

**2SHB 1550** - S COMM AMD

By Committee on Early Learning & K-12 Education

**ADOPTED 04/12/2023**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.300  
4 RCW to read as follows:

5 (1) The intent of the legislature is to continue and rename  
6 transitional kindergarten as the transition to kindergarten program  
7 and that the program be established in statute with the goal of  
8 assisting eligible children in need of additional preparation to be  
9 successful kindergarten students in the following school year. The  
10 transition to kindergarten program is not part of the state's  
11 statutory program of basic education under RCW 28A.150.200.

12 (2) The office of the superintendent of public instruction shall  
13 administer the transition to kindergarten program and shall adopt  
14 rules under chapter 34.05 RCW for the administration of, and the  
15 allocation of state funding for, the transition to kindergarten  
16 program. Initial rules, which include expectations for school  
17 districts and public schools transitioning existing programs to the  
18 new requirements established in this section must be adopted in time  
19 for the 2023-24 school year, and permanent rules must be adopted by  
20 the beginning of the 2024-25 school year. The rules must include, at  
21 a minimum, the following requirements for a transition to  
22 kindergarten program:

23 (a) (i) A limitation on program enrollment to eligible children.  
24 Eligible children include only those who:

25 (A) Have been determined to benefit from additional preparation  
26 for kindergarten; and

27 (B) Are at least four years old by August 31st of the school year  
28 they enroll in the transition to kindergarten program.

29 (ii) School districts and public schools may prioritize families  
30 with the lowest incomes and children most in need for additional  
31 preparation to be successful in kindergarten when enrolling eligible  
32 children in a transition to kindergarten program;

1 (iii) Access to the transition to kindergarten program does not  
2 constitute an individual entitlement for any particular child.

3 (b) Except for children who have been excused from participation  
4 by their parents or legal guardians, a requirement that the  
5 Washington kindergarten inventory of developing skills as established  
6 by RCW 28A.655.080 be administered to all eligible children enrolled  
7 in a transition to kindergarten program at the beginning of the  
8 child's enrollment in the program and at least one more time during  
9 the school year.

10 (c) A requirement that all eligible children enrolled in a  
11 transition to kindergarten program be assigned a statewide student  
12 identifier and that the transition to kindergarten program be  
13 considered a separate class or course for the purposes of data  
14 reporting requirements in RCW 28A.320.175.

15 (d)(i) A requirement that a local child care and early learning  
16 needs assessment is conducted before beginning or expanding a  
17 transition to kindergarten program that considers the existing  
18 availability and affordability of early learning providers, such as  
19 the early childhood education and assistance programs, head start  
20 programs, and licensed child care centers and family home providers  
21 in the region. Data available through the regionalized data dashboard  
22 maintained by the department of children, youth, and families or any  
23 other appropriate sources may be used to conduct the needs assessment  
24 required by this section.

25 (ii) The office of the superintendent of public instruction, in  
26 collaboration with the department of children, youth, and families,  
27 shall develop statewide coordinated eligibility, recruitment,  
28 enrollment, and selection best practices and provide technical  
29 assistance to those implementing a transition to kindergarten program  
30 to support connections with local early learning providers.

31 (iii) Nothing in this section prohibits school districts and  
32 public schools from blending or colocating a transition to  
33 kindergarten program with other early learning programs.

34 (e)(i) A requirement that school districts and public schools  
35 adhere to guidelines, as developed by the office of the  
36 superintendent of public instruction, related to:

37 (A) Best practices for site readiness of facilities that are used  
38 for the program;

39 (B) Developmentally appropriate curricula that might assist in  
40 maintaining high quality programs; and

1 (C) Professional development opportunities.

2 (ii) The office of the superintendent of public instruction must  
3 develop a process for conducting site visits of a school district or  
4 public school offering a transition to kindergarten program and  
5 provide feedback on elements listed in this subsection (2)(e).

6 (f) A prohibition on charging tuition or other fees to state-  
7 funded eligible children for enrollment in a transition to  
8 kindergarten program.

9 (g) A prohibition on establishing a policy of excluding an  
10 eligible child due only to the presence of a disability.

11 (3)(a) Funding for the transition to kindergarten program must be  
12 based on the following:

13 (i) The distribution formula established under RCW 28A.150.260  
14 (4)(a), (5), (6), (8), and (10)(a) and (b), calculated using the  
15 actual number of annual average full-time equivalent eligible  
16 children enrolled in the program. A transition to kindergarten child  
17 must be counted as a kindergarten student for purposes of the funding  
18 calculations referenced in this subsection, but must be reported  
19 separately.

20 (ii) The distribution formula developed in RCW 28A.160.150  
21 through 28A.160.192, calculated using reported ridership for eligible  
22 children enrolled in the program.

23 (b) Funding provided for the transition to kindergarten program  
24 is not part of the state's statutory program of basic education under  
25 RCW 28A.150.200 and must be expended only for the support of  
26 operating a transition to kindergarten program.

