

HOUSE BILL REPORT

HB 1450

As Reported by House Committee On:
Education

Title: An act relating to transition to kindergarten programs.

Brief Description: Concerning transition to kindergarten programs.

Sponsors: Representatives Santos, Rude, Schmidt, Wylie, Parshley, Ortiz-Self, Nance, Pollet and Tharinger.

Brief History:

Committee Activity:

Education: 1/28/25, 2/18/25 [DPS].

Brief Summary of Substitute Bill

- Declares that the state Transition to Kindergarten (TTK) policy is to support children, families, and communities by providing high-quality early learning within the public school system to 4-year-old children who meet specified criteria.
- Provides that the annual average number of eligible children enrolled in the TTK program statewide may not exceed the 2023-24 school year's annual average eligible children enrollment.
- Requires public schools seeking state funding for enrolling eligible children under the state TTK policy to obtain advanced approval.
- Adds enrollment regulation, application approval, and site visit duties to the Office of the Superintendent of Public Instruction.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Santos, Chair; Rude, Ranking Minority Member;

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Keaton, Assistant Ranking Minority Member; Callan, Chase, Couture, Donaghy, Eslick, Marshall, Reeves and Stonier.

Minority Report: Do not pass. Signed by 1 member: Representative Bergquist.

Minority Report: Without recommendation. Signed by 6 members: Representatives Shavers, Vice Chair; McEntire, Ortiz-Self, Pollet, Rule and Scott.

Staff: Megan Wargacki (786-7194).

Background:

Transition to Kindergarten Program.

In 2023 the Transition to Kindergarten (TTK) program was established to assist eligible children in need of additional preparation to be successful kindergarten students in the following school year.

Rules. The Office of the Superintendent of Public Instruction (OSPI) was directed to adopt rules for the administration of, the allocation of state funding for, and minimum standards and requirements for the TTK program. The rules must include specified minimum requirements for school districts, charter schools, and state-tribal education compact schools operating a TTK program

Among other things, the rules must limit TTK enrollment to eligible children who have been determined to benefit from additional preparation for kindergarten and are at least 4 years old by August 31 of the school year they enroll in the program. As practicable, TTK programs must prioritize families with the lowest incomes and children with the greatest need. Access to the TTK program is not an individual entitlement.

The rules must require that a local childcare and early learning needs assessment is conducted before beginning or expanding a TTK program. The assessment must consider the existing availability and affordability of early learning providers. Data available through the regionalized data dashboard maintained by the Department of Children, Youth, and Families (DCYF), or any other appropriate sources may be used to inform the needs assessment.

The rules must require that TTK programs adhere to OSPI guidelines related to: (1) best practices for site readiness of facilities; (2) developmentally appropriate curricula; and (3) professional development opportunities. The OSPI must develop a process for conducting site visits to TTK programs and providing feedback on the guideline elements.

Operation. School districts, charter schools, and state-tribal education compact schools operating a TTK program must adopt policies regarding eligibility, recruitment, and enrollment for the program that, at a minimum, meet the requirements of the OSPI rules. When adopting TTK policies, school districts, charter schools, and state-tribal education

compact schools must consider best practices developed by the OSPI, in collaboration with the DCYF, related to statewide coordinated eligibility, recruitment, enrollment, and selection. School districts, charter schools, and state-tribal education compact schools may blend or collocate a TTK program with other early learning programs.

Charter schools authorized by the Washington State Charter School Commission are not permitted to operate a TTK program until the beginning of the 2025-26 school year.

Funding. Funding for the TTK program must be calculated using the actual number of annual average full-time equivalent eligible children enrolled in the TTK program and based on the following portions of the prototypical school funding model: class size; staff types; district-wide support services; materials, supplies, and operating costs; the Learning Assistance Program; and the Transitional Bilingual Instruction Program. In addition, funding for the TTK Program must be based on the transportation distribution formula for public elementary and secondary schools, calculated using reported ridership for eligible children enrolled in the TTK Program.

Funding provided for the TTK program is not part of the state's statutory program of basic education and must be expended only for the support of operating a TTK program.

Early Learning Program Connections.

The OSPI, in collaboration with the DCYF, must develop statewide coordinated eligibility, recruitment, enrollment, and selection best practices and provide technical assistance to TTK programs to support connections with local early learning providers. The 2024 Supplemental Operating Budget appropriated funding to the DCYF to implement this provision. The DCYF contracted with Child Care Aware of Washington to facilitate supporting connections between TTK programs and early learning providers.

Summary of Substitute Bill:

State Transition to Kindergarten Policy.

