

**SB 6048** - S AMD TO S AMD (S-2422.3/09) **128**  
By Senator Jarrett

PULLED 03/09/2009

1 On page 7, line 19 of the amendment, after "hours" insert ", which  
2 shall be increased to at least one thousand instructional hours  
3 according to the implementation schedule under section 111 of this act"

4 On page 8, line 23 of the amendment, after "~~That~~)" insert ", to be  
5 increased to a minimum of one hundred eighty school days per school  
6 year according to the implementation schedule under section 111 of this  
7 act"

8 On page 18, after line 21 of the amendment, insert the following:

9 "Sec. 109. RCW 28A.150.315 and 2007 c 400 s 2 are each amended to  
10 read as follows:

11 PHASE-IN ALL-DAY KINDERGARTEN. (1) Beginning with the 2007-08  
12 school year, funding for voluntary all-day kindergarten programs shall  
13 be phased-in beginning with schools with the highest poverty levels,  
14 defined as those schools with the highest percentages of students  
15 qualifying for free and reduced-price lunch support in the prior school  
16 year. Once a school receives funding for the all-day kindergarten  
17 program, that school shall remain eligible for funding in subsequent  
18 school years regardless of changes in the school's percentage of  
19 students eligible for free and reduced-price lunches as long as other  
20 program requirements are fulfilled. Additionally, schools receiving  
21 all-day kindergarten program support shall agree to the following  
22 conditions:

- 23 (a) Provide at least a one thousand-hour instructional program;  
24 (b) Provide a curriculum that offers a rich, varied set of  
25 experiences that assist students in:  
26 (i) Developing initial skills in the academic areas of reading,  
27 mathematics, and writing;  
28 (ii) Developing a variety of communication skills;

1 (iii) Providing experiences in science, social studies, arts,  
2 health and physical education, and a world language other than English;

3 (iv) Acquiring large and small motor skills;

4 (v) Acquiring social and emotional skills including successful  
5 participation in learning activities as an individual and as part of a  
6 group; and

7 (vi) Learning through hands-on experiences;

8 (c) Establish learning environments that are developmentally  
9 appropriate and promote creativity;

10 (d) Demonstrate strong connections and communication with early  
11 learning community providers; and

12 (e) Participate in kindergarten program readiness activities with  
13 early learning providers and parents.

14 (2) Subject to funds appropriated for this purpose, the  
15 superintendent of public instruction shall designate one or more school  
16 districts to serve as resources and examples of best practices in  
17 designing and operating a high-quality all-day kindergarten program.  
18 Designated school districts shall serve as lighthouse programs and  
19 provide technical assistance to other school districts in the initial  
20 stages of implementing an all-day kindergarten program. Examples of  
21 topics addressed by the technical assistance include strategic  
22 planning, developing the instructional program and curriculum, working  
23 with early learning providers to identify students and communicate with  
24 parents, and developing kindergarten program readiness activities.

25 ~~((3) Any funds allocated to support all-day kindergarten programs  
26 under this section shall not be considered as basic education  
27 funding.))~~

28 NEW SECTION. **Sec. 110.** BASIC EDUCATION PROGRAM OF EARLY LEARNING.

29 (1) The legislature finds that disadvantaged young children do not have  
30 the opportunity to attain the goals or meaningfully participate or  
31 reach any reasonable level of achievement within the regular  
32 instructional program of basic education without supplemental  
33 instruction in preschool to prepare them for kindergarten and beyond.  
34 Therefore, the legislature intends to establish a basic education  
35 program of early learning for at-risk children that is part of the  
36 program of basic education under this chapter beginning in the 2011-12

1 school year, subject to the implementation schedule under section 111  
2 of this act.

