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SENATE BILL 6759

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State of Washington

61st Legislature

2010 Regular Session

By Senators Kauffman, Oemig, Prentice, and Kline

Read first time 01/25/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to a plan for a voluntary program of early learning  
2 within the overall program of basic education; amending RCW 43.215.090  
3 and 28A.290.010; creating new sections; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that in light of the  
6 department of early learning, the superintendent of public instruction,  
7 and thrive by five's joint early learning recommendations to the  
8 governor; Attorney General Opinion Number 8 (2009); and the quality  
9 education council's January 2010 recommendations to the legislature, a  
10 voluntary program of early learning should be included within the  
11 overall program of basic education. The legislature intends to begin  
12 this program through the development of a working group to identify and  
13 recommend a comprehensive plan for implementation.

14 NEW SECTION. **Sec. 2.** (1) Beginning April 1, 2010, the office of  
15 the superintendent of public instruction, with assistance and support  
16 from the department of early learning, shall convene a technical  
17 working group to develop a comprehensive plan to include a voluntary  
18 program of early learning in basic education.

1 (2) The working group shall, at a minimum, include in the plan:  
2 (a) Criteria for eligible children;  
3 (b) Program standards, including, but not limited to, direct  
4 services to be provided, number of hours per school year, teacher  
5 qualifications, and transportation requirements;  
6 (c) Performance measures;  
7 (d) Criteria for eligible providers, specifying whether or not they  
8 may be public, private, nonsectarian, or sectarian organizations;  
9 (e) Governance responsibilities for the superintendent of public  
10 instruction and the department of early learning;  
11 (f) Funding necessary to implement a voluntary program of early  
12 learning in basic education, including, but not limited to, early  
13 learning teachers, professional development, facilities, and technical  
14 assistance;  
15 (g) A timeline for implementation; and  
16 (h) The early childhood education and assistance program's role in  
17 the new program of early learning.  
18 (3) While developing the plan, the working group shall review early  
19 learning programs in Washington state, including the early childhood  
20 education and assistance program and the federal head start program, as  
21 well as programs in other states.  
22 (4) The working group shall be composed of:  
23 (a) At least one representative each from the following: The  
24 department of early learning, the office of the superintendent of  
25 public instruction, the nongovernmental private-public partnership  
26 created in RCW 43.215.070, and the office of the attorney general;  
27 (b) Two members of the early learning advisory council established  
28 in RCW 43.215.090 to be appointed by the council;  
29 (c) Additional stakeholders with expertise in early learning to be  
30 appointed by the early learning advisory council.  
31 (5) The working group may convene advisory subgroups on specific  
32 topics as necessary to assure participation and input from a broad  
33 array of diverse stakeholders.  
34 (6) The working group shall be monitored and overseen by the  
35 quality education council created in RCW 28A.290.010. The working  
36 group shall submit a progress report by July 1, 2011, and final report  
37 with the plan by November 1, 2011, to the early learning advisory  
38 council and the quality education council.

1       **Sec. 3.** RCW 43.215.090 and 2007 c 394 s 3 are each amended to read  
2 as follows:

3       (1) The early learning advisory council is established to advise  
4 the department on statewide early learning (~~((community needs and~~  
5 ~~progress))~~ issues that would build a comprehensive system of quality  
6 early learning programs and services for Washington's children and  
7 families by assessing needs and the availability of services, aligning  
8 resources, developing plans for data collection and professional  
9 development of early childhood educators, and establishing key  
10 performance measures.

11       (2) The council shall work in conjunction with the department to  
12 develop a statewide early learning plan that (~~(crosses systems and~~  
13 ~~sectors to promote))~~ guides the department in promoting alignment of  
14 private and public sector actions, objectives, and resources, and (~~(to~~  
15 ~~ensure))~~ ensuring school readiness.

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

20       (4) Council members shall serve two-year terms. However, to  
21 stagger the terms of the council, the initial appointments for twelve  
22 of the members shall be for one year. Once the initial one-year to  
23 two-year terms expire, all subsequent terms shall be for two years,  
24 with the terms expiring on June 30th of the applicable year. The terms  
25 shall be staggered in such a way that, where possible, the terms of  
26 members representing a specific group do not expire simultaneously.

27       (5) The council shall consist of not more than (~~(twenty-five))~~  
28 twenty-three members, as follows:

29       (a) The governor shall appoint at least one representative from  
30 each of the following: The department, the office of financial  
31 management, the department of social and health services, the  
32 department of health, the higher education coordinating board, and the  
33 state board for community and technical colleges;

34       (b) One representative from the office of the superintendent of  
35 public instruction, to be appointed by the superintendent of public  
36 instruction;

37       (c) The governor shall appoint (~~(at least))~~ seven leaders in early  
38 childhood education, with at least one representative with experience

1 or expertise in each of the following areas: Children with  
2 disabilities, the K-12 system, family day care providers, and child  
3 care centers;

4 (d) Two members of the house of representatives, one from each  
5 caucus, and two members of the senate, one from each caucus, to be  
6 appointed by the speaker of the house of representatives and the  
7 president of the senate, respectively;

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

10 (f) (~~Two~~) One representative(~~s~~) of the private-public  
11 partnership created in RCW 43.215.070, to be appointed by the  
12 partnership board;

13 (g) One representative designated by sovereign tribal governments;  
14 and

15 (h) One representative from the Washington federation of  
16 independent schools.