27 **Sec. 2.** RCW 28A.225.160 and 2009 c 380 s 3 are each amended to  
28 read as follows:

29 (1) Except as provided in subsection (~~((2))~~) (3) of this section  
30 and otherwise provided by law, it is the general policy of the state  
31 that the common schools shall be open to the admission of all persons  
32 who are five years of age and less than (~~((twenty-one))~~) 21 years  
33 residing in that school district. Except as otherwise provided by law  
34 or rules adopted by the superintendent of public instruction,  
35 districts may establish uniform entry qualifications, including but  
36 not limited to birthdate requirements, for admission to kindergarten  
37 and first grade programs of the common schools. Such rules may  
38 provide for individualized exceptions based upon the ability, or the  
39 need, or both, of an individual student. Nothing in this section

1 authorizes school districts, public schools, or the superintendent of  
2 public instruction to create state-funded programs based on entry  
3 qualification exceptions except as otherwise expressly provided by  
4 law.

5 (2) For the purpose of complying with any rule adopted by the  
6 superintendent of public instruction that authorizes a preadmission  
7 screening process as a prerequisite to granting individualized  
8 exceptions to the uniform entry qualifications, a school district may  
9 collect fees to cover expenses incurred in the administration of any  
10 preadmission screening process: PROVIDED, That in so establishing  
11 such fee or fees, the district shall adopt rules for waiving and  
12 reducing such fees in the cases of those persons whose families, by  
13 reason of their low income, would have difficulty in paying the  
14 entire amount of such fees.

15 ~~((2))~~ (3) A student who meets the definition of a child of a  
16 military family in transition under Article II of RCW 28A.705.010  
17 shall be permitted to continue enrollment at the grade level in the  
18 common schools commensurate with the grade level of the student when  
19 attending school in the sending state as defined in Article II of RCW  
20 28A.705.010, regardless of age or birthdate requirements.

21 NEW SECTION. **Sec. 3.** (1) The department of children, youth, and  
22 families must make administrative changes to better align early  
23 childhood education and assistance program implementation with state-  
24 funded early learning programs serving three through five-year old  
25 children offered by school districts and public schools. The  
26 department must submit a report, in compliance with RCW 43.01.036, of  
27 the administrative changes to the appropriate committees of the  
28 legislature by July 1, 2024.

29 (2) This section expires August 30, 2025.

30 **Sec. 4.** RCW 43.88C.010 and 2022 c 219 s 2 are each amended to  
31 read as follows:

32 (1) The caseload forecast council is hereby created. The council  
33 shall consist of two individuals appointed by the governor and four  
34 individuals, one of whom is appointed by the chairperson of each of  
35 the two largest political caucuses in the senate and house of  
36 representatives. The chair of the council shall be selected from  
37 among the four caucus appointees. The council may select such other  
38 officers as the members deem necessary.

1 (2) The council shall employ a caseload forecast supervisor to  
2 supervise the preparation of all caseload forecasts. As used in this  
3 chapter, "supervisor" means the caseload forecast supervisor.

4 (3) Approval by an affirmative vote of at least five members of  
5 the council is required for any decisions regarding employment of the  
6 supervisor. Employment of the supervisor shall terminate after each  
7 term of three years. At the end of the first year of each three-year  
8 term the council shall consider extension of the supervisor's term by  
9 one year. The council may fix the compensation of the supervisor. The  
10 supervisor shall employ staff sufficient to accomplish the purposes  
11 of this section.

12 (4) The caseload forecast council shall oversee the preparation  
13 of and approve, by an affirmative vote of at least four members, the  
14 official state caseload forecasts prepared under RCW 43.88C.020. If  
15 the council is unable to approve a forecast before a date required in  
16 RCW 43.88C.020, the supervisor shall submit the forecast without  
17 approval and the forecast shall have the same effect as if approved  
18 by the council.

19 (5) A councilmember who does not cast an affirmative vote for  
20 approval of the official caseload forecast may request, and the  
21 supervisor shall provide, an alternative forecast based on  
22 assumptions specified by the member.

23 (6) Members of the caseload forecast council shall serve without  
24 additional compensation but shall be reimbursed for travel expenses  
25 in accordance with RCW 44.04.120 while attending sessions of the  
26 council or on official business authorized by the council.  
27 Nonlegislative members of the council shall be reimbursed for travel  
28 expenses in accordance with RCW 43.03.050 and 43.03.060.

29 (7) "Caseload," as used in this chapter, means:

30 (a) The number of persons expected to meet entitlement  
31 requirements and require the services of public assistance programs,  
32 state correctional institutions, state correctional noninstitutional  
33 supervision, state institutions for juvenile offenders, the common  
34 school system, long-term care, medical assistance, foster care, and  
35 adoption support;

36 (b) The number of students who are eligible for the Washington  
37 college bound scholarship program and are expected to attend an  
38 institution of higher education as defined in RCW 28B.92.030;

39 (c) The number of students who are eligible for the Washington  
40 college grant program under RCW 28B.92.200 and 28B.92.205 and are

1 expected to attend an institution of higher education as defined in  
2 RCW 28B.92.030; and

3 (d) The number of children who are eligible, as defined in RCW  
4 43.216.505, to participate in, and the number of children actually  
5 served by, the early childhood education and assistance program.

