

SENATE BILL REPORT

E2SHB 1152

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, March 30, 2005
Ways & Means, April 4, 2005

Title: An act relating to early learning.

Brief Description: Creating a Washington early learning council.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Kagi, Fromhold, Jarrett, Schual-Berke, Walsh, Quall, B. Sullivan, Grant, Ormsby, Kessler, Simpson, Moeller, Lovick, Roberts, Chase, Williams, P. Sullivan, Tom, Morrell, McIntire, Kenney, Haigh, McDermott, Dickerson, Santos and Linville).

Brief History: Passed House: 3/09/05, 68-28.

Committee Activity: Early Learning, K-12 & Higher Education: 3/24/05, 3/30/05 [DPA, DNP, w/oRec].

Ways & Means: 4/4/05 [DPA(EKHE), DNP, w/oRec].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: Do pass as amended.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Schmidt, Ranking Minority Member; Berkey, Delvin, Eide, Rasmussen, Rockefeller and Shin.

Minority Report: Do not pass.

Signed by Senator Mulliken.

Minority Report: That it be referred without recommendation.

Signed by Senators Carrell and Schoesler.

Staff: Ingrid Mungia (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Early Learning, K-12 & Higher Education.

Signed by Senators Prentice, Chair; Doumit, Vice Chair; Fraser, Vice Chair; Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau.

Minority Report: Do not pass.

Signed by Senators Zarelli, Ranking Minority Member; Pflug, Roach and Schoesler.

Minority Report: That it be referred without recommendation. Signed by Senators Brandland and Parlette.

Staff: Steve Jones (786-7440)

Background: In 2000, the Legislature directed the Office of Financial Management (OFM) to conduct a study of the best method for coordinating and consolidating child care and early education programs funded by the state. The Child Care and Early Learning Organizational Study made the following recommendations:

- adopt an umbrella mission statement that captures all child care and early learning programs;
- combine programs with similar or duplicate functions and missions;
- streamline the current configuration by reducing the number of state agencies involved in the child care licensing process;
- assign an interagency task force to examine and reduce the differences in program service standards; and
- coordinate training for providers regarding state agency rules by all programs.

In response to this report, the Governor undertook administrative action to consolidate child care and early learning programs in the state, the primary component of which was the creation of the Division of Child Care and Early Learning (DCCEL) within the Economic Services Administration in the Department of Social and Health Services (DSHS).

Currently, child care and early learning programs in the state are administered through three state agencies: DSHS, the Department of Community, Trade and Economic Development (CTED), and the Office of the Superintendent of Public Instruction (OSPI). DCCEL within DSHS licenses child care homes and centers, develops policy and procedures for the state's child care subsidy program, and directs the Head Start-State Collaboration Project. CTED administers the Early Childhood Education and Assistance Program (ECEAP), which is the state's preschool program. OSPI administers services and programs relating to child care and early learning including family literacy programs, special education for children three years of age and older, and the nutrition assistance program for child care. Training and professional development programs for early learning professionals are available through such sources as the State Training and Registry System and the state's higher education institutions.

The Child Care Coordinating Committee was established in state law to provide coordination and communication among state agencies responsible for child care and early childhood education services, serve as an advisory coordinator for all state agencies responsible for early childhood or child care programs, and annually review state programs and make recommendations to state agencies and the Legislature to maximize funding and promote furtherance of the state's child care services policy.

Summary of Amended Bill: The Washington Early Learning Council (Council) is established in the Office of the Governor for the purpose of providing vision, leadership, and direction to the improvement, realignment, and expansion of early learning programs and services for children birth to five years of age to better meet the early learning needs of children and their families. "Early learning programs and services" include the following: child care; state, private, and nonprofit preschool programs; child care subsidy programs; and training and professional development programs for early learning professionals. The goal of the Council is to build upon existing efforts and recommend new initiatives, as necessary, to

create an adequately financed high-quality, accessible, and comprehensive early learning system that benefits all young children whose parents choose it.

Early Learning Plan. The Council is required to develop an early learning plan to improve the organization of early learning programs and services at the state level and to improve the accessibility and quality of early learning programs and services throughout the state. By November 15, 2005, the Council is required to make recommendations to the Governor and the appropriate committees of the Legislature concerning statewide organization of early learning.

