

CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE HOUSE BILL 1723

Chapter 323, Laws of 2013

(partial veto)

63rd Legislature
2013 Regular Session

EARLY LEARNING SERVICES AND PROGRAMS

EFFECTIVE DATE: 07/28/13

Passed by the House April 25, 2013
Yeas 63 Nays 35

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 24, 2013
Yeas 44 Nays 3

BRAD OWEN

President of the Senate

Approved May 21, 2013, 2:36 p.m., with
the exception of Section 4 which is
vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of
the House of Representatives of
the State of Washington, do hereby
certify that the attached is
SECOND SUBSTITUTE HOUSE BILL 1723
as passed by the House of
Representatives and the Senate on
the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 21, 2013

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1723

AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

State of Washington

63rd Legislature

2013 Regular Session

By House Appropriations (originally sponsored by Representatives Kagi, Walsh, Farrell, Maxwell, Roberts, Freeman, Goodman, Sawyer, Sullivan, Jinkins, Seaquist, Lytton, Haigh, Hunter, Morrell, Sells, Ryu, Morris, McCoy, Reykdal, Tarleton, Tharinger, Pollet, Fey, Moscoso, Bergquist, Ormsby, and Santos)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to expanding and streamlining early learning
2 services and programs; amending RCW 28A.150.220, 43.215.100, and
3 43.215.430; reenacting and amending RCW 43.215.010, 43.215.020, and
4 43.215.135; adding a new section to chapter 43.215 RCW; creating a new
5 section; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.215 RCW
8 to read as follows:

9 The legislature finds that the first five years of a child's life
10 establish the foundation for educational success. The legislature also
11 finds that children who have high quality early learning opportunities
12 from birth through age five are more likely to succeed throughout their
13 K-12 education and beyond. The legislature further finds that the
14 benefits of high quality early learning experiences are particularly
15 significant for low-income parents and children, and provide an
16 opportunity to narrow the opportunity gap in Washington's K-12
17 educational system. The legislature understands that early supports
18 for high-risk parents of young children through home visiting services
19 show a high return on investment due to significantly improved chances

1 of better education, health, and life outcomes for children. The
2 legislature further recognizes that, when parents work or go to school,
3 high quality and full-day early learning opportunities should be
4 available and accessible for their children. In order to improve
5 education outcomes, particularly for low-income children, the
6 legislature is committed to expanding high quality early learning
7 opportunities and integrating currently disparate funding streams for
8 all birth-to-five early learning services including, working
9 connections child care and the early childhood education and assistance
10 program, into a single high quality continuum of learning that provides
11 essential services to low-income families and prepares all enrolled
12 children for success in school. The legislature therefore intends to
13 establish the early start program to provide a continuum of high
14 quality and accountable early learning opportunities for Washington's
15 parents and children.

16 **Sec. 2.** RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each
17 amended to read as follows:

18 (1) In order for students to have the opportunity to develop the
19 basic education knowledge and skills under RCW 28A.150.210, school
20 districts must provide instruction of sufficient quantity and quality
21 and give students the opportunity to complete graduation requirements
22 that are intended to prepare them for postsecondary education, gainful
23 employment, and citizenship. The program established under this
24 section shall be the minimum instructional program of basic education
25 offered by school districts.

26 (2) Each school district shall make available to students the
27 following minimum instructional offering each school year:

28 (a) For students enrolled in grades one through twelve, at least a
29 district-wide annual average of one thousand hours, which shall be
30 increased to at least one thousand eighty instructional hours for
31 students enrolled in each of grades seven through twelve and at least
32 one thousand instructional hours for students in each of grades one
33 through six according to an implementation schedule adopted by the
34 legislature, but not before the 2014-15 school year; and

35 (b) For students enrolled in kindergarten, at least four hundred
36 fifty instructional hours, which shall be increased to at least one

1 thousand instructional hours according to the implementation schedule
2 under RCW 28A.150.315.