The state Transition to Kindergarten (TTK) policy is declared as supporting children, families, and communities by providing high-quality early learning within the public school system to 4-year-old children who either: need additional preparation for kindergarten, or are living in extreme child care access deserts (a defined term) and, despite qualifying, do not have access to certain federal and state early learning and child care programs.

Enrollment Limits and Distributions.

Beginning in the 2025-26 school year, the annual average number of eligible children enrolled in the TTK program statewide may not exceed the annual average eligible children enrollment from the 2023-24 school year. "Eligible children" means children who are at least four years old by August 31 of the school year they enroll in school under the state TTK policy and who either: (1) have been determined to benefit from additional

preparation for kindergarten using an appropriate screening process or tool; or (2) qualify for enrollment in, but do not have access to, the Early Childhood Education and Assistance Program, the federal Head Start program, or the Working Connections Child Care program, due to living in an extreme child care access desert.

The Office of the Superintendent of Public Instruction (OSPI) must, in collaboration with the Department of Children, Youth, and Families (DCYF), and in accordance with the omnibus operating appropriations act, regulate the enrollment of eligible children under the state TTK policy. To support the equitable and effective distribution of high-quality early learning programs statewide, the OSPI, must: (1) limit the number of sites approved to enroll eligible children under the state TTK policy; (2) distribute approved sites across the state, prioritizing areas classified as extreme child care access deserts; and (3) restrict the number of state-funded eligible children permitted to enroll at each approved site.

Annual Applications.

The OSPI must implement a process for school districts, charter schools, and state-tribal education compact schools to request advance approval to enroll state-funded eligible children under the state TTK policy. The application must include five elements, at a minimum, for example, a verification from a statewide child care resource and referral organization that the applicant has worked in collaboration with, and does not adversely impact enrollment in, regional early learning and child care programs.

Before the start of each school year, any school district, charter school, or state-tribal education compact school seeking state funding for enrolling eligible children under the state TTK policy must obtain approval from the OSPI through the application process before enrolling such children.

Site Visits.

The OSPI must conduct site visits of school districts, charter schools, and state-tribal education compact schools approved to enroll eligible children under the state TTK policy and provide feedback on OSPI's guideline elements.

Substitute Bill Compared to Original Bill:

As compared to the original bill, the substitute bill:

- declares that the state Transition to Kindergarten (TTK) policy is to support children, families, and communities by providing high-quality early learning within the public school system to 4-year-old children who meet specified requirements;
- adds that, beginning in the 2025-26 school year, the annual average eligible children enrollment under the state TTK policy may not exceed the annual average eligible children enrolled during the 2023-24 school year;
- adds to the definition of "eligible children" those 4-year-old children who qualify for enrollment in, but do not have access to certain federal and state early learning and child care programs;

- defines the terms: extreme child care access desert, extreme unmet need locale, and highly constrained supply locale;
- directs the Office of the Superintendent of Public Instruction (OSPI), in collaboration with the Department of Children, Youth, and Families, and in accordance with the omnibus operating appropriations act, to regulate the enrollment of eligible children under the state TTK policy in order to support the equitable and effective distribution of high-quality early learning programs;
- adds that the OSPI must implement an application process and requires, before the start of each school year, any school district, charter school, or state-tribal education compact school seeking state funding for enrolling eligible children under the state TTK policy to obtain approval from the OSPI through the application process;
- requires the OSPI to conduct site visits of school districts, charter schools, and state-tribal compact schools approved to enroll eligible children under the state TTK policy;
- makes the act take effect immediately; and
- includes intent language.

Appropriation: None.

Fiscal Note: Requested on February 18, 2025.

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

Staff Summary of Public Testimony:

(In support) This bill establishes much needed regulation, ensuring consistency, and coordination. Transition to Kindergarten (TTK) needs to coordinate with private providers. The state should require program authorization, site approval, and enrollment caps to prevent destabilization of private early learning programs. A comprehensive data system will help to increase transparency for policymakers.

This bill is unusual and is intended to be that way. This committee spent a lot of time dealing with Transitional Kindergarten because it had lots of concerns. The bill before you is the bill that the House of Representatives sent to the other chamber. It balances the need of communities to access quality, affordable early learning without decimating the early learning ecosystem. The state made a promise to its youngest learners that in 2026, the Early Childhood Education and Assistance Program (ECEAP) will be an entitlement. Working families are having challenges accessing quality childcare. In 2021 the state enacted the Fair Start for Kids Act. Despite this, there are still childcare and early learning deserts. That is what this bill in its previous form intended to address. The Legislature recognizes that school districts, especially those in child care deserts, can and do recognize families that need these supports. Some school districts and charter schools attempted to

