

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**

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SECOND SUBSTITUTE HOUSE BILL 1723

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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."