

# HOUSE BILL REPORT

## 2SHB 2964

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### As Passed Legislature

**Title:** An act relating to a department of early learning.

**Brief Description:** Creating the department of early learning.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Kagi, Talcott, Walsh, Quall, Haler, Shabro, Fromhold, Kessler, Hunt, Appleton, Lantz, Darneille, Kenney, Chase, Hasegawa, Sells, Roberts, Hunter, Moeller, McCoy, Santos, Green and Simpson; by request of Governor Gregoire).

### Brief History:

#### Committee Activity:

Children & Family Services: 1/23/06, 1/25/06 [DPS];  
Appropriations: 2/1/06, 2/2/06 [DP2S(w/o sub CFS)].

#### Floor Activity:

Passed House: 2/9/06, 79-19.  
Senate Amended.  
Passed Senate: 2/28/06, 47-2.  
House Concurred.  
Passed House: 3/4/06, 81-15.  
Passed Legislature.

### Brief Summary of Second Substitute Bill

- Establishes the Department of Early Learning as an executive branch agency.

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### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Roberts, Vice Chair; Walsh, Ranking Minority Member; Darneille, Dickerson, Haler and Pettigrew.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Hinkle, Assistant Ranking Minority Member and Dunn.

**Staff:** Sydney Forrester (786-7120).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Children & Family Services. Signed by 23 members: Representatives Sommers, Chair; Fromhold, Vice Chair; McDonald, Assistant Ranking Minority Member; Armstrong, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, Miloscia, Priest, Schual-Berke, P. Sullivan, Talcott and Walsh.

**Minority Report:** Do not pass. Signed by 7 members: Representatives Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Bailey, Buri, Chandler, Clements and Pearson.

**Staff:** Amy Skei (786-7140).

**Background:**

Early learning and child-care programs in Washington are administered or regulated by three state agencies. The Department of Social and Health Services (DSHS) Division of Child Care and Early Learning (DCCEL) licenses child-care homes and centers, develops policy and procedures for the Working Connections Child Care Program, and administers the Head Start Program. The Department of Community Trade and Economic Development (CTED) administers Washington's Early Childhood Education and Assistance Program. The Office of the Superintendent of Public Instruction (OSPI) oversees child-care and early learning programs, including special education for three- and four-year olds, programs promoting family literacy, and nutrition assistance for child-care.

The Washington Early Learning Council (Council) was established by HB 1152 in the 2005 legislative session for the purpose of providing vision, leadership, and direction to the improvement, realignment, and expansion of early learning programs and services for children birth to five years of age. The goal of the Council is to build upon existing efforts and recommend new initiatives in order to better meet the early learning needs of children and their families. The Council also serves as the advisory committee for early learning under Washington Learns, Governor Gregoire's initiative to comprehensively examine all sectors of the state's education system. In December 2005, Washington Learns issued its first set of recommendations, including a recommendation for the creation of a cabinet-level department of early learning.

**Summary of Second Substitute Bill:**

The Department of Early Learning (Department) is established as an executive branch agency whose director is appointed by and serves at the pleasure of the Governor subject to confirmation by the Senate. The Department's primary duties are to implement early learning policy, to coordinate, consolidate, and integrate child-care and early learning programs to promote an efficient use of funds. The Director of the Department will actively participate in a non-governmental public-private partnership focused on supporting government's investments in early learning and promoting school readiness and success.

*Early Learning Defined*

"Early Learning" is defined to include programs and services for child care; state, federal, private, and nonprofit preschools; child care subsidies; child care resource and referral; parent education and support; and training and professional development for early learning professionals. The Department's programs must be designed to respect and preserve the ability of parents and legal guardians to direct the education and development of their children.

#### Transfer of Programs and Functions

The following programs and functions currently within the DSHS, OSPI, and CTED are transferred to the Department:

- child-care licensing and quality;
- child-care tiered reimbursement system;
- child-care career and wage ladder;
- Child Care Partnership employer liaison;
- Child Care Resource and Referral Network;
- Early Childhood Education Assistance Program;
- Head Start collaboration;
- Early Learning Reading Initiative; and
- Working Connections Child Care.

The income eligibility determination and provider payment functions for Working Connections are not transferred to the Department and remain with the Economic Services Administration within the DSHS. Beginning in the 2007-2009 biennium, spending authority for Working Connections Child Care moneys is transferred from the DSHS to the Department. Appropriations and staff associated with the programs listed, except appropriations for the DSHS, are transferred to the Department. Appropriations for the programs transferred from the DSHS to the Department will be transferred through interagency agreement.

#### Reports, Studies, and Evaluation

By November 15, 2006, in collaboration with the Early Learning Council, the Department will make recommendations regarding:

- (1) coordination and collaboration with K-12 and other programs at state and local levels;
- (2) practices to encourage local and community public-private partnerships;
- (3) the Department's relationship with the statewide public-private partnership;
- (4) the Department's internal governance; and
- (5) transition of any additional programs and responsibilities.