The Council is also required to make recommendations to the Governor and the appropriate committees of the Legislature concerning the following:

- identification of current populations being served and potential populations to be served by early learning programs and services;
- the state's role in supporting quality early learning programs and services;
- appropriate levels and sources of stable and sustainable funding to meet statewide and local need for early learning programs and services, including public-private partnerships;
- changes in existing early learning programs and services, including the administration of those programs and services, to improve their efficiency, effectiveness, and quality;
- changes in existing early learning programs and services to ensure that the content is aligned with what children need to know and be able to do upon entering school;
- how to maximize available early learning resources to ensure children are receiving continuity of care; and
- providing for smooth transitions from early learning programs and services to K-12 programs.

The Council is required to focus on quality improvements to licensed child care through the following mechanisms:

- a voluntary, quality-based, graduated rating system to provide information to parents on the quality of child care programs and to provide resources and incentives for quality improvements; and
- a tiered-reimbursement system for state-subsidized child care to improve the quality of care for children participating in state-funded care.

The Council is required to make recommendations to the Governor and the appropriate committees of the Legislature concerning the regulation of child care, including child care that is exempt from regulation and unlicensed child care that is subject to regulation, to ensure the safety, health, quality, and accessibility of child care services throughout the state.

The Council serves as the Advisory Committee on Early Learning (Advisory Committee) to the Comprehensive Education Study Steering Committee (Steering Committee), created in 2005 Substitute House Bill No. 1380, and the nongovernmental co-chair of the Council serves as the chair of the Advisory Committee. The Council has input on the recommendations developed by the Steering Committee.

The Council is required to make use of existing reports, research, planning efforts, and programs, including, but not limited to: the federal Early Head Start program, the federal Head Start program, the state Early Childhood Education and Assistance Program, the state's

Essential Academic Learning Requirements and K-3 Grade Level Expectations, the Washington State Early Learning and Development Benchmarks, existing tiered-reimbursement initiatives, the state's Early Childhood Comprehensive Systems Plan, and the work of the Child Care Coordinating Committee.

Quality Rating System. The Council is required to develop a voluntary, quality-based, graduated rating system consisting of levels of quality to be achieved by licensed child care providers. In developing the voluntary rating system, the Council must seek to build upon existing partnerships and initiate new partnerships between the public and private sectors.

In developing the voluntary rating system, the Council must establish a system of tiers as the basis for the rating system's levels of quality. In developing the system of tiers, the Council must take into consideration the following quality criteria:

- child-to-staff ratios;
- group size;
- learning environment;
- curriculum;
- parent and family involvement and support;
- staff qualifications and training;
- staff professional development;
- staff compensation, including wage progression based on formal education;
- staff stability;
- accreditation;
- program evaluation; and
- program administrative policies and procedures.

In developing the voluntary rating system, the Council is also required to establish quality assurance measures as well as a mechanism for system evaluation. In developing the voluntary rating system, the Council is required to make recommendations concerning both initial and subsequent statewide implementation of the rating system, including the following:

- potential implementing entities;
- sources of funding for implementation;
- necessary infrastructure for facilitating and supporting participation in the rating system, including assistance necessary to help providers progress up the tiers; and
- strategies for raising public awareness of the rating system.

The Council is required to complete initial development of the voluntary rating system by December 1, 2005, and complete development by December 1, 2006. The Council is required to submit the voluntary rating system to the Governor and the appropriate fiscal and policy committees of the Legislature by January 1, 2007. If no action is taken by the Legislature by the end of the 2007 regular legislative session, the Council may begin initial implementation of the voluntary rating system, subject to available funding.

Tiered-Reimbursement System. The Council is required to develop a tiered-reimbursement system that provides higher rates of reimbursement for state-subsidized child care for licensed child care providers that achieve one or more levels of quality above basic licensing requirements in accordance with the voluntary quality-based graduated rating system developed by the Council. In developing the tiered-reimbursement system, the Council must

review existing tiered-reimbursement initiatives in the state and integrate those initiatives into the tiered-reimbursement system.

The Council is required to complete initial development of the tiered-reimbursement system by December 1, 2005, to be implemented in two pilot sites in different geographic regions of the state with demonstrated public-private partnerships. The Council is required to complete development of the tiered-reimbursement system by December 1, 2006, to be implemented statewide, subject to the availability of amounts appropriated by the Legislature for this specific purpose.

