
SUBSTITUTE SENATE BILL 6759

State of Washington

61st Legislature

2010 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Kauffman, Oemig, Prentice, and Kline)

READ FIRST TIME 02/04/10.

1 AN ACT Relating to a plan for a voluntary program of early
2 learning; amending RCW 43.215.090 and 28A.290.010; creating new
3 sections; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The department of early learning, the
6 superintendent of public instruction, and thrive by five's joint early
7 learning recommendations to the governor, and the quality education
8 council's January 2010 recommendations to the legislature both
9 suggested that a voluntary program of early learning should be included
10 within the overall program of basic education. The legislature intends
11 to examine these recommendations and Attorney General Opinion Number 8
12 (2009) through the development of a working group to identify and
13 recommend a comprehensive plan.

14 NEW SECTION. **Sec. 2.** (1) Beginning April 1, 2010, the office of
15 the superintendent of public instruction, with assistance and support
16 from the department of early learning, shall convene a technical
17 working group to develop a comprehensive plan for a voluntary program

1 of early learning. The plan shall examine the opportunities and
2 barriers of at least two options:

3 (a) A program of early learning under the program of basic
4 education; and

5 (b) A program of early learning as an entitlement, either
6 statutorily or constitutionally protected.

7 (2) The working group shall, at a minimum, include in the plan the
8 following recommendations for each option:

9 (a) Criteria for eligible children;

10 (b) Program standards, including, but not limited to, direct
11 services to be provided, number of hours per school year, teacher
12 qualifications, and transportation requirements;

13 (c) Performance measures;

14 (d) Criteria for eligible providers, specifying whether or not they
15 may be:

16 (i) Approved, certified, or licensed by the department of early
17 learning; and

18 (ii) Public, private, nonsectarian, or sectarian organizations;

19 (e) Governance responsibilities for the superintendent of public
20 instruction and the department of early learning;

21 (f) Funding necessary to implement a voluntary program of early
22 learning, including, but not limited to, early learning teachers,
23 professional development, facilities, and technical assistance;

24 (g) A timeline for implementation; and

25 (h) The early childhood education and assistance program's role in
26 the new program of early learning.

27 (3) While developing the plan, the working group shall review early
28 learning programs in Washington state, including the early childhood
29 education and assistance program and the federal head start program, as
30 well as programs in other states.

31 (4) The working group shall be composed of:

32 (a) At least one representative each from the following: The
33 department of early learning, the office of the superintendent of
34 public instruction, the nongovernmental private-public partnership
35 created in RCW 43.215.070, and the office of the attorney general;

36 (b) Two members of the early learning advisory council established
37 in RCW 43.215.090 to be appointed by the council; and

1 (c) Additional stakeholders with expertise in early learning to be
2 appointed by the early learning advisory council.

3 (5) The working group may convene advisory subgroups on specific
4 topics as necessary to assure participation and input from a broad
5 array of diverse stakeholders.

6 (6) The working group shall be monitored and overseen by the
7 quality education council created in RCW 28A.290.010. The working
8 group shall submit a progress report by July 1, 2010, and final report
9 with the plan by November 1, 2010, to the early learning advisory
10 council and the quality education council.

11 **Sec. 3.** RCW 43.215.090 and 2007 c 394 s 3 are each amended to read
12 as follows:

13 (1) The early learning advisory council is established to advise
14 the department on statewide early learning (~~((community needs and~~
15 ~~progress))~~ issues that would build a comprehensive system of quality
16 early learning programs and services for Washington's children and
17 families by assessing needs and the availability of services, aligning
18 resources, developing plans for data collection and professional
19 development of early childhood educators, and establishing key
20 performance measures.

21 (2) The council shall work in conjunction with the department to
22 develop a statewide early learning plan that (~~(crosses systems and~~
23 ~~sectors to promote))~~ guides the department in promoting alignment of
24 private and public sector actions, objectives, and resources, and (~~(to~~
25 ~~ensure))~~ ensuring school readiness.

26 (3) The council shall include diverse, statewide representation
27 from public, nonprofit, and for-profit entities. Its membership shall
28 reflect regional, racial, and cultural diversity to adequately
29 represent the needs of all children and families in the state.

30 (4) Council members shall serve two-year terms. However, to
31 stagger the terms of the council, the initial appointments for twelve
32 of the members shall be for one year. Once the initial one-year to
33 two-year terms expire, all subsequent terms shall be for two years,
34 with the terms expiring on June 30th of the applicable year. The terms
35 shall be staggered in such a way that, where possible, the terms of
36 members representing a specific group do not expire simultaneously.

1 (5) The council shall consist of not more than (~~twenty-five~~)
2 twenty-three members, as follows:

3 (a) The governor shall appoint at least one representative from
4 each of the following: The department, the office of financial
5 management, the department of social and health services, the
6 department of health, the higher education coordinating board, and the
7 state board for community and technical colleges;

8 (b) One representative from the office of the superintendent of
9 public instruction, to be appointed by the superintendent of public
10 instruction;

11 (c) The governor shall appoint (~~at least~~) seven leaders in early
12 childhood education, with at least one representative with experience
13 or expertise in each of the areas such as the following (~~areas~~):
14 Children with disabilities, the K-12 system, family day care providers,
15 and child care centers;

16 (d) Two members of the house of representatives, one from each
17 caucus, and two members of the senate, one from each caucus, to be
18 appointed by the speaker of the house of representatives and the
19 president of the senate, respectively;

20 (e) Two parents, one of whom serves on the department's parent
21 advisory council, to be appointed by the governor;

22 (f) (~~Two~~) One representative(~~s~~) of the private-public
23 partnership created in RCW 43.215.070, to be appointed by the
24 partnership board;

25 (g) One representative designated by sovereign tribal governments;
26 and

27 (h) One representative from the Washington federation of
28 independent schools.

