
SENATE BILL 6449

State of Washington

62nd Legislature

2012 Regular Session

By Senators Harper, Litzow, Ranker, Frockt, Nelson, Eide, Rolfes, Regala, Kohl-Welles, Fain, Hill, Kilmer, Kline, and Conway

Read first time 01/23/12. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to improving access to high-quality early learning
2 programs; amending RCW 43.215.141 and 43.215.142; adding new sections
3 to chapter 43.215 RCW; creating new sections; and repealing RCW
4 43.215.140.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that children who have
7 high-quality preschool opportunities are more likely to succeed
8 throughout their K-12 education and beyond, and are less likely to
9 require grade-level retention and special education. The legislature
10 also finds that access to high-quality preschool programs varies widely
11 around the state based on many factors, including program availability
12 and family income. The legislature further finds that a comprehensive
13 preschool program such as the early childhood education and assistance
14 program that offers health, nutrition, and family support services to
15 at-risk children and their families promotes improved educational and
16 life outcomes. The legislature further finds that a high-quality
17 preschool program that is offered to children from families of various
18 income levels can effectively provide developmental benefits to lower-
19 income children, while addressing gaps in availability for working

1 class and middle-class families who may not be able to afford high-
2 quality preschool. The legislature also finds that a key strategy in
3 the state's ten-year early learning plan is supporting school readiness
4 by implementing voluntary preschool for all three and four year old
5 children in Washington. The legislature also finds that aligning
6 targeted infant and toddler opportunities that include high-quality
7 child care with preschool is critical to the success of Washington's
8 education system.

9 Therefore, the legislature intends to create a more comprehensive,
10 voluntary, high-quality preschool program in Washington that, upon full
11 implementation, will be a program for all three and four year old
12 children in Washington. The legislature also intends to concurrently
13 phase in targeted birth-to-three programs, including high-quality child
14 care, as a component of the implementation of the new Washington
15 preschool program.

16 **Sec. 2.** RCW 43.215.141 and 2010 c 231 s 3 are each amended to read
17 as follows:

18 (1) Beginning ~~((September 1, 2011, an early learning))~~ with the
19 2014-15 school year, the Washington preschool program shall be
20 implemented to provide voluntary preschool opportunities for children
21 three and four years of age ~~((shall be implemented))~~ according to the
22 funding and implementation plan in RCW 43.215.142. ~~((The program must~~
23 ~~be a comprehensive program providing early childhood education and~~
24 ~~family support, options for parental involvement, and health~~
25 ~~information, screening, and referral services, as family need is~~
26 ~~determined. Participation in the program is voluntary. On a space~~
27 ~~available basis, the program may allow enrollment of children who are~~
28 ~~not otherwise eligible by assessing a fee.))~~

29 (2) ~~((The first phase of the program shall be implemented by~~
30 ~~utilizing the program standards and eligibility criteria in the early~~
31 ~~childhood education and assistance program.~~

32 ~~(3))~~ In establishing the Washington preschool program in this
33 section, the director shall adopt rules or program performance
34 standards for the following program components ~~((, as appropriate and~~
35 ~~necessary during the phased implementation of the program))~~:

36 (a) ~~((Minimum program standards, including lead teacher, assistant~~
37 ~~teacher, and staff qualifications;~~

1 ~~(b) Approval of program providers; and~~

2 ~~(c) Accountability and adherence to performance standards))~~ All
3 three and four year old children are eligible to attend. However,
4 families with incomes that exceed two hundred fifty percent of the
5 federal poverty level shall be required to pay a copay at a rate
6 established by the director. During the initial implementation phases
7 of the Washington preschool program, the director shall establish
8 guidelines for prioritizing eligible children;

9 (b) Transportation of children shall be an allowable expense of the
10 provider, but the provider shall not be required to provide
11 transportation for children participating in the program;

12 (c) A minimum of four hundred fifty classroom hours must be
13 provided each year;

14 (d) Lead teachers shall be required to have a bachelor's degree in
15 early childhood education or a related field, or a bachelor's degree
16 and demonstrated competencies. Assistant teachers shall be required to
17 have an associate of arts degree in early childhood education or a
18 related field, or an associate of arts degree and demonstrated
19 competencies. These degree requirements shall be phased in over time,
20 according to a schedule determined by the department. The department
21 shall report the phase in schedule for degree requirements, and
22 equivalent competencies, to the legislature by June 30, 2012;

23 (e) Class size may not exceed eighteen children per class;

24 (f) The teacher:child ratio may not exceed one teacher to nine
25 children;

26 (g) Lead teachers shall be required to complete one hundred hours
27 of approved continuing education or equivalent academic credit every
28 five years; and

29 (h) Child health coordination services and family supports must be
30 provided.