3 (3) The instructional program of basic education provided by each
4 school district shall include:

5 (a) Instruction in the essential academic learning requirements
6 under RCW 28A.655.070;

7 (b) Instruction that provides students the opportunity to complete
8 twenty-four credits for high school graduation, subject to a phased-in
9 implementation of the twenty-four credits as established by the
10 legislature. Course distribution requirements may be established by
11 the state board of education under RCW 28A.230.090;

12 (c) If the essential academic learning requirements include a
13 requirement of languages other than English, the requirement may be met
14 by students receiving instruction in one or more American Indian
15 languages;

16 (d) Supplemental instruction and services for underachieving
17 students through the learning assistance program under RCW 28A.165.005
18 through 28A.165.065;

19 (e) Supplemental instruction and services for eligible and enrolled
20 students whose primary language is other than English through the
21 transitional bilingual instruction program under RCW 28A.180.010
22 through 28A.180.080;

23 (f) The opportunity for an appropriate education at public expense
24 as defined by RCW 28A.155.020 for all eligible students with
25 disabilities as defined in RCW 28A.155.020; and

26 (g) Programs for highly capable students under RCW 28A.185.010
27 through 28A.185.030.

28 (4) Nothing contained in this section shall be construed to require
29 individual students to attend school for any particular number of hours
30 per day or to take any particular courses.

31 (5) Each school district's kindergarten through twelfth grade basic
32 educational program shall be accessible to all students who are five
33 years of age, as provided by RCW 28A.225.160, and less than twenty-one
34 years of age and shall consist of a minimum of one hundred eighty
35 school days per school year in such grades as are conducted by a school
36 district, and one hundred eighty half-days of instruction, or
37 equivalent, in kindergarten, to be increased to a minimum of one
38 hundred eighty school days per school year according to the

1 implementation schedule under RCW 28A.150.315. However, schools
2 administering the Washington kindergarten inventory of developing
3 skills may use up to three school days at the beginning of the school
4 year to meet with parents and families as required in the parent
5 involvement component of the inventory. In addition, effective May 1,
6 1979, a school district may schedule the last five school days of the
7 one hundred and eighty day school year for noninstructional purposes in
8 the case of students who are graduating from high school, including,
9 but not limited to, the observance of graduation and early release from
10 school upon the request of a student, and all such students may be
11 claimed as a full-time equivalent student to the extent they could
12 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
13 28A.150.260.

14 (6) Nothing in this section precludes a school district from
15 enriching the instructional program of basic education, such as
16 offering additional instruction or providing additional services,
17 programs, or activities that the school district determines to be
18 appropriate for the education of the school district's students.

19 (7) The state board of education shall adopt rules to implement and
20 ensure compliance with the program requirements imposed by this
21 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental
22 program approval requirements as the state board may establish.

23 **Sec. 3.** RCW 43.215.010 and 2011 c 295 s 3 and 2011 c 78 s 1 are
24 each reenacted and amended to read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

27 (1) "Agency" means any person, firm, partnership, association,
28 corporation, or facility that provides child care and early learning
29 services outside a child's own home and includes the following
30 irrespective of whether there is compensation to the agency:

31 (a) "Child day care center" means an agency that regularly provides
32 (~~child day care~~) early childhood education and early learning
33 services for a group of children for periods of less than twenty-four
34 hours;

35 (b) "Early learning" includes but is not limited to programs and
36 services for child care; state, federal, private, and nonprofit

1 preschool; child care subsidies; child care resource and referral;
2 parental education and support; and training and professional
3 development for early learning professionals;

4 (c) "Family day care provider" means a child (~~(day)~~) care provider
5 who regularly provides (~~(child day care)~~) early childhood education and
6 early learning services for not more than twelve children in the
7 provider's home in the family living quarters;

8 (d) "Nongovernmental private-public partnership" means an entity
9 registered as a nonprofit corporation in Washington state with a
10 primary focus on early learning, school readiness, and parental
11 support, and an ability to raise a minimum of five million dollars in
12 contributions;

13 (e) "Service provider" means the entity that operates a community
14 facility.

