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SENATE BILL 6170

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State of Washington

53rd Legislature

1994 Regular Session

By Senators Pelz and McDonald; by request of Department of Community Development

Read first time 01/14/94. Referred to Committee on Education.

1 AN ACT Relating to clarifying the statutory language governing the  
2 early childhood education and assistance program; amending RCW  
3 28A.215.100, 28A.215.110, 28A.215.120, 28A.215.130, 28A.215.140,  
4 28A.215.150, 28A.215.160, 28A.215.170, 28A.215.180, and 28A.215.200;  
5 amending 1988 c 174 s 1 (uncodified); amending 1987 c 518 s 1  
6 (uncodified); and providing an effective date.

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

8 **Sec. 1.** RCW 28A.215.100 and 1985 c 418 s 1 are each amended to  
9 read as follows:

10 It is the intent of the legislature to establish (~~a preschool~~) an  
11 early childhood state education and assistance program. This special  
12 assistance program is a voluntary enrichment program to help prepare  
13 some children to enter the common school system and shall be offered  
14 only as funds are available. This program is not a part of the basic  
15 program of education which must be fully funded by the legislature  
16 under Article IX, section 1 of the state Constitution.

17 **Sec. 2.** RCW 28A.215.110 and 1990 c 33 s 213 are each amended to  
18 read as follows:

1 Unless the context clearly requires otherwise, the definitions in  
2 this section apply throughout RCW 28A.215.100 through 28A.215.200 and  
3 28A.215.900 through 28A.215.908.

4 (1) "Advisory committee" means the advisory committee under RCW  
5 28A.215.140.

6 (~~(2) ("At risk" means a child not eligible for kindergarten whose  
7 family circumstances would qualify that child for eligibility under the  
8 federal head start program.~~

9 ~~(3))~~ "Department" means the department of community, trade, and  
10 economic development.

11 (~~((4))~~) (3) "Eligible child" means ((an at risk child as defined in  
12 this section)) a child not eligible for kindergarten whose family  
13 income is at or below one hundred percent of the federal poverty level,  
14 as published annually by the federal department of health and human  
15 services, and includes a child whose family is eligible for public  
16 assistance, and who is not a participant in a federal or state program  
17 providing ((like educational)) comprehensive services and may include  
18 children who are eligible under rules adopted by the department if the  
19 number of such children equals not more than ten percent of the total  
20 enrollment in the ((preschool)) early childhood program. Priority for  
21 enrollment shall be given to children from families with the lowest  
22 income or to eligible children from families with multiple needs.

23 (~~((5))~~) (4) "Approved ((preschool)) programs" means those state-  
24 supported education and special assistance programs which are  
25 recognized by the department of community, trade, and economic  
26 development as meeting the minimum program rules adopted by the  
27 department to qualify under RCW 28A.215.100 through 28A.215.200 and  
28 28A.215.900 through 28A.215.908 and are designated as eligible for  
29 funding by the department under RCW 28A.215.160 and 28A.215.180.

30 (5) "Comprehensive" means an assistance program that focuses on the  
31 needs of the child and includes education, health, and family support  
32 services.

33 **Sec. 3.** 1988 c 174 s 1 (uncodified) is amended to read as follows:

34 The legislature finds that the early childhood education and  
35 assistance program provides for the educational, social, health,  
36 nutritional, and cultural development of children at risk of failure  
37 when they reach school age. The long-term benefits to society in the  
38 form of greater educational attainment, employment, and projected

1 lifetime earnings as well as the savings to be realized, from lower  
2 crime rates, welfare support, and reduced teenage pregnancy, have been  
3 demonstrated through lifelong research of at-risk children and  
4 (~~(preschool)~~) early childhood programs.

5 (~~(The legislature further finds that existing federal head start  
6 programs and state-supported early childhood education programs provide  
7 services for less than one third of the eligible children in  
8 Washington.)~~)

9 The legislature intends to encourage development of community  
10 partnerships for children at risk by authorizing a program of voluntary  
11 grants and contributions from business and community organizations to  
12 increase opportunities for children to participate in early childhood  
13 education.

14 **Sec. 4.** RCW 28A.215.120 and 1988 c 174 s 3 are each amended to  
15 read as follows:

16 The department of community, trade, and economic development shall  
17 administer a state-supported (~~(preschool)~~) early childhood education  
18 and assistance program to assist eligible children with educational,  
19 social, health, nutritional, and cultural development to enhance their  
20 opportunity for success in the common school system. Eligible children  
21 shall be admitted to approved (~~(preschool)~~) early childhood programs to  
22 the extent that the legislature provides funds, and additional eligible  
23 children may be admitted to the extent that grants and contributions  
24 from community sources provide sufficient funds for a program  
25 equivalent to that supported by state funds.