6 (8) The caseload forecast council shall forecast the temporary  
7 assistance for needy families and the working connections child care  
8 programs as a courtesy.

9 (9) By January 1, 2023, the caseload forecast council shall  
10 present the number of individuals who are assessed as eligible for  
11 and have requested a service through the individual and family  
12 services waiver and the basic plus waiver administered by the  
13 developmental disabilities administration as a courtesy. The caseload  
14 forecast council shall be presented with the service request list as  
15 defined in RCW 71A.10.020 to aid in development of this information.

16 (10) Beginning with the official forecast submitted in November  
17 2022 and subject to the availability of amounts appropriated for this  
18 specific purpose, the caseload forecast council shall forecast the  
19 number of individuals who are assessed as eligible for and have  
20 requested supported living services, a service through the core  
21 waiver, an individual and family services waiver, and the basic plus  
22 waiver administered by the developmental disabilities administration  
23 as a courtesy. The caseload forecast council shall be presented with  
24 the service request list as defined in RCW 71A.10.020 to aid in  
25 development of this information.

26 (11) As a courtesy, beginning with the official forecast  
27 submitted in November 2022, the caseload forecast council shall  
28 forecast the number of individuals who are expected to reside in  
29 state-operated living alternatives administered by the developmental  
30 disabilities administration.

31 (12) The caseload forecast council shall forecast youth  
32 participating in the extended foster care program pursuant to RCW  
33 74.13.031 separately from other children who are residing in foster  
34 care and who are under eighteen years of age.

35 (13) The caseload forecast council shall forecast the number of  
36 youth expected to receive behavioral rehabilitation services while  
37 involved in the foster care system and the number of screened in  
38 reports of child abuse or neglect.

1       (14) The caseload forecast council shall forecast eligible  
2 children participating in the transition to kindergarten program  
3 under section 1 of this act.

4       (15) Unless the context clearly requires otherwise, the  
5 definitions provided in RCW 43.88.020 apply to this chapter.

6       (~~(15)~~) (16) During the 2021-2023 fiscal biennium, and beginning  
7 with the November 2021 forecast, the caseload forecast council shall  
8 produce an unofficial forecast of the long-term caseload for juvenile  
9 rehabilitation as a courtesy."

**2SHB 1550 - S COMM AMD**

By Committee on Early Learning & K-12 Education

**ADOPTED 04/12/2023**

10       On page 1, line 4 of the title, after "program;" strike the  
11 remainder of the title and insert "amending RCW 28A.225.160 and  
12 43.88C.010; adding a new section to chapter 28A.300 RCW; creating a  
13 new section; and providing an expiration date."

EFFECT: Strikes the provisions of the underlying bill and  
replaces it with the following:

(1) States that the intent of the legislature is to continue and  
rename Transitional Kindergarten as the Transition to Kindergarten  
program and this program is not part of the state's statutory program  
of basic education under RCW 28A.150.200.

(2) Directs the Office of the Superintendent of Public  
Instruction (OSPI) to administer the Transition to Kindergarten  
program and specifies that initial rules must be adopted in time for  
the 2023-24 school year and permanent rules be adopted by the  
beginning of the 2024-25 school year.

(3) Requires OSPI to adopt rules for the administration of and  
the allocation of state funding for the program and specifies minimum  
requirements for the rules including: (a) A definition of eligible  
child and that access to this program does not constitute an  
individual entitlement; (b) a requirement to administer the  
Washington Kindergarten Inventory of Developing Skills twice a school  
year; (c) a requirement that enrolled children have a statewide  
student identifier; (d) a requirement that a local child care and  
early learning needs assessment is conducted and that OSPI and the  
Department of Children, Youth, and Families develop statewide  
coordinated eligibility, recruitment, enrollment, and selection best  
practices; (e) a requirement that school districts and public schools  
adhere to OSPI guidelines related to certain topics; (f) a  
prohibition on charging tuition or fees for the program; and (g) a  
prohibition on establishing a policy of excluding an eligible child  
due only to the presence of a disability.

(4) Provides a funding formula for the Transition to Kindergarten  
program based on the reported full-time equivalent of eligible

children in the program and calculated under certain portions of the prototypical school funding model.

(5) Directs the Caseload Forecast Council to forecast eligible children participating in the transition to kindergarten program.

(6) States that individualized exceptions for admission to kindergarten and first grade programs does not authorize school districts, public schools, or the superintendent of public instruction to create state-funded programs based on entry qualification exceptions except as otherwise expressly provided by law.

(7) Directs DCYF to make administrative changes to better align early childhood education and assistance program implementation with state-funded early learning programs serving three through five-year olds offered by school districts and public schools and requires a report by July 1, 2024.

--- END ---