authority.

Funding for the Program will be appropriated to the DEL, and allocated on a per-eligible-child basis. The DEL will contract with school districts and community-based, DEL-

approved early learning providers to deliver services. For the initial phase of implementation, the Legislature will appropriate to the DEL an amount that is not less than the amount appropriated for the ECEAP in the 2009-11 biennium.

During the initial implementation phase of the Program, in school years 2011-12 and 2012-13, the Program will utilize the same eligibility criteria and program standards used by the ECEAP. On a space-available basis, and so long as eligible children are not displaced, Program providers may allow enrollment of non-eligible children on a fee basis. The ECEAP eligibility criteria are revised so that a child who qualifies for special education is also eligible for the Program.

The DEL will adopt rules as necessary and appropriate relating to:

- minimum program standards, including lead teacher, assistant teacher, and staff qualifications;
- approval of program providers; and
- accountability and adherence to performance standards.

In partnership with school districts, the DEL will:

- monitor program quality to assure the Program is responsive to the needs of eligible children; and
- coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported.

Beginning in the 2013-14 school year, additional funding will be phased-in incrementally in school districts providing state funded full-day kindergarten. Full implementation of the Program is to be achieved in the 2018-19 school year, at which time any eligible child will be entitled to enroll.

Beginning December 1, 2012, and annually thereafter, the Office of Financial Management and the DEL will review caseload forecasts and provide recommendations to the Legislature and the Governor for funding increases to achieve full implementation by the 2018-19 school year.

Votes on Final Passage:

House	67	28	
Senate	29	16	(Senate amended)
House			(House refused to concur)
Senate	33	15	(Senate amended)
House	70	27	(House concurred)

Effective: June 10, 2010

Partial Veto Summary: The Governor vetoed the section making legislative findings regarding the links between high-quality preschool experience and successful K-12 outcomes and declaring legislative intent to implement an entitlement early learning program for eligible children.