29 (6) The council shall be cochaired by one representative of a state
30 agency and one nongovernmental member, to be elected by the council for
31 two-year terms.

32 (7) The council shall appoint two members and stakeholders with
33 expertise in early learning to sit on the technical working group
34 created in section 2, chapter . . . , Laws of 2010 (section 2 of the
35 act).

36 (8) Each member of the board shall be compensated in accordance
37 with RCW 43.03.240 and reimbursed for travel expenses incurred in

1 carrying out the duties of the board in accordance with RCW 43.03.050
2 and 43.03.060.

3 ~~((+8))~~ (9) The department shall provide staff support to the
4 council.

5 **Sec. 4.** RCW 28A.290.010 and 2009 c 548 s 114 are each amended to
6 read as follows:

7 (1) The quality education council is created to recommend and
8 inform the ongoing implementation by the legislature of an evolving
9 program of basic education and the financing necessary to support such
10 program. The council shall develop strategic recommendations on the
11 program of basic education for the common schools. The council shall
12 take into consideration the capacity report produced under RCW
13 28A.300.172 and the availability of data and progress of implementing
14 the data systems required under RCW 28A.655.210. Any recommendations
15 for modifications to the program of basic education shall be based on
16 evidence that the programs effectively support student learning. The
17 council shall update the statewide strategic recommendations every four
18 years. The recommendations of the council are intended to:

19 (a) Inform future educational policy and funding decisions of the
20 legislature and governor;

21 (b) Identify measurable goals and priorities for the educational
22 system in Washington state for a ten-year time period, including the
23 goals of basic education and ongoing strategies for coordinating
24 statewide efforts to eliminate the achievement gap and reduce student
25 dropout rates; and

26 (c) Enable the state of Washington to continue to implement an
27 evolving program of basic education.

28 (2) The council may request updates and progress reports from the
29 office of the superintendent of public instruction, the state board of
30 education, the professional educator standards board, and the
31 department of early learning on the work of the agencies as well as
32 educational working groups established by the legislature.

33 (3) The chair of the council shall be selected from the
34 councilmembers. The council shall be composed of the following
35 members:

36 (a) Four members of the house of representatives, with two members

1 representing each of the major caucuses and appointed by the speaker of
2 the house of representatives;

3 (b) Four members of the senate, with two members representing each
4 of the major caucuses and appointed by the president of the senate; and

5 (c) One representative each from the office of the governor, office
6 of the superintendent of public instruction, state board of education,
7 professional educator standards board, and department of early
8 learning.

9 (4) In the 2009 fiscal year, the council shall meet as often as
10 necessary as determined by the chair. In subsequent years, the council
11 shall meet no more than four times a year.

12 (5)(a) The council shall submit an initial report to the governor
13 and the legislature by January 1, 2010, detailing its recommendations,
14 including recommendations for resolving issues or decisions requiring
15 legislative action during the 2010 legislative session, and
16 recommendations for any funding necessary to continue development and
17 implementation of chapter 548, Laws of 2009.

18 (b) The initial report shall, at a minimum, include:

19 (i) Consideration of how to establish a statewide beginning teacher
20 mentoring and support system;

21 (ii) Recommendations for a program of early learning for at-risk
22 children;

23 (iii) A recommended schedule for the concurrent phase-in of the
24 changes to the instructional program of basic education and the
25 implementation of the funding formulas and allocations to support the
26 new instructional program of basic education as established under
27 chapter 548, Laws of 2009. The phase-in schedule shall have full
28 implementation completed by September 1, 2018; and

29 (iv) A recommended schedule for phased-in implementation of the new
30 distribution formula for allocating state funds to school districts for
31 the transportation of students to and from school, with phase-in
32 beginning no later than September 1, 2013.

33 (6) The council shall submit a report to the legislature by January
34 1, 2011, detailing its recommendations for a comprehensive plan for a
35 voluntary program of early learning. Before submitting the report, the
36 council shall seek input from the early learning advisory council
37 created in RCW 43.215.090.

1 (7) The council shall be staffed by the office of the
2 superintendent of public instruction and the office of financial
3 management. Additional staff support shall be provided by the state
4 entities with representatives on the committee. Senate committee
5 services and the house of representatives office of program research
6 may provide additional staff support.

7 ~~((7))~~ (8) Legislative members of the council shall serve without
8 additional compensation but may be reimbursed for travel expenses in
9 accordance with RCW 44.04.120 while attending sessions of the council
10 or on official business authorized by the council. Nonlegislative
11 members of the council may be reimbursed for travel expenses in
12 accordance with RCW 43.03.050 and 43.03.060.

13 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 immediately.

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