

SENATE BILL REPORT

2SHB 2964

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, February 22, 2006
Ways & Means, February 24, 2006

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

Brief Description: Creating the department of early learning.

Sponsors: 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: Passed House: 2/09/06, 79-19.

Committee Activity: Early Learning, K-12 & Higher Education: 2/16/06, 2/22/06 [DPA-WM, w/oRec].

Ways & Means: 2/23/06, 2/24/06 [DPA(EKHE)].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Schmidt, Ranking Minority Member; Berkey, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schoesler and Shin.

Minority Report: That it be referred without recommendation.

Signed by Senator Carrell.

Staff: Ingrid Mungia (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Early Learning, K-12 & Higher Education.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau.

Staff: Bryon Moore (786-7726)

Background: Child care and early learning programs in the state are administered through three state agencies: the Department for Social and Health Services (DSHS), the Department of Community, Trade and Economic Development (CTED), and the Office of the Superintendent of Public Instruction (OSPI). The Division of Child Care and Early Learning

(DCCEL) within DSHS licenses child care homes and centers, develops policy and procedures for the state's child care subsidy program, and directs the Head Start-State Collaboration Project. The CTED administers the Early Childhood Education and Assistance Program (ECEAP), which is the state's preschool program. The OSPI administers services and programs relating to child care and early learning including family literacy programs, special education for children three years of age and older, and the nutrition assistance program for child care. Training and professional development programs for early learning professionals are available through such sources as the State Training and Registry System and the state's higher education institutions.

In the 2005 session, the Washington Early Learning Council (Council) was established in the Office of the Governor 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 in order to better meet the early learning needs of children and their families. "Early learning programs and services" were defined to include the following: child care; state, private, and nonprofit preschool programs; child care subsidy programs; and training and professional development programs for early learning professionals. The Council serves as the Advisory Committee on Early Learning to the Comprehensive Education Study Steering Committee created in Engrossed Second Substitute Senate Bill No. 5441 of 2005. The goal of the Council is to build upon existing efforts and recommend to the Governor and the Legislature new initiatives, as necessary, to create an adequately financed high-quality, accessible, and comprehensive early learning system that benefits all young children whose parents choose it.

Summary of Amended 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, and to collaborate with the K-12 school system to improve transitions from pre-kindergarten environments to kindergarten. The Director of the Department will provide leadership and actively participate in the creation and governance of a non-governmental public-private partnership focused on supporting government's investments in early learning and promoting school readiness and success.

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. 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.

Department's Future Recommendations

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.

Amended Bill Compared to Original Bill: All references to public-private partnerships are changed to private-public partnership. The director shall actively participate in the creation of a nongovernmental public-private partnership. The amended bill deletes language referencing the paramount duty of the department is to safeguard the health, safety and well-being of children receiving child care and early services, over the right of any person to provide care. The purpose of the early learning department chapter is to coordinate and consolidate state activities relating to child care and early learning programs. Early learning includes, but is not limited to, programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resources and referral; parental education and support; and training and professional development for early learning professionals. The new early learning chapter does not expand the state's authority to license or regulate activities or programs beyond those licensed or regulated under existing law. The rule making authority of the director does not include any authority to set mandatory curriculum or establish what must be taught in child day care centers or by family day care providers. One of the primary duties of the department is to support both public and private sectors toward a comprehensive and collaborative system of early learning that serves parents, children, and providers and to encourage best practices in child care and early learning programs. The Governor must solicit input from the private-public partnership concerning the appointment of the director of the department. Reference to an increase in participation of women in the workforce which has made the availability of quality, affordable child care a critical concern for the state and its citizens is removed. To the extent permitted by federal law, the director of the department must grant waivers the private-public partnership waivers from state agency rules in the operation of early learning programs requested by the partnership to allow for flexibility to pursue market based approaches. In the licensing section of the bill, language is deleted referencing the directors power to license and leaves the reference to the directors duty to license. JLARC must conduct an evaluation of the implementation and operation of the new department.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 13, 2006.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Early Learning programs are currently spread through three different state agencies and we do not have a rational reason for this policy. This bill moves the pieces into a single statute and restates the existing statutes in a new department. The Early Learning Council has agreed to review our existing laws and come back with recommendations. There

are no new existing laws in this bill. The public private partnership is the most exciting piece of this legislation. This is an investment in children. It is important that every child be given a fair chance to achieve the American dream. The department has to be viewed as a beginning, not a solution. All the parents in the state of Washington with preschool children deserve the chance that Headstart parents have had. The transition to kindergarten has been very smooth with early learning services. This bill helps our kids now and later in life. We need to invest in children to give them a good foundation. Early learning and care programs are currently scattered across state agencies and this bill will streamline the system and increase accountability. Private and nonprofit organizations will find it easier to partner with the state to provide private money to existing programs. The new department will facilitate linkages between the early learning and K-12 system. To date, a memorandum of understanding has been signed by ten private partners to partner with early learning. Creating a new department will create greater efficiencies and meet the need of a cohesive system focused on early learning. This bill leverages the state's resources and focuses on quality. Early learning is fundamentally important. There are a lot of organizations working on early learning with very little cohesion.

Testimony Against: None.

Who Testified: PRO: Rep. Kagi, prime sponsor; Rep. Talcott, prime sponsor; Dr. Shonkoff, Branders University; Rudy Taylor, Headstart/ECEAP; Sunshine Lopez, Parent; Rudy Borboh, Headstart/ECEAP; Elizabeth Hansen, Headstart/ECEAP; Agda Burchard, WAEYC & The Collaborative; Regina Jones, Governor's office; Joyce Walters, Boeing; Terry Meersman, Talaris Foundation.