

SENATE BILL REPORT

2SHB 2731

As of February 19, 2010

Title: An act relating to implementing a program of early learning for educationally at-risk children.

Brief Description: Creating an early learning program for educationally at-risk children.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Goodman, Haler, Maxwell, Priest, Kagi, Sullivan, Seaquist, Quall, O'Brien, Jacks, Haigh, Pedersen, Darneille, Kenney, Rolfes, Hunter, Williams, Orwall, Lias, Carlyle, Roberts, Simpson, Walsh, Nelson, Kelley, Dickerson, Appleton, Eddy, Sells and Morrell).

Brief History: Passed House: 2/13/10, 67-28.

Committee Activity: Early Learning & K-12 Education: 2/22/10.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Kimberly Cushing (786-7421)

Background: The Department of Early Learning (DEL) was established in 2006 as an executive branch agency. The primary duties of DEL are to implement early learning policy and to coordinate, consolidate, and integrate child care and early learning programs in order to administer programs and funds efficiently.

The Early Childhood Education and Assistance Program (ECEAP) is Washington's comprehensive preschool program designed to help low-income and at-risk children and their families. Under current law, children are eligible for ECEAP if they are not eligible for kindergarten and are from families with income at or below 110 percent of the federal poverty level. Priority is given to children from families with the lowest income, children in foster care, or children from families with multiple needs. Up to 10 percent of participants do not have to qualify by income, but are eligible under DEL's rules, due to developmental or environmental risk factors. DEL administers ECEAP, develops program standards, and directly contracts with service providers.

Under article IX, section 1 of the Washington State Constitution, "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders ..." The courts have interpreted this to mean that the state must define a program of basic education and amply fund it from a regular and dependable source. Under current

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Washington law, each school district's kindergarten through 12th grade basic educational program must be accessible to all students who are five-years-old and less than 21.

Summary of Bill: Beginning September 1, 2011, an early learning program (Program) is established within the overall program of basic education to provide voluntary preschool for children who are educationally at risk. The Program must provide comprehensive services to eligible three- and four-year-olds and their families. The Superintendent of Public Instruction (SPI) and DEL must jointly adopt rules for specific program components. DEL must have administrative responsibility for contracting with providers, monitoring program quality, and providing technical assistance to contracted providers.

During the initial implementation phase, the Program will utilize the same eligibility criteria and program standards used by ECEAP. For subsequent phases of implementation, the Legislature must define program standards and eligibility criteria after receiving recommendations from the SPI and DEL. However, eligibility must include criteria relating to poverty and risk factors shown by research to correlate with poor school outcomes. Children who do not qualify for the Program based on poverty or risk factors will be eligible if an individual evaluation conducted by the school district demonstrates the child is at risk of being unprepared for kindergarten. On a space-available basis, the Program may allow enrollment of children who are not educationally at risk by assessing a fee.

Funding for the Program will be appropriated to the SPI, and allocated on a per-eligible-child basis. For the initial phase of implementation, the Legislature will appropriate to the SPI an amount that is not less than what would otherwise have been appropriated for ECEAP to the DEL. School districts and community-based early learning providers may contract with DEL to deliver services. A school district is required to contract with DEL to deliver the Program if no community-based provider is available.

Beginning in the 2013-14 school year, additional funding will be phased-in incrementally until full implementation of the Program is achieved in the 2017-18 school year. The phase-in of additional funding will begin with school districts having the highest poverty levels, as defined by free and reduced price lunch support in the prior school year.

The following reports are due to the Legislature by November 15, 2010:

- recommendations from the SPI and the Director of DEL regarding risk factors demonstrated by research to correlate with increased likelihood of poor educational outcomes, and a process for conducting and implementing individual evaluations to be used in determining eligibility;
- recommendations from the SPI, and the Directors of DEL and Office of Financial Management regarding a budgeting and funding allocation method.

By January 1, 2011, the SPI and the Director of DEL will report to the Legislature regarding:

- recommendations for program standards, service standards, and technical assistance needed for potential Program providers;
- a strategy to optimize phased implementation of the Program based on locations of potential providers;

- transportation needs for the Program based on current arrangements used for the ECEAP and future needs; and
- options for developing socioeconomically diverse classrooms.

Effective September 1, 2011, two ECEAP funding statutes are repealed.

This act may be known as the Ready for School Act of 2010.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed, except for sections 8 and 13 which are effective September 1, 2011.