address this need through programs referred to as Transitional Kindergarten using basic education allocations. The other body did not agree to some of the safeguards that were meant to protect the early learning and childcare ecosystem. The school system has certificated teachers, while early learning teachers must abide by different professional development requirements that are more appropriate for early learners. Early learning classrooms have facility requirements that schools do not have to comply with. These safeguards are necessary to ensure that early learning system can continue to thrive. Many early learning programs are suffering right now due to the competition with free this free program. This bill was necessary because there was a statute that allowed districts to early-entry students who were not yet 5, to have extra time, but who had no other opportunities. This has become more than just a case-by-case basis. There is a budget shortfall in the current budget based on the number of slots that were anticipated to be originally used by TTK. This bill helps to tighten up an extra-statutory program that was made statutory, and now needs to be tightened up, not for budgetary reasons, but to teach our youngest learners in environments most appropriate for them.

(Opposed) The TTK program has expanded early learning opportunities for students where there were not any opportunities previously. Washington is forty-fourth in the nation in inclusionary practices for students ages 3 through 5 years old. Due to TTK, some school districts can provide these students with education in the general education environment.

Under the bill, elementary endorsed teachers would not be able to teach TTK without duplicating training they have already received. This bill will disrupt TTK programs, due to the time it takes time to implement.

(Other) This state has a mixed delivery early learning system and TTK is part of it. School districts are the largest provider of early learning, since the inception of the ECEAP. There are still 6,000 children eligible for the ECEAP who are not being served by that program.

The data show that too many children lack access to prekindergarten programs. Maximizing early learning options is an important part of ensuring children are ready for school. School districts have many early learning programs. Charter schools want to help address the unmet need. Supporting early childhood education is an investment and TTK prepares children for long-term educational success.

Expanding the types of early learning helps meet the unique needs of families. The state should recognize the success of the current TTK model and build on it. The TTK program helps to round out classrooms, increase access, particularly for marginalized families, and close gaps before they take hold. Many students who are not eligible for Head Start or ECEAP will benefit from TTK if their parents cannot afford childcare. In some school districts, families do not qualify for child care subsidies, but still cannot afford full private child care tuition.

To meet the needs of early learning deserts, the current model needs to remain in place.

The number of TTK programs have increased, but the bill does not acknowledge that there are outstanding programs in operation. The TTK program students are better prepared for kindergarten. The TTK program is also offered in rural districts; it is a valuable service in early learning deserts. Having children in preschool and elementary in the same location is helpful to parents because the younger children are familiar with the location from visiting it with the older children.

Many of the requirements in the bill are already current law. The WAKids program is how school districts assess students. School districts are concerned about the additional requirements in the bill, such as the teacher certificate requirements. The new administrative protocols required by the bill, without dedicated funding will pull money away from student services. One of the barriers for other early learning programs is transportation, and the new proposed funding model does not include transportation funding.

There is a shortfall in the current budget forecast this year and school districts are hoping they will receive more funding. The required, detailed screening process already includes collaboration with other English Language programs. Close collaboration means that they know that there are children who are still left without access to a program. Districts are not intending to leave their early learning partners out, but that collaboration has to evolve, it cannot be dictated.

There are concerns with aligning TTK to Early Achievers. Meeting ECEAP's standards in the school district context requires money to pay staff, mandated curricula, and train staff. Instead of aligning TTK to ECEAP, the state should waive the Early Achievers requirements for school districts in a financial context where materials, supplies, and operating costs are already underfunded.

There needs to be quality standards that are appropriate. The Office of the Superintendent of Public Instruction's guidance is good, but more can be done. The Department of Children, Youth, and Families helps to maximize family choice. Clear, not duplicative, guidelines are needed. Providers should not have to comply with two sets of standards. Use of the ECEAP funding model would restrict school districts from using Title or LAP funds.

Persons Testifying: (In support) Representative Sharon Tomiko Santos, prime sponsor; and Colleen Condon, Washington Childcare Centers Association.

(Opposed) Julie Salvi, Washington Education Association; and Megan Shea-Bates, Longview Public Schools.

(Other) Trina Hall, Ferndale School District; James Everett, Meridian School District; Jenny Plaja, Office of the Superintendent of Public Instruction; Valisa Smith, Start Early Washington; Chris Korsmo, Washington State Charter Schools Association; Allison Krutsinger, Department of Children, Youth, and Families; Jim Kowalkowski, Rural

Education Center; Larry Bassett, Parent; Melissa Johnson, Washington State Association of Head Start and ECEAP; and Sara Hausken, Quincy School District.

Persons Signed In To Testify But Not Testifying: Jenna Borkoski, Learning Care Group.