31 ~~((+4))~~ (3) The department has administrative responsibility for:

32 (a) Approving and contracting with providers according to rules
33 developed by the director under this section. The rules shall allow
34 public and private early learning providers to apply, providing that
35 the program is free from religious instruction, activities, symbolism,
36 and control or influence. Eligible providers may include, but are not
37 limited to, nonprofit, profit, and faith-based organizations; licensed
38 child care centers and family homes; private schools; school districts;

1 educational service districts; community and technical colleges; local
2 governments; tribes; and tribal organizations. Existing organizations
3 that receive funding through the early childhood education and
4 assistance program are eligible and encouraged to apply for a contract
5 under the Washington preschool program;

6 (b) Monitoring classroom quality;

7 (c) Requiring the administration of a child assessment of social-
8 emotional, cognitive, and physical development that is directly aligned
9 with the kindergarten inventory established in RCW 28A.150.315(2);

10 ~~((b) In partnership with school districts, monitoring program~~
11 ~~quality and assuring the program is responsive to the needs of eligible~~
12 ~~children;~~

13 ~~(e))~~ (d) Assuring that program providers work cooperatively with
14 school districts to coordinate the transition from preschool to
15 kindergarten so that children and their families are well-prepared and
16 supported; ((and

17 ~~(d))~~ (e) Providing technical assistance to contracted providers;

18 (f) Establishing criteria and a process for lead and assistant
19 teachers to demonstrate the required competencies;

20 (g) Establishing criteria and a process for approving continuing
21 education and academic credits;

22 (h) Establishing qualifications and continuing education
23 requirements for other staff in addition to lead and assistant
24 teachers;

25 (i) Providing information regarding program and child outcome data
26 to the education data center created in RCW 43.41.400; and

27 (j) Submitting a report annually to the governor, the
28 superintendent of public instruction, and the legislature that provides
29 information regarding the program. The report shall include child
30 outcomes, performance goals, the extent in which the goals are being
31 met, and the status of program implementation. The first report must
32 be submitted by December 1, 2015, and annually thereafter.

33 **Sec. 3.** RCW 43.215.142 and 2010 c 231 s 4 are each amended to read
34 as follows:

35 (1) Funding for the Washington preschool program ~~((of early~~
36 ~~learning))~~ established under this chapter must be appropriated to the
37 department. ~~((Allocations must be made on the basis of eligible~~

1 ~~children enrolled with eligible providers.))~~ The department must
2 develop a formula to recommend to the legislature to be used to
3 allocate funds to program providers.

4 (2) The Washington preschool program shall be implemented in
5 phases, so that full implementation is achieved in the ~~((2018-19))~~
6 2024-25 school year. As the Washington preschool program is
7 implemented, it is the intent of the legislature that additional
8 enrollment slots will be funded for the program and that existing
9 enrollment slots in the early childhood education and assistance
10 program will be transferred over time to this program.

11 (3) For the ~~((initial phase of the early learning program in school~~
12 ~~years))~~ 2011-12 ~~((and))~~, 2012-13, and 2013-14 school years, the
13 legislature shall appropriate funding to the department for
14 ~~((implementation of))~~ the early childhood education and assistance
15 program in an amount not less than the 2009-2011 enacted budget for the
16 early childhood education and assistance program. The appropriation
17 shall be sufficient to fund an equivalent number of slots as funded in
18 the 2009-2011 enacted budget.