17 (6) The council shall be cochaired by one representative of a state  
18 agency and one nongovernmental member, to be elected by the council for  
19 two-year terms.

20 (7) The council shall appoint two members and stakeholders with  
21 expertise in early learning to sit on the technical working group  
22 created in section 2, chapter . . . , Laws of 2010 (section 2 of the  
23 act).

24 (8) Each member of the board shall be compensated in accordance  
25 with RCW 43.03.240 and reimbursed for travel expenses incurred in  
26 carrying out the duties of the board in accordance with RCW 43.03.050  
27 and 43.03.060.

28 (~~(+8)~~) (9) The department shall provide staff support to the  
29 council.

30 **Sec. 4.** RCW 28A.290.010 and 2009 c 548 s 114 are each amended to  
31 read as follows:

32 (1) The quality education council is created to recommend and  
33 inform the ongoing implementation by the legislature of an evolving  
34 program of basic education and the financing necessary to support such  
35 program. The council shall develop strategic recommendations on the  
36 program of basic education for the common schools. The council shall  
37 take into consideration the capacity report produced under RCW

1 28A.300.172 and the availability of data and progress of implementing  
2 the data systems required under RCW 28A.655.210. Any recommendations  
3 for modifications to the program of basic education shall be based on  
4 evidence that the programs effectively support student learning. The  
5 council shall update the statewide strategic recommendations every four  
6 years. The recommendations of the council are intended to:

7 (a) Inform future educational policy and funding decisions of the  
8 legislature and governor;

9 (b) Identify measurable goals and priorities for the educational  
10 system in Washington state for a ten-year time period, including the  
11 goals of basic education and ongoing strategies for coordinating  
12 statewide efforts to eliminate the achievement gap and reduce student  
13 dropout rates; and

14 (c) Enable the state of Washington to continue to implement an  
15 evolving program of basic education.

16 (2) The council may request updates and progress reports from the  
17 office of the superintendent of public instruction, the state board of  
18 education, the professional educator standards board, and the  
19 department of early learning on the work of the agencies as well as  
20 educational working groups established by the legislature.

21 (3) The chair of the council shall be selected from the  
22 councilmembers. The council shall be composed of the following  
23 members:

24 (a) Four members of the house of representatives, with two members  
25 representing each of the major caucuses and appointed by the speaker of  
26 the house of representatives;

27 (b) Four members of the senate, with two members representing each  
28 of the major caucuses and appointed by the president of the senate; and

29 (c) One representative each from the office of the governor, office  
30 of the superintendent of public instruction, state board of education,  
31 professional educator standards board, and department of early  
32 learning.

33 (4) In the 2009 fiscal year, the council shall meet as often as  
34 necessary as determined by the chair. In subsequent years, the council  
35 shall meet no more than four times a year.

36 (5)(a) The council shall submit an initial report to the governor  
37 and the legislature by January 1, 2010, detailing its recommendations,  
38 including recommendations for resolving issues or decisions requiring

1 legislative action during the 2010 legislative session, and  
2 recommendations for any funding necessary to continue development and  
3 implementation of chapter 548, Laws of 2009.

4 (b) The initial report shall, at a minimum, include:

5 (i) Consideration of how to establish a statewide beginning teacher  
6 mentoring and support system;

7 (ii) Recommendations for a program of early learning for at-risk  
8 children;

9 (iii) A recommended schedule for the concurrent phase-in of the  
10 changes to the instructional program of basic education and the  
11 implementation of the funding formulas and allocations to support the  
12 new instructional program of basic education as established under  
13 chapter 548, Laws of 2009. The phase-in schedule shall have full  
14 implementation completed by September 1, 2018; and

15 (iv) A recommended schedule for phased-in implementation of the new  
16 distribution formula for allocating state funds to school districts for  
17 the transportation of students to and from school, with phase-in  
18 beginning no later than September 1, 2013.

19 (6) The council shall submit a report to the legislature by January  
20 1, 2011, detailing its recommendations for a plan to include a  
21 voluntary program of early learning within the overall program of basic  
22 education. Before submitting the report, the council shall seek input  
23 from the early learning advisory council created in RCW 43.215.090.

24 (7) The council shall be staffed by the office of the  
25 superintendent of public instruction and the office of financial  
26 management. Additional staff support shall be provided by the state  
27 entities with representatives on the committee. Senate committee  
28 services and the house of representatives office of program research  
29 may provide additional staff support.

30 ~~((+7))~~ (8) Legislative members of the council shall serve without  
31 additional compensation but may be reimbursed for travel expenses in  
32 accordance with RCW 44.04.120 while attending sessions of the council  
33 or on official business authorized by the council. Nonlegislative  
34 members of the council may be reimbursed for travel expenses in  
35 accordance with RCW 43.03.050 and 43.03.060.

36 NEW SECTION. **Sec. 5.** This act is necessary for the immediate

1 preservation of the public peace, health, or safety, or support of the  
2 state government and its existing public institutions, and takes effect  
3 immediately.

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