

CERTIFICATION OF ENROLLMENT  
SECOND SUBSTITUTE HOUSE BILL 2867

61st Legislature  
2010 Regular Session

Passed by the House March 8, 2010  
Yeas 73 Nays 24

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**Speaker of the House of Representatives**

Passed by the Senate March 5, 2010  
Yeas 43 Nays 2

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2867** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SECOND SUBSTITUTE HOUSE BILL 2867**

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AS AMENDED BY THE SENATE

Passed Legislature - 2010 Regular Session

**State of Washington                      61st Legislature                      2010 Regular Session**

**By** House Ways & Means (originally sponsored by Representatives Kagi, Sells, White, Hunt, Chase, Kessler, Morrell, Van De Wege, Kenney, and Hasegawa; by request of Governor Gregoire)

READ FIRST TIME 02/09/10.

1            AN ACT Relating to early learning; amending RCW 43.215.005 and  
2 43.215.020; and creating a new section.

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

4            **Sec. 1.** RCW 43.215.005 and 2007 c 415 s 1 are each amended to read  
5 as follows:

6            (1) The legislature recognizes that:

7            (a) Parents are their children's first and most important teachers  
8 and decision makers;

9            (b) Research across disciplines now demonstrates that what happens  
10 in the earliest years makes a critical difference in children's  
11 readiness to succeed in school and life;

12            (c) Washington's competitiveness in the global economy requires a  
13 world-class education system that starts early and supports life-long  
14 learning;

15            (d) Washington state currently makes substantial investments in  
16 voluntary child care and early learning services and supports, but  
17 because services are fragmented across multiple state agencies, and  
18 early learning providers lack the supports and incentives needed to

1 improve the quality of services they provide, many parents have  
2 difficulty accessing high quality early learning services;

3 (e) A more cohesive and integrated voluntary early learning system  
4 would result in greater efficiencies for the state, increased  
5 partnership between the state and the private sector, improved access  
6 to high quality early learning services, and better employment and  
7 early learning outcomes for families and all children.

8 (2) The legislature finds that:

9 (a) The early years of a child's life are critical to the child's  
10 healthy brain development and that the quality of caregiving during the  
11 early years can significantly impact the child's intellectual, social,  
12 and emotional development;

13 (b) A successful outcome for every child obtaining a K-12 education  
14 depends on children being prepared from birth for academic and social  
15 success in school. For children at risk of school failure, the  
16 achievement gap often emerges as early as eighteen months of age;

17 (c) There currently is a shortage of high quality services and  
18 supports for children ages birth to three and their parents and  
19 caregivers; and

20 (d) Increasing the availability of high quality services for  
21 children ages birth to three and their parents and caregivers will  
22 result in improved school and life outcomes.

23 (3) Therefore, the legislature intends to establish a robust birth-  
24 to-three continuum of services for parents and caregivers of young  
25 children in order to provide education and support regarding the  
26 importance of early childhood development.

27 ((+3)) (4) The purpose of this chapter is:

28 (a) To establish the department of early learning;

29 (b) To coordinate and consolidate state activities relating to  
30 child care and early learning programs;

31 (c) To safeguard and promote the health, safety, and well-being of  
32 children receiving child care and early learning assistance, which is  
33 paramount over the right of any person to provide care;

34 (d) To provide tools to promote the hiring of suitable providers of  
35 child care by:

36 (i) Providing parents with access to information regarding child  
37 care providers;

1 (ii) Providing parents with child care licensing action histories  
2 regarding child care providers; and

3 (iii) Requiring background checks of applicants for employment in  
4 any child care facility licensed or regulated under current law;

5 (e) To promote linkages and alignment between early learning  
6 programs and elementary schools and support the transition of children  
7 and families from prekindergarten environments to kindergarten;

8 (f) To promote the development of a sufficient number and variety  
9 of adequate child care and early learning facilities, both public and  
10 private; and

11 (g) To license agencies and to assure the users of such agencies,  
12 their parents, the community at large and the agencies themselves that  
13 adequate minimum standards are maintained by all child care and early  
14 learning facilities.

15 ((+4)) (5) This chapter does not expand the state's authority to  
16 license or regulate activities or programs beyond those licensed or  
17 regulated under existing law.

18 **Sec. 2.** RCW 43.215.020 and 2007 c 394 s 5 are each amended to read  
19 as follows:

20 (1) The department of early learning is created as an executive  
21 branch agency. The department is vested with all powers and duties  
22 transferred to it under this chapter and such other powers and duties  
23 as may be authorized by law.

24 (2) The primary duties of the department are to implement state  
25 early learning policy and to coordinate, consolidate, and integrate  
26 child care and early learning programs in order to administer programs  
27 and funding as efficiently as possible. The department's duties  
28 include, but are not limited to, the following:

29 (a) To support both public and private sectors toward a  
30 comprehensive and collaborative system of early learning that serves  
31 parents, children, and providers and to encourage best practices in  
32 child care and early learning programs;

33 (b) To make early learning resources available to parents and  
34 caregivers;

35 (c) To carry out activities, including providing clear and easily  
36 accessible information about quality and improving the quality of early

1 learning opportunities for young children, in cooperation with the  
2 nongovernmental private-public partnership;

3 (d) To administer child care and early learning programs;

4 (e) To standardize internal financial audits, oversight visits,  
5 performance benchmarks, and licensing criteria, so that programs can  
6 function in an integrated fashion;

7 (f) To support the implementation of the nongovernmental private-  
8 public partnership and cooperate with that partnership in pursuing its  
9 goals including providing data and support necessary for the successful  
10 work of the partnership;

11 (g) To work cooperatively and in coordination with the early  
12 learning council;

13 (h) To collaborate with the K-12 school system at the state and  
14 local levels to ensure appropriate connections and smooth transitions  
15 between early learning and K-12 programs; (~~and~~)

16 (i) To develop a comprehensive birth-to-three plan to provide  
17 education and support through a continuum of options including, but not  
18 limited to, services such as: Home visiting; quality incentives for  
19 infant and toddler child care subsidies; quality improvements for  
20 family home and center-based child care programs serving infants and  
21 toddlers; professional development; early literacy programs; and  
22 informal supports for family, friend, and neighbor caregivers;

23 (j) Upon the development of an early learning information system,  
24 to make available to parents timely inspection and licensing action  
25 information through the internet and other means.

26 (3) The department's programs shall be designed in a way that  
27 respects and preserves the ability of parents and legal guardians to  
28 direct the education, development, and upbringing of their children,  
29 and that recognizes and honors cultural and linguistic diversity. The  
30 department shall include parents and legal guardians in the development  
31 of policies and program decisions affecting their children.

32 NEW SECTION. **Sec. 3.** The department of early learning, in  
33 collaboration with the early learning nongovernmental private-public  
34 partnership and the early learning advisory council, shall develop a  
35 birth-to-three plan, including recommended appropriation levels, and  
36 report to the appropriate committees of the legislature and the

1 governor by December 1, 2010. The plan and recommendations required  
2 under this section shall be developed within existing resources.

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