

2SHB 2731 - S AMD 400

By Senators Kauffman, McAuliffe

ADOPTED 03/10/2010

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that a critical
4 factor in the eventual successful outcome of a K-12 education is for
5 students to begin school ready, both intellectually and socially, to
6 learn. The legislature also finds that, due to a variety of factors,
7 some young children need supplemental instruction in preschool to
8 assure that they have the opportunity to participate meaningfully and
9 reach the necessary levels of achievement in the regular program of
10 basic education. The legislature further finds that children who
11 participate in high quality preschool programs have improved
12 educational and life outcomes and are more likely to graduate from high
13 school and pursue higher education, experience successful employment
14 opportunities, and have increased earnings. Therefore the legislature
15 intends to create a program of early learning that, when fully
16 implemented, shall be an entitlement program for eligible children.

17 The legislature also finds that the state early childhood education
18 and assistance program was established to help children from low-income
19 families be prepared for kindergarten, and that the program has been a
20 successful model for achieving that goal. Therefore, the legislature
21 intends that the first phase of implementing the entitlement program of
22 early learning shall be accomplished by utilizing the program standards
23 and eligibility criteria in the early childhood education and
24 assistance program. The legislature also intends that the
25 implementation of subsequent phases of the program established by the
26 ready for school act of 2010 will be aligned with the implementation of
27 the state's all-day kindergarten program in order to maximize the gains
28 resulting from investments in the two programs.

1 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
2 section apply throughout this chapter unless the context clearly
3 requires otherwise.

4 (1) "Community-based early learning providers" includes for-profit
5 and nonprofit licensed providers of child care and preschool programs.

6 (2) "Program" means the program of early learning established in
7 section 3 of this act for eligible children who are three and four
8 years of age.

9 NEW SECTION. **Sec. 3.** PROGRAM STANDARDS. (1) Beginning September
10 1, 2011, an early learning program to provide voluntary preschool
11 opportunities for children three and four years of age shall be
12 implemented according to the funding and implementation plan in section
13 4 of this act. The program must be a comprehensive program providing
14 early childhood education and family support, options for parental
15 involvement, and health information, screening, and referral services,
16 as family need is determined. Participation in the program is
17 voluntary. On a space available basis, the program may allow
18 enrollment of children who are not otherwise eligible by assessing a
19 fee.

20 (2) The first phase of the program shall be implemented by
21 utilizing the program standards and eligibility criteria in the early
22 childhood education and assistance program.

23 (3) The director shall adopt rules for the following program
24 components, as appropriate and necessary during the phased
25 implementation of the program:

26 (a) Minimum program standards, including lead teacher, assistant
27 teacher, and staff qualifications;

28 (b) Approval of program providers; and

29 (c) Accountability and adherence to performance standards.

30 (4) The department has administrative responsibility for:

31 (a) Approving and contracting with providers according to rules
32 developed by the director under this section;

33 (b) In partnership with school districts, monitoring program
34 quality and assuring the program is responsive to the needs of eligible
35 children;

36 (c) Assuring that program providers work cooperatively with school

1 districts to coordinate the transition from preschool to kindergarten
2 so that children and their families are well-prepared and supported;
3 and

4 (d) Providing technical assistance to contracted providers.

5 NEW SECTION. **Sec. 4.** FUNDING AND STATEWIDE IMPLEMENTATION. (1)
6 Funding for the program of early learning established under this
7 chapter must be appropriated to the department. Allocations must be
8 made on the basis of eligible children enrolled with eligible
9 providers.

10 (2) The program shall be implemented in phases, so that full
11 implementation is achieved in the 2018-19 school year.

12 (3) For the initial phase of the early learning program in school
13 years 2011-12 and 2012-13, the legislature shall appropriate funding to
14 the department for implementation of the program in an amount not less
15 than the 2009-2011 enacted budget for the early childhood education and
16 assistance program. The appropriation shall be sufficient to fund an
17 equivalent number of slots as funded in the 2009-2011 enacted budget.

18 (4) Beginning in the 2013-14 school year, additional funding for
19 the program must be phased in beginning in school districts providing
20 all-day kindergarten programs under RCW 28A.150.315.

21 (5) Funding shall continue to be phased in incrementally each year
22 until full statewide implementation of the early learning program is
23 achieved in the 2018-19 school year, at which time any eligible child
24 shall be entitled to be enrolled in the program.

25 (6) The department and the office of financial management shall
26 annually review the caseload forecasts for the program and, beginning
27 December 1, 2012, and annually thereafter, report to the governor and
28 the appropriate committees of the legislature with recommendations for
29 phasing in additional funding necessary to achieve statewide
30 implementation in the 2018-19 school year.

31 (7) School districts and approved community-based early learning
32 providers may contract with the department to provide services under
33 the program. The department shall collaborate with school districts,
34 community-based providers, and educational service districts to promote
35 an adequate supply of approved providers.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.320
2 RCW to read as follows:

3 For the program of early learning established in section 3 of this
4 act, school districts:

5 (1) Shall work cooperatively with program providers to coordinate
6 the transition from preschool to kindergarten so that children and
7 their families are well-prepared and supported; and

8 (2) May contract with the department of early learning to deliver
9 services under the program.