15 (2) "Agency" does not include the following:

16 (a) Persons related to the child in the following ways:

17 (i) Any blood relative, including those of half-blood, and
18 including first cousins, nephews or nieces, and persons of preceding
19 generations as denoted by prefixes of grand, great, or great-great;

20 (ii) Stepfather, stepmother, stepbrother, and stepsister;

21 (iii) A person who legally adopts a child or the child's parent as
22 well as the natural and other legally adopted children of such persons,
23 and other relatives of the adoptive parents in accordance with state
24 law; or

25 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this
26 subsection (2)(~~(+a)~~), even after the marriage is terminated;

27 (b) Persons who are legal guardians of the child;

28 (c) Persons who care for a neighbor's or friend's child or
29 children, with or without compensation, where the person providing care
30 for periods of less than twenty-four hours does not conduct such
31 activity on an ongoing, regularly scheduled basis for the purpose of
32 engaging in business, which includes, but is not limited to,
33 advertising such care;

34 (d) Parents on a mutually cooperative basis exchange care of one
35 another's children;

36 (e) Nursery schools (~~(or kindergartens)~~) that are engaged primarily
37 in (~~(educational-work)~~) early childhood education with preschool

1 children and in which no child is enrolled on a regular basis for more
2 than four hours per day;

3 (f) Schools, including boarding schools, that are engaged primarily
4 in education, operate on a definite school year schedule, follow a
5 stated academic curriculum, accept only school-age children, and do not
6 accept custody of children;

7 (g) Seasonal camps of three months' or less duration engaged
8 primarily in recreational or educational activities;

9 (h) Facilities providing child care for periods of less than
10 twenty-four hours when a parent or legal guardian of the child remains
11 on the premises of the facility for the purpose of participating in:

12 (i) Activities other than employment; or

13 (ii) Employment of up to two hours per day when the facility is
14 operated by a nonprofit entity that also operates a licensed child care
15 program at the same facility in another location or at another
16 facility;

17 (i) (~~Any agency having been in operation in this state ten years~~
18 ~~before June 8, 1967, and not seeking or accepting moneys or assistance~~
19 ~~from any state or federal agency, and is supported in part by an~~
20 ~~endowment or trust fund;~~

21 ~~(j) An agency~~) A program operated by any unit of local, state, or
22 federal government or an agency, located within the boundaries of a
23 federally recognized Indian reservation, licensed by the Indian tribe;

24 (~~(k) An agency~~) (j) A program located on a federal military
25 reservation, except where the military authorities request that such
26 agency be subject to the licensing requirements of this chapter;

27 (~~(l) An agency~~) (k) A program that offers early learning and
28 support services, such as parent education, and does not provide child
29 care services on a regular basis.

30 (3) "Applicant" means a person who requests or seeks employment in
31 an agency.

32 (4) "Conviction information" means criminal history record
33 information relating to an incident which has led to a conviction or
34 other disposition adverse to the applicant.

35 (5) "Department" means the department of early learning.

36 (6) "Director" means the director of the department.

37 (7) "Early achievers" means a program that improves the quality of

1 early learning programs and supports and rewards providers for their
2 participation.

3 (8) "Early start" means an integrated high quality continuum of
4 early learning programs for children birth-to-five years of age.
5 Components of early start include, but are not limited to, the
6 following:

- 7 (a) Home visiting and parent education and support programs;
- 8 (b) The early achievers program described in RCW 43.215.100;
- 9 (c) Integrated full-day and part-day high quality early learning
10 programs; and
- 11 (d) High quality preschool for children whose family income is at
12 or below one hundred ten percent of the federal poverty level.

13 (9) "Employer" means a person or business that engages the services
14 of one or more people, especially for wages or salary to work in an
15 agency.

16 ~~((+8))~~ (10) "Enforcement action" means denial, suspension,
17 revocation, modification, or nonrenewal of a license pursuant to RCW
18 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW
19 43.215.300(3).

20 ~~((+9))~~ (11) "Negative action" means a court order, court judgment,
21 or an adverse action taken by an agency, in any state, federal, tribal,
22 or foreign jurisdiction, which results in a finding against the
23 applicant reasonably related to the individual's character,
24 suitability, and competence to care for or have unsupervised access to
25 children in child care. This may include, but is not limited to:

- 26 (a) A decision issued by an administrative law judge;
- 27 (b) A final determination, decision, or finding made by an agency
28 following an investigation;
- 29 (c) An adverse agency action, including termination, revocation, or
30 denial of a license or certification, or if pending adverse agency
31 action, the voluntary surrender of a license, certification, or
32 contract in lieu of the adverse action;
- 33 (d) A revocation, denial, or restriction placed on any professional
34 license; or
- 35 (e) A final decision of a disciplinary board.