26 **Sec. 5.** RCW 28A.215.130 and 1988 c 174 s 4 are each amended to  
27 read as follows:

28 Approved (~~(preschool)~~) early childhood programs shall receive  
29 state-funded support through the department. (~~(School districts, and  
30 existing head start grantees in cooperation with school districts)~~)  
31 Public or private nonsectarian organizations, including, but not  
32 limited to school districts, educational service districts, community  
33 and technical colleges, local governments, or nonprofit organizations,  
34 are eligible to participate as providers of the state (~~(preschool)~~)  
35 early childhood program. (~~(School districts may contract with other  
36 governmental or nongovernmental nonsectarian organizations to conduct  
37 a portion of the state program.)~~) Funds appropriated for the state

1 program shall be used to continue to operate existing programs or to  
2 establish new or expanded ((~~preschool~~)) early childhood programs, and  
3 shall not be used to supplant federally supported head start programs.  
4 Funds obtained by providers through voluntary grants or contributions  
5 from individuals, agencies, corporations, or organizations may be used  
6 to expand or enhance preschool programs so long as program standards  
7 established by the department are maintained, but shall not be used to  
8 supplant federally supported head start programs or state-supported  
9 ((~~preschool~~)) early childhood programs. Persons applying to conduct  
10 the ((~~preschool~~)) early childhood program shall identify targeted  
11 groups and the number of children to be served, program components, the  
12 qualifications of instructional and special staff, the source and  
13 amount of grants or contributions from sources other than state funds,  
14 facilities and equipment support, and transportation and personal care  
15 arrangements.

16 **Sec. 6.** RCW 28A.215.140 and 1988 c 174 s 5 are each amended to  
17 read as follows:

18 The department shall establish an advisory committee composed of  
19 interested parents and representatives from the state board of  
20 education, the office of the superintendent of public instruction, the  
21 ((~~division of children and family services~~)) department of health, the  
22 state board for community and technical colleges, the higher education  
23 coordinating board, the office of child care policy, and the medical  
24 assistance administration within the department of social and health  
25 services, early childhood education and development staff preparation  
26 programs, the head start programs, school districts, and such other  
27 community, professional, and business organizations as deemed necessary  
28 by the department to assist with the establishment of the ((~~preschool~~))  
29 early childhood program and advise the department on matters regarding  
30 the on-going promotion and operation of the program.

31 **Sec. 7.** RCW 28A.215.150 and 1988 c 174 s 6 are each amended to  
32 read as follows:

33 The department shall adopt rules under chapter 34.05 RCW for the  
34 administration of the ((~~preschool~~)) early childhood program. ((~~Federal~~  
35 ~~head start program criteria, including set aside provisions for the~~))  
36 Approved early childhood programs shall conduct needs assessments of  
37 their service area, identify any targeted groups of children, to

1 include but not be limited to children of seasonal and migrant  
2 farmworkers and native American populations living either on or off  
3 reservation, ((to the extent practicable, shall be considered as  
4 guidelines for the state preschool early childhood assistance program))  
5 and provide to the department a service delivery plan, to the extent  
6 practicable, that addresses these targeted populations.

7 The department in developing rules for the ((preschool)) early  
8 childhood program shall consult with the advisory committee, and shall  
9 consider such factors as coordination with existing head start and  
10 other ((preschool)) early childhood programs, the preparation necessary  
11 for instructors, qualifications of instructors, adequate space and  
12 equipment, and special transportation needs. The rules shall  
13 specifically require the ((preschool)) early childhood programs to  
14 provide for parental involvement ((at a level not less than that  
15 provided under the federal head start program criteria)) in  
16 participation with their child's program, in local program policy  
17 decisions, in development and revision of service delivery systems, and  
18 in parent education and training.

19 **Sec. 8.** 1987 c 518 s 1 (uncodified) is amended to read as follows:

20 The long-term social, community welfare, and economic interests of  
21 the state will be served by an investment in our children. Conclusive  
22 studies and experiences show that providing children with ((certain))  
23 developmental experiences and providing parents with effective parental  
24 ((guidance)) partnership, empowerment, opportunities for involvement  
25 with their child's developmental learning, and expanding parenting  
26 skills, learning, and training can greatly improve ((their)) children's  
27 performance in school as well as increase the likelihood of ((their))  
28 children's success as adults. National studies have also confirmed  
29 that special attention to, and educational assistance for, children  
30 ((and)), their school environment ((is)), and their families are the  
31 most effective ways in which to meet the state's social and economic  
32 goals.