19 (4) Beginning in the ~~((2013-14))~~ 2014-15 school year, additional
20 funding for the Washington preschool program must be phased in
21 beginning in elementary school ~~((districts))~~ enrollment areas, as
22 defined by school districts, providing all-day kindergarten programs
23 under RCW 28A.150.315 and where there is lower than average access to
24 head start or the early childhood education and assistance program.

25 (5) Funding shall continue to be phased in incrementally each year
26 until full statewide implementation of the ~~((early learning))~~
27 Washington preschool program is achieved in the ~~((2018-19))~~ 2024-25
28 school year, at which time any eligible child shall be entitled to be
29 enrolled in the program.

30 (6) The department and the office of financial management shall
31 annually review the caseload forecasts for the program and, beginning
32 December 1, 2012, and annually thereafter, report to the governor and
33 the appropriate committees of the legislature with recommendations for
34 phasing in additional funding necessary to achieve statewide
35 implementation of the Washington preschool program in the ~~((2018-19))~~
36 2024-25 school year.

37 (7) ~~((School districts and approved community based early learning~~
38 ~~providers may contract with the department to provide services under~~

1 ~~the program.~~) The department shall collaborate with school districts,
2 community-based providers, and educational service districts to promote
3 an adequate supply of approved providers.

4 (8) The department may adopt rules to implement this section and
5 RCW 43.215.141.

6 NEW SECTION. Sec. 4. A new section is added to chapter 43.215 RCW
7 to read as follows:

8 The early learning advisory council shall establish a subcommittee
9 to guide the development and implementation of the Washington preschool
10 program created in RCW 43.215.141.

11 NEW SECTION. Sec. 5. A new section is added to chapter 43.215 RCW
12 to read as follows:

13 (1) The early learning advisory council shall establish a preschool
14 readiness subcommittee, which shall be cochaired by the department and
15 the nongovernmental private-public partnership created in RCW
16 43.215.070. The subcommittee shall be composed of at least one
17 representative from each of the following:

18 (a) The early learning advisory council;

19 (b) The office of the superintendent of public instruction;

20 (c) The department of social and health services;

21 (d) The department of early learning;

22 (e) The nongovernmental private-public partnership created in RCW
23 43.215.070; and

24 (f) Additional stakeholders with expertise in birth-to-three policy
25 and programs and quality child care, as designated by the early
26 learning advisory council.

27 (2) The subcommittee may convene advisory subgroups on specific
28 topics as necessary to assure participation and input from a broad
29 array of diverse stakeholders.

30 (3) The subcommittee shall be monitored and overseen by the early
31 learning advisory council created in RCW 43.215.090.

32 (4) In 2011-12 and 2012-13 school years, the subcommittee shall
33 develop a comprehensive, technical, preschool readiness plan, which
34 shall include further development of the Washington State Birth to 3
35 Plan and include high quality child care programming. The

1 subcommittee, at minimum, must include the following recommendations in
2 its preschool readiness plan:

3 (a) Program standards including, but not limited to, direct
4 services to be provided, and professional qualifications;

5 (b) Performance measures;

6 (c) Funding eligibility criteria for providers and programs;

7 (d) Funding mechanisms;

8 (e) Funding necessary to implement preschool readiness programs;

9 (f) Governance responsibilities for the department of early
10 learning; and

11 (g) A timeline for implementation that is concurrent with the
12 expansion of the Washington preschool program created in RCW
13 43.215.141.

14 (5) While developing the preschool readiness plan, the subcommittee
15 must review programs that provide voluntary, intensive, research-based,
16 comprehensive prevention services for expectant parents and families
17 with children from birth to age three who are at-risk of academic
18 failure. The subcommittee must review programs including, but not
19 limited to, state early head start, home visiting, and other high-
20 quality program models that serve children from birth to three.

21 (6) The subcommittee shall present its initial recommendations to
22 the early learning advisory council and the legislature by December
23 2012, and final recommendations in December 2013. Thereafter, the
24 subcommittee shall report to the early learning advisory council and
25 relevant legislative committees each year.

26 NEW SECTION. **Sec. 6.** RCW 43.215.140 (Definitions) and 2010 c 231
27 s 2 are each repealed.

28 NEW SECTION. **Sec. 7.** This act may be known and cited as the
29 high-quality early learning act.

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