3 (2) The basis for the basic education program of early learning is  
4 the statewide Washington head start program required to be proposed by  
5 the department of early learning under RCW 43.215.125, which the  
6 legislature may modify before adopting. It is the intent of the  
7 legislature that the basic education program of early learning, which  
8 shall include the federal head start program as it applies to at-risk  
9 children, replace the early childhood education and assistance program  
10 under RCW 43.215.400 through 43.215.450 as it applies to at-risk  
11 children. The basic education program of early learning includes:

12 (a) Comprehensive services that focus on the needs of the child and  
13 include education, health, and family support services;

14 (b) Instruction to develop literacy, numeracy, reasoning, problem-  
15 solving, and decision-making skills that are the foundation of school  
16 readiness;

17 (c) A minimum of four hundred forty-eight instructional hours per  
18 year;

19 (d) Required family support services and parent conferences;

20 (e) Minimum staffing requirements and appropriate minimum  
21 qualifications for instructional staff;

22 (f) Data collection used for program planning; and

23 (g) Program quality and performance standards.

24 (3) For the purposes of this section and the basic education  
25 program of early learning, "at-risk children" means children aged  
26 three, four, and five who are not eligible for kindergarten and whose  
27 family income is at or below one hundred thirty percent of the federal  
28 poverty level, as published annually by the federal department of  
29 health and human services. Participation by an at-risk child in the  
30 basic education program of early learning is voluntary.

31 (4)(a) Beginning in the 2011-12 school year and subject to the  
32 implementation schedule under section 111 of this act, the legislature  
33 shall appropriate funds on a per-student basis to provide services for  
34 at-risk children who enroll in the basic education program of early  
35 learning. The per-student amount for the 2011-12 school year shall be  
36 equivalent to the amount provided for that year for the federal head  
37 start program and must be annually adjusted thereafter in the omnibus

1 appropriations act. The total allocation shall be net of receipts from  
2 the federal head start program that are to provide services for at-risk  
3 children.

4 (b) State and federal funds to support the program shall be  
5 distributed to school districts that may provide services directly or  
6 may contract with public or private nonsectarian organizations,  
7 including but not limited to educational service districts, community  
8 and technical colleges, local governments, or nonprofit organizations,  
9 to provide services.

10 (5) All programs are subject to approval by the department of early  
11 learning.

12 (6) The superintendent of public instruction shall assure that  
13 school districts and contractors comply with Article IX, section 4 of  
14 the state Constitution prohibiting sectarian control or influence of  
15 all schools maintained or supported wholly or in part by public funds.

16 (7) In cooperation with the department of early learning, the  
17 superintendent of public instruction shall require school districts to  
18 use a common, statewide kindergarten readiness assessment as a form of  
19 accountability for the basic education program of early learning.

20 NEW SECTION. **Sec. 111.** EARLY LEARNING WORKING GROUP. (1) The  
21 department of early learning and the office of the superintendent of  
22 public instruction shall convene a working group to develop the basic  
23 education program of early learning described under section 110 of this  
24 act. The early learning working group shall be composed of  
25 representatives from head start and early childhood education and  
26 assistance program providers, school districts, thrive by five of  
27 Washington, and other stakeholders with expertise in early learning.

28 (2) The early learning working group shall continue the preliminary  
29 work of the department of early learning under RCW 43.215.125 to  
30 develop a proposal for a statewide Washington head start program. The  
31 working group shall develop recommended parameters and minimum  
32 standards for the program.

33 (3) The early learning working group shall also examine service  
34 delivery, program, and funding options for providing preschool early  
35 learning services for at-risk children aged birth to three and examine  
36 the advantages, disadvantages, and implications of including services  
37 to this population of children as part of the program of basic

1 education. A representative of the office of the attorney general  
2 shall be included as a participant in the early learning working group  
3 to assist with this examination.

4 (4) The work of the early learning working group shall be monitored  
5 and overseen by the legislature under section 3 of this act. The  
6 working group shall provide updates on its work as requested by the  
7 legislature.