33 The legislature intends to enhance the readiness to learn of  
34 certain children and students by: Providing for an expansion of the  
35 state early childhood education and assistance program for children  
36 from low-income families and establishing an adult literacy program for  
37 certain parents; assisting school districts to establish elementary  
38 counseling programs; instituting a program to address learning problems

1 due to drug and alcohol use and abuse; and establishing a program  
2 directed at students who leave school before graduation.

3 The legislature intends further to establish programs that will  
4 allow for parental, business, and community involvement in assisting  
5 the school systems throughout the state to enhance the ability of  
6 children to learn.

7 **Sec. 9.** RCW 28A.215.160 and 1988 c 174 s 7 are each amended to  
8 read as follows:

9 The department shall review applications from public or private  
10 nonsectarian organizations for state funding of early childhood  
11 education and assistance programs and award funds (~~(on a competitive~~  
12 ~~basis))~~) as determined by department rules and based on local community  
13 needs and demonstrated capacity to provide services.

14 **Sec. 10.** RCW 28A.215.170 and 1988 c 174 s 8 are each amended to  
15 read as follows:

16 The governor shall report to the legislature before each regular  
17 session of the legislature convening in an odd-numbered year, on the  
18 (~~(merits of continuing and expanding the preschool program or~~  
19 ~~instituting other means of providing early childhood development~~  
20 ~~assistance. The))~~) current status of the program, the state-wide need  
21 for early childhood program services, and the plans to address these  
22 needs. The department shall consult with the office of the  
23 superintendent of public instruction (~~(shall assist the governor))~~) in  
24 the preparation of the biennial report and (~~(shall be consulted))~~) on  
25 all issues of mutual concern addressed in (~~(said))~~) the report.

26 (~~(If the governor recommends the continuation of a state-funded~~  
27 ~~preschool program, then))~~) The governor's report shall include specific  
28 recommendations on at least the following issues:

29 (1) The desired relationships of a state-funded (~~(preschool))~~) early  
30 childhood education and assistance program with the common school  
31 system;

32 (2) The types of children and their needs that the program should  
33 serve;

34 (3) The appropriate level of state support for implementing a  
35 comprehensive (~~(preschool))~~) early childhood education and assistance  
36 program for all eligible children, including related programs to

1 prepare instructors and provide facilities, equipment, and  
2 transportation;

3 (4) The state administrative structure necessary to implement the  
4 program; and

5 (5) The establishment of a system to examine and monitor the  
6 effectiveness of ~~((preschool))~~ early childhood educational and  
7 assistance services for ~~((disadvantaged))~~ eligible children to measure,  
8 among other elements, if possible, how the average level of performance  
9 of children completing this program compare to the average level of  
10 performance of all state students in their grade level, and to the  
11 average level of performance of those ~~((at-risk))~~ eligible students who  
12 ~~((do))~~ did not have access to this program. The evaluation system  
13 shall examine how the percentage of these children needing access to  
14 special education or remedial programs compares to the overall  
15 percentage of children needing such services and compares to the  
16 percentage of ~~((at-risk))~~ eligible students who ~~((do))~~ did not have  
17 access to this program needing such services.

18 **Sec. 11.** RCW 28A.215.180 and 1990 c 33 s 214 are each amended to  
19 read as follows:

20 For the purposes of RCW 28A.215.100 through 28A.215.200 and  
21 28A.215.900 through 28A.215.908, the department may award state support  
22 under RCW 28A.215.100 through 28A.215.160 to increase the numbers of  
23 eligible children assisted by the federal or state-supported  
24 ~~((preschool))~~ early childhood programs in this state ~~((by up to five~~  
25 ~~thousand additional children))~~. Priority shall be given to ~~((groups~~  
26 ~~in))~~ those geographical areas which include a high percentage of  
27 families qualifying under the ~~((federal "at-risk"))~~ "eligible child"  
28 criteria. The overall program funding level shall be based on an  
29 average grant per child consistent with state appropriations made for  
30 program costs: PROVIDED, That programs addressing special needs of  
31 selected groups or communities shall be recognized in the department's  
32 rules.

33 **Sec. 12.** RCW 28A.215.200 and 1990 c 33 s 215 are each amended to  
34 read as follows:

35 The department may solicit gifts, grants, conveyances, bequests and  
36 devises for the use or benefit of the ~~((preschool))~~ early childhood  
37 state education and assistance program established by RCW 28A.215.100

1 through 28A.215.200 and 28A.215.900 through 28A.215.908. The  
2 department shall actively solicit support from business and industry  
3 and from the federal government for the (~~preschool~~) state early  
4 childhood education and assistance program and shall assist local  
5 programs in developing partnerships with the community for (~~children-~~  
6 ~~at-risk~~) eligible children.

7 NEW SECTION. **Sec. 13.** This act shall take effect July 1, 1994.

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