10 **Sec. 6.** RCW 43.215.020 and 2007 c 394 s 5 are each amended to read
11 as follows:

12 (1) The department of early learning is created as an executive
13 branch agency. The department is vested with all powers and duties
14 transferred to it under this chapter and such other powers and duties
15 as may be authorized by law.

16 (2) The primary duties of the department are to implement state
17 early learning policy and to coordinate, consolidate, and integrate
18 child care and early learning programs in order to administer programs
19 and funding as efficiently as possible. The department's duties
20 include, but are not limited to, the following:

21 (a) To support both public and private sectors toward a
22 comprehensive and collaborative system of early learning that serves
23 parents, children, and providers and to encourage best practices in
24 child care and early learning programs;

25 (b) To make early learning resources available to parents and
26 caregivers;

27 (c) To carry out activities, including providing clear and easily
28 accessible information about quality and improving the quality of early
29 learning opportunities for young children, in cooperation with the
30 nongovernmental private-public partnership;

31 (d) To administer child care and early learning programs;

32 (e) To standardize internal financial audits, oversight visits,
33 performance benchmarks, and licensing criteria, so that programs can
34 function in an integrated fashion;

35 (f) To support the implementation of the nongovernmental private-
36 public partnership and cooperate with that partnership in pursuing its

1 goals including providing data and support necessary for the successful
2 work of the partnership;

3 (g) To work cooperatively and in coordination with the early
4 learning council;

5 (h) To collaborate with the K-12 school system at the state and
6 local levels to ensure appropriate connections and smooth transitions
7 between early learning and K-12 programs; (~~and~~)

8 (i) To develop and adopt rules for administration of the program of
9 early learning established in section 3 of this act; and

10 (j) Upon the development of an early learning information system,
11 to make available to parents timely inspection and licensing action
12 information through the internet and other means.

13 (3) The department's programs shall be designed in a way that
14 respects and preserves the ability of parents and legal guardians to
15 direct the education, development, and upbringing of their children.
16 The department shall include parents and legal guardians in the
17 development of policies and program decisions affecting their children.

18 **Sec. 7.** RCW 43.215.405 and 2006 c 265 s 210 are each amended to
19 read as follows:

20 Unless the context clearly requires otherwise, the definitions in
21 this section apply throughout RCW 43.215.400 through 43.215.450 and
22 43.215.900 through 43.215.903.

23 (1) "Advisory committee" means the advisory committee under RCW
24 43.215.420.

25 (2) "Department" means the department of early learning.

26 (3) "Eligible child" means a child not eligible for kindergarten
27 whose family income is at or below one hundred ten percent of the
28 federal poverty level, as published annually by the federal department
29 of health and human services, and includes a child whose family is
30 eligible for public assistance, and who is not a participant in a
31 federal or state program providing comprehensive services; a child
32 eligible for special education due to disability under RCW 28A.155.020;
33 and may include children who are eligible under rules adopted by the
34 department if the number of such children equals not more than ten
35 percent of the total enrollment in the early childhood program.
36 Priority for enrollment shall be given to children from families with

1 the lowest income, children in foster care, or to eligible children
2 from families with multiple needs.

3 (4) "Approved programs" means those state-supported education and
4 special assistance programs which are recognized by the department as
5 meeting the minimum program rules adopted by the department to qualify
6 under RCW 43.215.400 through 43.215.450 and 43.215.900 through
7 43.215.903 and are designated as eligible for funding by the department
8 under RCW 43.215.430 and 43.215.440.

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

12 (6) "Family support services" means providing opportunities for
13 parents to:

- 14 (a) Actively participate in their child's early childhood program;
- 15 (b) Increase their knowledge of child development and parenting
16 skills;
- 17 (c) Further their education and training;
- 18 (d) Increase their ability to use needed services in the community;
- 19 (e) Increase their self-reliance.

20 NEW SECTION. **Sec. 8.** Sections 2 through 4 and 9 of this act are
21 each added to chapter 43.215 RCW.

22 NEW SECTION. **Sec. 9.** This act may be known as the ready for
23 school act of 2010."

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24 On page 1, line 2 of the title, after "children;" strike the
25 remainder of the title and insert "amending RCW 43.215.020 and
26 43.215.405; adding new sections to chapter 43.215 RCW; adding a new
27 section to chapter 28A.320 RCW; and creating a new section."

EFFECT: (1) Establishes a voluntary program of early learning for 3 and 4-year olds, and specifies that when fully implemented, the program shall be an entitlement program for eligible children; (2) vests governance and rule-making authority with the DEL; (3) directs that the program be implemented beginning September 1, 2011, and that the phase-in of expanded opportunities be implemented in districts where full-day kindergarten is being provided, in order to maximize gains resulting from those investments; (4) requires that funding for the program in the 2011-2013 biennium be not less than the funding provided for the Early Childhood Education and Assistance Program (ECEAP) in the 2009-2011 biennium; (5) requires additional funding be phased-in beginning in the 2013-2014 school year so that the program is fully implemented by the 2018-19 school year; (6) revises the ECEAP eligibility standards to include a child who qualifies for special education services; (7) requires annual forecasting and reporting to the Governor and Legislature regarding caseloads and funding recommendations; and (8) names the act the Ready for School Act of 2010.

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