36 ~~((+10))~~ (12) "Nonconviction information" means arrest, founded
37 allegations of child abuse, or neglect pursuant to chapter 26.44 RCW,
38 or other negative action adverse to the applicant.

1 (~~(11)~~) (13) "Probationary license" means a license issued as a
2 disciplinary measure to an agency that has previously been issued a
3 full license but is out of compliance with licensing standards.

4 (~~(12)~~) (14) "Requirement" means any rule, regulation, or standard
5 of care to be maintained by an agency.

6 (15) "Washington state preschool program" means an education
7 program for children three-to-five years of age who have not yet
8 entered kindergarten, such as the early childhood education and
9 assistance program.

10 ***NEW SECTION.** *Sec. 4. (1)(a) The chairs of the early learning*
11 *committees of the legislature shall convene a technical working group*
12 *to:*

13 *(i) Review federal and state early education funding streams;*

14 *(ii) Develop technical options for aligning eligibility*
15 *requirements for child care and Washington state preschool;*

16 *(iii) Develop recommendations for an effective and responsive*
17 *eligibility system;*

18 *(iv) Develop technical options for system designs that blend and*
19 *braid disparate federal and state funding streams into a single*
20 *program, including the option of applying for waivers from existing*
21 *federal requirements; and*

22 *(v) Present findings and options in a report to the early learning*
23 *committees of both houses of the legislature by December 1, 2013.*

24 *(b) At a minimum, the technical working group must be composed of*
25 *financial and policy staff from the department of social and health*
26 *services and the department of early learning.*

27 *(2) The technical working group shall provide monthly progress*
28 *reports to the staff of the legislative early learning committees and*
29 *the relevant legislative fiscal committees. The legislative staff*
30 *shall share the progress reports with the chairs of the legislative*
31 *committees. The chairs of the committees may provide additional*
32 *guidance to the working group through legislative staff depending on*
33 *the information that is shared with the chairs.*

34 *(3) This section expires December 31, 2013.*

**Sec. 4 was vetoed. See message at end of chapter.*

35 **Sec. 5.** RCW 43.215.020 and 2010 c 233 s 1, 2010 c 232 s 2, and
36 2010 c 231 s 6 are each reenacted and amended to read as follows:

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

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

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

14 (b) To make early learning resources available to parents and
15 caregivers;

16 (c) To carry out activities, including providing clear and easily
17 accessible information about quality and improving the quality of early
18 learning opportunities for young children, in cooperation with the
19 nongovernmental private-public partnership;

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

21 (e) To apply data already collected comparing the following factors
22 and make biennial recommendations to the legislature regarding working
23 connections subsidy and state-funded preschool rates and compensation
24 models that would attract and retain high quality early learning
25 professionals:

26 (i) State-funded early learning subsidy rates and market rates of
27 licensed early learning homes and centers;

28 (ii) Compensation of early learning educators in licensed centers
29 and homes and early learning teachers at state higher education
30 institutions;

31 (iii) State-funded preschool program compensation rates and
32 Washington state head start program compensation rates; and

33 (iv) State-funded preschool program compensation to compensation in
34 similar comprehensive programs in other states.

35 (f) To serve as the state lead agency for Part C of the federal
36 individuals with disabilities education act (IDEA);

37 ((+f)) (g) To standardize internal financial audits, oversight

1 visits, performance benchmarks, and licensing criteria, so that
2 programs can function in an integrated fashion;

3 ~~((g))~~ (h) To support the implementation of the nongovernmental
4 private-public partnership and cooperate with that partnership in
5 pursuing its goals including providing data and support necessary for
6 the successful work of the partnership;

7 ~~((h))~~ (i) To work cooperatively and in coordination with the
8 early learning council;

9 ~~((i))~~ (j) To collaborate with the K-12 school system at the state
10 and local levels to ensure appropriate connections and smooth
11 transitions between early learning and K-12 programs;

12 ~~((j))~~ (k) To develop and adopt rules for administration of the
13 program of early learning established in RCW 43.215.141;

14 ~~((k))~~ (l) To develop a comprehensive birth-to-three plan to
15 provide education and support through a continuum of options including,
16 but not limited to, services such as: Home visiting; quality
17 incentives for infant and toddler child care subsidies; quality
18 improvements for family home and center-based child care programs
19 serving infants and toddlers; professional development; early literacy
20 programs; and informal supports for family, friend, and neighbor
21 caregivers; and

22 ~~((l))~~ (m) Upon the development of an early learning information
23 system, to make available to parents timely inspection and licensing
24 action information and provider comments through the internet and other
25 means.