8 (5) The department of early learning and the office of the  
9 superintendent of public instruction shall submit a progress report on  
10 the development of the basic education program of early learning to the  
11 legislature by November 15, 2009. The progress report shall include  
12 recommendations for addressing any unresolved issues or decisions  
13 requiring legislative action during the 2010 legislative session to  
14 allow continued development of the program. A final report, including  
15 recommended legislation to authorize the superintendent of public  
16 instruction and the department of early learning to fulfill their  
17 responsibilities under section 110 of this act, shall be submitted to  
18 the legislature by September 1, 2010."

19 Renumber the remaining sections consecutively and correct any  
20 internal references accordingly.

21 On page 23, line 33 of the amendment, after "three;" strike "or"

22 On page 23, line 35 of the amendment, after "system" insert ";

23 (c) Phasing in all-day kindergarten; or

24 (d) Implementing the basic education program of early learning"

25 On page 32, after line 21 of the amendment, insert the following:

26 "**Sec. 501.** RCW 28A.185.020 and 1990 c 33 s 168 are each amended to  
27 read as follows:

28 HIGHLY CAPABLE ALLOCATION. (1) Supplementary funds as may be  
29 provided by the state for ((this program, in accordance with RCW  
30 28A.150.370,)) the program for highly capable students shall be  
31 categorical funding on an excess cost basis based upon a per student  
32 ((amount)) allocation to provide services to highly capable students  
33 not to exceed three percent of any district's full-time equivalent

1 enrollment. The amount of supplementary funding for this program shall  
2 be established by the legislature in the omnibus appropriations act.  
3 The program for highly capable students shall not be considered part of  
4 the program of basic education as defined under RCW 28A.150.200.

5 (2) It is the intent of the legislature that the per student  
6 allocation for this program be calculated for each school district  
7 based on costs to provide classroom teachers and maintenance, supplies,  
8 and operating costs in prototypical schools as described under RCW  
9 28A.150.260.

10 (3) The distribution formula under this section shall be for  
11 allocation purposes only."

12 Renumber the remaining sections consecutively and correct any  
13 internal references accordingly.

14 On page 37, after line 2 of the amendment, insert the following:

15 "Sec. 606. RCW 28A.195.010 and 2004 c 19 s 106 are each amended to  
16 read as follows:

17 PRIVATE SCHOOLS. The legislature hereby recognizes that private  
18 schools should be subject only to those minimum state controls  
19 necessary to insure the health and safety of all the students in the  
20 state and to insure a sufficient basic education to meet usual  
21 graduation requirements. The state, any agency or official thereof,  
22 shall not restrict or dictate any specific educational or other  
23 programs for private schools except as hereinafter in this section  
24 provided.

25 Principals of private schools or superintendents of private school  
26 districts shall file each year with the state superintendent of public  
27 instruction a statement certifying that the minimum requirements  
28 hereinafter set forth are being met, noting any deviations. After  
29 review of the statement, the state superintendent will notify schools  
30 or school districts of those deviations which must be corrected. In  
31 case of major deviations, the school or school district may request and  
32 the state board of education may grant provisional status for one year  
33 in order that the school or school district may take action to meet the  
34 requirements. The state board of education shall not require private  
35 school students to meet the student learning goals, obtain a

1 certificate of academic achievement, or a certificate of individual  
2 achievement to graduate from high school, to master the essential  
3 academic learning requirements, or to be assessed pursuant to RCW  
4 28A.655.061. However, private schools may choose, on a voluntary  
5 basis, to have their students master these essential academic learning  
6 requirements, take the assessments, and obtain a certificate of  
7 academic achievement or a certificate of individual achievement.  
8 Minimum requirements shall be as follows:

9 (1) The minimum school year for instructional purposes shall  
10 consist of no less than one hundred eighty school days or the  
11 equivalent in annual minimum (~~(program)~~) instructional hour offerings  
12 (~~(as prescribed in RCW 28A.150.220)~~), with a schoolwide annual average  
13 total instructional hour offering of one thousand hours for students  
14 enrolled in grades one through twelve, and at least four hundred fifty  
15 hours for students enrolled in kindergarten.