Subject to the availability of amounts appropriated for this specific purpose, DSHS is required to implement the tiered-reimbursement system developed by the Council. Implementation of the tiered-reimbursement system is to initially consist of two pilot sites in different geographic regions of the state with demonstrated public-private partnerships, with statewide implementation to follow. In implementing the tiered-reimbursement system, consideration must be given to child care providers who provide staff wage progression. DSHS is required to begin implementation of the two pilot sites by March 30, 2006.

Membership of the Washington Early Learning Council. The Council must include representation from public, nonprofit, and for-profit entities, and its membership must reflect regional, racial, and cultural diversity to ensure representation of the needs of all children and families in the state. The Council consists of 17 members:

- one representative each of the Office of the Governor, DSHS, the Department of Health, and the State Board for Community and Technical Colleges, appointed by the Governor;
- one representative of OSPI, appointed by the Superintendent of Public Instruction;
- two representatives of private business and two representatives of philanthropy, appointed by the Governor;
- four individuals who have demonstrated leadership and engagement in the field of early learning, appointed by the Governor; and
- two members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom must be a member of the majority caucus and one of whom must be a member of the minority caucus, and two members of the Senate appointed by the President of the Senate, one of whom must be a member of the majority caucus and one of whom must be a member of the minority caucus.

The Council is co-chaired by the representative of the Governor and a non-governmental member designated by the Governor. The Governor may employ an executive director, who is exempt from the provisions of the state civil service law, and such other staff as is necessary to carry out the purposes of the council.

The Council is required to monitor and measure its progress and regularly report, as appropriate, to the Governor and the appropriate committees of the Legislature on the progress, findings, and recommendations of the Council. The Council is required to establish one or more technical advisory committees, as needed. Membership of such advisory committees may include the following: representatives of any state agency the Council deems appropriate, including the Higher Education Coordinating Board and the State Board for Community and Technical Colleges; family home child care providers, child care center providers, and college or university child care providers; parents; early childhood

development experts; representatives of school districts and teachers involved in child care and preschool programs; representatives of resource and referral programs; parent education specialists; pediatric or other health professionals; representatives of citizen groups concerned with child care and early learning; representatives of labor organizations; representatives of private business; and representatives of Head Start and ECEAP agencies.

Child Care Coordinating Committee. The Child Care Coordinating Committee is repealed.

Amended Bill Compared to Original Bill: Takes out the reference to Substitute House Bill No. 1380 and inserts reference to Engrossed Second Substitute Senate Bill No. 5441.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: Yes.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This is an important step the state needs to take in early learning. Currently, the early learning system is disjointed and unregulated. By creating a voluntary rating system, parents will be able to tell the quality of care available. The private sector has shown great interest and training for child care providers. This bill provides a mechanism to improve the quality of care for children and provides more information to parents. There is a tremendous interest by philanthropic and private sector organizations to assist in the early learning council. Boeing supports the bill because they believe a great education ensures someone has a life full of possibility. The bill provides the framework to begin successfully eliminate the preparation gap. This bill allows us to provide facts and data for outside caregivers. The voluntary rating tiered reimbursement system opens the possibility to reward quality. It informs the private marketplace on how to spend budgeted dollars and the learning environment to expect. The early learning council can create a council around a key social need and mobilize external donors, partners, and investors and integrate early learning to K-12 and higher education. We need some coordinating body to bring people together who know early learning. Resources are needed in early learning services. Fragmentation in early childhood education is not the result of a lack of interest. The big challenge is the governance issue. Currently, there is no a central place that can capture the interest and have one vision for early learning.

Testimony Against: None.

Who Testified: PRO: Representative Kagi, prime sponsor; Joyce Walters, Boeing; Bea Kelleigh, Snohomish Care and Education Coalition; Terrence Meersman, Talaris Research Institute; Emer Dooley, Social Venture Partners; Kip Tokuda, City of Seattle; Mark Usdane and George Scarola, League of Education Voters; Garison Kurtz, Foundation for Early Learning; Greg Williamson, OSPI; Agda Burchard, WAEYC; Lonnie Johns-Brown, The Collaborative on Early Learning.