Every two years the Department shall report to the Governor and the Legislature regarding the effectiveness of its programs in improving early childhood education. The first report must include program objectives and identified performance measures for evaluating progress, and a plan for commissioning a longitudinal study comparing the kindergarten readiness of children participating in the Department's programs with the readiness of other children.

By July 10, 2010, the Joint Legislative Audit and Review Committee (JLARC) shall evaluate the implementation and operation of the Department to assess the extent to which:

- (1) services and programs that previously were administered separately have been effectively integrated;
- (2) reporting and monitoring activities have been consolidated and made more efficient;
- (3) consolidation has resulted in administrative efficiencies within the Department;
- (4) child care and early learning services are improved;
- (5) subsidized child care is available;
- (6) subsidized child care is affordable;
- (7) the Department has been an effective partner in the public-private partnership;
- (8) procedures have been put in place to respect parents and legal guardians and to provide them the opportunity to participate in the development of policies and program decisions affecting their children; and
- (9) the degree and methods by which the department conducts parent outreach and education.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect July 1, 2006.

**Testimony For:** (Children & Family Services) This bill takes an important step forward in supporting parents, child-care providers, and communities by consolidating all early learning programs into one department. The current system of scattered early care and learning programs across the state is not serving children or parents adequately. Consolidation reduces bureaucracy, promotes efficient spending of resources, and allows the leveraging of assets to better use our tax dollars.

Washington has fallen behind the rest of the country in the quality of its early care and learning programs. The philanthropic and business communities are ready to work in partnership with the state to better focus our resources on helping all children and parents succeed. To do this, we need to eliminate redundancies and streamline our efforts. This is a long haul investment that can bring dramatic results. While it won't solve all the problems, it will certainly make new solutions possible.

Research indicates that 90 percent of human brain development occurs in the early years of life. Children are born to learn. The single greatest investment we can make for children and parents is in early learning. Parents will have access to information about early childhood development, as well as information about the quality of programs and providers available to them.

The most recent K-12 readiness survey indicates we have miles to go in school readiness. There are still very high numbers of children entering kindergarten without the skills needed. These are the same children who often are behind in later years. The focus created by this bill will assist in creating more linkages in the community between K-12 and early learning programs and will help us reduce the school preparation gap and the resulting academic achievement gap.

Quality early learning programs also allow for early detection of health and developmental issues that need to be addressed for children. Early detection and intervention can often reduce the duration of or need for special education services. For children who do require special education services, quality early learning programs will enhance their overall educational experience and quality of life.

This is the right time to take this vital step to better serve all children and support all parents by creating a focus on early learning.

**Testimony For:** (Appropriations) There are several compelling reasons to support this bill. The K-12 achievement gap really begins as a kindergarten preparation gap. It is important to create a department responsible for early learning and to be able to hold it to results. The state's customers in this arena are parents and caregivers of young children. It is difficult to navigate the programs spread across multiple agencies. This would focus on nurturing the public-private partnerships developing around early learning and help educate parents regarding child care quality issues. We expect it will lead to increased safety and richer learning environments for children. We are at a tipping point to improve and streamline child care services by setting up the Department of Early Learning. It is difficult as a non-profit to maintain multiple contracts with multiple state agencies. Leadership for early learning is currently unclear; this will help. There is a lot of community support for this new department, and there is strong public-private commitment.

**Testimony Against:** (Children & Family Services) None.

**Testimony Against:** (Appropriations) None.

**Persons Testifying:** (Children & Family Services) (In support) Representative Kagi, prime sponsor; Governor Christine Gregoire, State of Washington; Dr. Terry Berguson, State Superintendent of Public Instruction; Bob Watt, Early Learning Council, Boeing; Kip Tokuda, City of Seattle; Greg Shaw, Bill and Melinda Gates Foundation; Jeanne Anderson, Foundation for Early Learning; Tony Benton, Clear Channel Radio; Jolene McCaw, Talaris Research Foundation; Jada Rupley, Educational Service District 112; Angie Maxie, Tiny Tots Development Center; Alaric Bien, Chinese Information Center; Dr. Kim Thorburn, State Board of Health; David Okimoto, United Way of King County; Lucy Gaskill-Gaddis, League of Women Voters; Kursten Holabird, Service Employees International Union, Local 925; Agda Burchard, Washington Association for the Education of Young Children; Sarah Cherin, Children's Alliance; Larry MacMillan; John Burbank, Economic Opportunity Institute; Mark Usdane, League of Education Voters; Don Sloma, Washington Health Foundation; Robin Dunn, Washington State Association of Head Start/Early Childhood Education and Assistance Program; and Anita Boyum.

**Persons Testifying:** (Appropriations) Representative Kagi, prime sponsor; Annie Cubberly, Child Care Action Council; Carole Holland, Office of Financial Management; Joyce Walters, Boeing; Terry Bergeson, Superintendent of Public Instruction; and Karen Tvedt, Office of the Governor.

**Persons Signed In To Testify But Not Testifying:** (Children & Family Services) None.

**Persons Signed In To Testify But Not Testifying:** (Appropriations) None.