16 (2) The school day shall be the same as (~~(that required in RCW~~  
17 ~~28A.150.030 and 28A.150.220, except that the percentages of total~~  
18 ~~program hour offerings as prescribed in RCW 28A.150.220 for basic~~  
19 ~~skills, work skills, and optional subjects and activities shall not~~  
20 ~~apply to private schools or private sectarian schools)~~) defined in  
21 section 102 of this act.

22 (3) All classroom teachers shall hold appropriate Washington state  
23 certification except as follows:

24 (a) Teachers for religious courses or courses for which no  
25 counterpart exists in public schools shall not be required to obtain a  
26 state certificate to teach those courses.

27 (b) In exceptional cases, people of unusual competence but without  
28 certification may teach students so long as a certified person  
29 exercises general supervision. Annual written statements shall be  
30 submitted to the office of the superintendent of public instruction  
31 reporting and explaining such circumstances.

32 (4) An approved private school may operate an extension program for  
33 parents, guardians, or persons having legal custody of a child to teach  
34 children in their custody. The extension program shall require at a  
35 minimum that:

36 (a) The parent, guardian, or custodian be under the supervision of  
37 an employee of the approved private school who is certified under  
38 chapter 28A.410 RCW;

1 (b) The planning by the certified person and the parent, guardian,  
2 or person having legal custody include objectives consistent with this  
3 subsection and subsections (1), (2), (5), (6), and (7) of this section;

4 (c) The certified person spend a minimum average each month of one  
5 contact hour per week with each student under his or her supervision  
6 who is enrolled in the approved private school extension program;

7 (d) Each student's progress be evaluated by the certified person;  
8 and

9 (e) The certified employee shall not supervise more than thirty  
10 students enrolled in the approved private school's extension program.

11 (5) Appropriate measures shall be taken to safeguard all permanent  
12 records against loss or damage.

13 (6) The physical facilities of the school or district shall be  
14 adequate to meet the program offered by the school or district:  
15 PROVIDED, That each school building shall meet reasonable health and  
16 fire safety requirements. A residential dwelling of the parent,  
17 guardian, or custodian shall be deemed to be an adequate physical  
18 facility when a parent, guardian, or person having legal custody is  
19 instructing his or her child under subsection (4) of this section.

20 (7) Private school curriculum shall include instruction of the  
21 basic skills of occupational education, science, mathematics, language,  
22 social studies, history, health, reading, writing, spelling, and the  
23 development of appreciation of art and music, all in sufficient units  
24 for meeting state board of education graduation requirements.

25 (8) Each school or school district shall be required to maintain  
26 up-to-date policy statements related to the administration and  
27 operation of the school or school district.

28 All decisions of policy, philosophy, selection of books, teaching  
29 material, curriculum, except as in subsection (7) of this section  
30 provided, school rules and administration, or other matters not  
31 specifically referred to in this section, shall be the responsibility  
32 of the administration and administrators of the particular private  
33 school involved."

34 Renumber the remaining sections consecutively and correct any  
35 internal references accordingly.

36 On page 38, line 13 of the amendment, after "102," strike "and 108"



1 and insert "108, 110, and 111"

**SB 6048** - S AMD TO S AMD (S-2422.3/09)  
By Senator Jarrett

**PULLED 03/09/2009**

2 On page 38, line 23 of the title amendment, after "28A.150.390,"  
3 insert "28A.150.315,"

4 On page 38, line 24 of the title amendment, after "28A.415.360,"  
5 insert "28A.185.020,"

6 On page 38, line 25 of the title amendment, after "28A.180.080,"  
7 insert "28A.195.010,"

EFFECT: Makes early learning basic education for children ages 3 through 5 who are at risk because the family income is at or below 130 percent of the federal poverty level. An early learning work group must develop the basic education early learning program and report to the Legislature.

Phases in all-day kindergarten part of basic education.

The highly capable program is not basic education but shall use the prototypical school model for distributing state funds.

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