26 (3) When additional funds are appropriated for the specific purpose
27 of home visiting and parent and caregiver support, the department must
28 reserve at least eighty percent for home visiting services to be
29 deposited into the home visiting services account and up to twenty
30 percent of the new funds for other parent or caregiver support.

31 (4) Home visiting services must include programs that serve
32 families involved in the child welfare system.

33 (5) Subject to the availability of amounts appropriated for this
34 specific purpose, the legislature shall fund the expansion in the
35 Washington state preschool program pursuant to RCW 43.215.142 in fiscal
36 year 2014.

37 (6) The department's programs shall be designed in a way that
38 respects and preserves the ability of parents and legal guardians to

1 direct the education, development, and upbringing of their children,
2 and that recognizes and honors cultural and linguistic diversity. The
3 department shall include parents and legal guardians in the development
4 of policies and program decisions affecting their children.

5 **Sec. 6.** RCW 43.215.100 and 2007 c 394 s 4 are each amended to read
6 as follows:

7 (1) Subject to the availability of amounts appropriated for this
8 specific purpose, the department, in collaboration with community and
9 statewide partners, shall implement a voluntary quality rating and
10 improvement system, called the early achievers program, that is
11 applicable to licensed or certified child care centers and homes and
12 early education programs.

13 (2) The purpose of the ((voluntary quality rating and improvement
14 system)) early achievers program is: (a) To give parents clear and
15 easily accessible information about the quality of child care and early
16 education programs, support improvement in early learning programs
17 throughout the state, increase the readiness of children for school,
18 and close the disparity in access to quality care; and (b) to establish
19 a common set of expectations and standards that define, measure, and
20 improve the quality of early learning settings.

21 (3) Participation in the early achievers program is voluntary for
22 licensed or certified child care centers and homes.

23 (4) By fiscal year 2015, Washington state preschool programs
24 receiving state funds must enroll in the early achievers program and
25 maintain a minimum score level.

26 (5) Before final implementation of the ((voluntary quality rating
27 and improvement system)) early achievers program, the department shall
28 report on program progress, as defined within the race to the top
29 federal grant award, and expenditures to the appropriate policy and
30 fiscal committees of the legislature. Nothing in this section changes
31 the department's responsibility to collectively bargain over mandatory
32 subjects.

33 **Sec. 7.** RCW 43.215.430 and 1994 c 166 s 8 are each amended to read
34 as follows:

35 The department shall review applications from public or private
36 nonsectarian organizations for state funding of early childhood

1 education and assistance programs (~~(and award funds as determined by~~
2 ~~department rules and based on)~~). The department shall consider local
3 community needs (and), demonstrated capacity (to provide services),
4 and the need to support a mixed delivery system of early learning that
5 includes alternative models for delivery including licensed centers and
6 licensed family child care providers when reviewing applications.

7 **Sec. 8.** RCW 43.215.545 and 2006 c 265 s 204 are each amended to
8 read as follows:

9 The department of early learning shall:

10 (1) Work in conjunction with the statewide child care resource and
11 referral network as well as local governments, nonprofit organizations,
12 businesses, and community child care advocates to create local child
13 care resource and referral organizations. These organizations may
14 carry out needs assessments, resource development, provider training,
15 technical assistance, and parent information and training;

16 (2) Actively seek public and private money for distribution as
17 grants to the statewide child care resource and referral network and to
18 existing or potential local child care resource and referral
19 organizations;

20 (3) Adopt rules regarding the application for and distribution of
21 grants to local child care resource and referral organizations. The
22 rules shall, at a minimum, require an applicant to submit a plan for
23 achieving the following objectives:

24 (a) Provide parents with information about child care resources,
25 including location of services and subsidies;

26 (b) Carry out child care provider recruitment and training
27 programs, including training under RCW 74.25.040;

