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**SENATE BILL 5357**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Ranker, Fain, Billig, Sheldon, Hunt, Palumbo, Zeiger, Hobbs, Rolfes, Pearson, Rivers, Carlyle, Saldaña, Walsh, Liias, Conway, Kuderer, and Hasegawa

AN ACT Relating to establishing a pilot project to license outdoor early learning and child care programs; adding a new section to chapter 43.215 RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  The legislature finds that, over the past decade, more than forty outdoor, nature-based early learning and child care programs have opened in Washington, several of which are in high demand based on existing wait-lists. The legislature finds, however, that these programs currently are unlicensed and thus unable to offer full-day programs, which many working families are seeking. Unlicensed outdoor programs also are unable to serve families who are eligible for assistance through the working connections child care program. The legislature further finds that the outdoor preschool model could help expand the number of high quality early learning opportunities available to families throughout Washington, particularly in areas where preschool-appropriate indoor space is unavailable or unaffordable. Additionally, when early learning programs spend less on their physical facilities, they are able to spend more on recruiting and retaining teachers and other early learning professionals. The legislature also finds that research on outdoor preschools operating in Scandinavian countries for decades has demonstrated a positive impact on children's development, including improved cognitive and social skills when children transition to grade school. The legislature, therefore, intends to establish a pilot project to license outdoor preschools in order to expand access to affordable, high quality early learning programs, and to further investigate the benefits of outdoor, nature-based classrooms for Washington's children and families.

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

(1) The department shall establish a pilot project to license outdoor, nature-based early learning and child care programs. The pilot project shall commence beginning August 31, 2017, and conclude June 30, 2021.

(2) The pilot project must be structured to require participating providers who receive state funds to also comply with the requirements of the early achievers quality rating and improvement system. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements, including early achievers requirements, when necessary to allow for the operation of outdoor classrooms.

(3) When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations, and may give priority to:

(a) Areas where there are few or limited licensed early learning programs;

(b) Areas of need where licensed early learning programs are at or near full capacity, and where access may be restricted by one or more enrollment wait-lists; and

(c) Areas where an outdoor early learning program would provide more family choice.

(4) A child care or early learning program operated by a federally recognized tribe may participate in the pilot project through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty.

(5) The department shall convene an advisory group of outdoor, nature-based early learning practitioners to inform and support implementation of the pilot project.

(6) For purposes of this section, "outdoor, nature-based early learning and child care program" means an agency-offered program operated primarily outdoors in which children are enrolled on a regular basis for three or more hours per day.

(7) The department shall provide the following reports to the legislature and the governor:

(a) By January 15, 2018, and annually thereafter through January 15, 2020, a brief status report describing implementation of the pilot project, including a description of participating providers and the number of children and families being served;

(b) By November 30, 2020, a full report on findings from the pilot project, including recommendations for modifying or expanding the availability of outdoor, nature-based early learning and child care programs. The final report also must include a discussion of potential options to mitigate the uncertainty for families and participating providers during the final six months of the pilot project when legislation may be pending.

(8) This section expires August 1, 2021.

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