28 (c) Offer support services, such as parent and provider seminars,
29 toy-lending libraries, and substitute banks;

30 (d) Provide information for businesses regarding child care supply
31 and demand;

32 (e) Advocate for increased public and private sector resources
33 devoted to child care;

34 (f) Provide technical assistance to employers regarding employee
35 child care services; and

36 (g) Serve recipients of temporary assistance for needy families and

1 working parents with incomes at or below household incomes of ~~((one))~~
2 two hundred ~~((seventy-five))~~ percent of the federal poverty line;

3 (4) Provide staff support and technical assistance to the statewide
4 child care resource and referral network and local child care resource
5 and referral organizations;

6 (5) Maintain a statewide child care licensing data bank and work
7 with department licensors to provide information to local child care
8 resource and referral organizations about licensed child care providers
9 in the state;

10 (6) Through the statewide child care resource and referral network
11 and local resource and referral organizations, compile data about local
12 child care needs and availability for future planning and development;

13 (7) Coordinate with the statewide child care resource and referral
14 network and local child care resource and referral organizations for
15 the provision of training and technical assistance to child care
16 providers; ~~((and))~~

17 (8) Collect and assemble information regarding the availability of
18 insurance and of federal and other child care funding to assist state
19 and local agencies, businesses, and other child care providers in
20 offering child care services;

21 (9) Subject to the availability of amounts appropriated for this
22 specific purpose, beginning September 1, 2013, increase the base rate
23 for all child care providers by ten percent;

24 (10) Subject to the availability of amounts appropriated for this
25 specific purpose, provide tiered subsidy rate enhancements to child
26 care providers if the provider meets the following requirements:

27 (a) The provider enrolls in quality rating and improvement system
28 levels 2, 3, 4, or 5;

29 (b) The provider is actively participating in the early achievers
30 program;

31 (c) The provider continues to advance towards level 5 of the early
32 achievers program; and

33 (d) The provider must complete level 2 within thirty months or the
34 reimbursement rate returns the level 1 rate; and

35 (11) Require exempt providers to participate in continuing
36 education, if adequate funding is available.

1 **Sec. 9.** RCW 43.215.135 and 2012 c 253 s 5 and 2012 c 251 s 1 are
2 each reenacted and amended to read as follows:

3 (1) The department shall establish and implement policies in the
4 working connections child care program to promote stability and quality
5 of care for children from low-income households. Policies for the
6 expenditure of funds constituting the working connections child care
7 program must be consistent with the outcome measures defined in RCW
8 74.08A.410 and the standards established in this section intended to
9 promote continuity of care for children.

10 (2) Beginning in fiscal year 2013, authorizations for the working
11 connections child care subsidy shall be effective for twelve months
12 unless a change in circumstances necessitates reauthorization sooner
13 than twelve months. The twelve-month certification applies only if the
14 enrollments in the child care subsidy or working connections child care
15 program are capped.

16 (3) Subject to the availability of amounts appropriated for this
17 specific purpose, beginning September 1, 2013, working connections
18 child care providers shall receive a five percent increase in the
19 subsidy rate for enrolling in level 2 in the early achievers programs.
20 Providers must complete level 2 and advance to level 3 within thirty
21 months in order to maintain this increase.

Passed by the House April 25, 2013.

Passed by the Senate April 24, 2013.

Approved by the Governor May 21, 2013, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 21, 2013.

Note: Governor's explanation of partial veto is as follows:

"I am returning, herewith, without my approval as to Section 4, Second
Substitute House Bill 1723 entitled:

"AN ACT Relating to expanding and streamlining early learning
services and programs"

Section 4 creates a technical working group to review child care and
preschool funding sources, eligibility requirements, and system
design. A related task force is established in Second Substitute
Senate Bill 5595, which involves broader stakeholder participation
and a larger scope of the analysis. I am therefore vetoing this
section to avoid duplicating efforts that will likely achieve similar
results.

I will direct both the Department of Early Learning and Department of
Social and Health Services to collaborate with the appropriate
legislative committees in developing options to further integrate
child care services toward a system that is coordinated,
complementary, and user-friendly to parents.

With the exception of Section 4, Second Substitute House Bill 1723 is
approved."