

**2SHB 2377 - H AMD 778**

By Representative Hunter

ADOPTED 02/18/2014

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. The legislature finds that quality  
4 early care and education builds the foundation for a child's success in  
5 school and in life. The legislature acknowledges that quality is a  
6 necessary underpinning of the early care and education system in  
7 Washington. The legislature recognizes that empirical evidence supports  
8 the conclusion that high quality programs consistently yield more  
9 positive outcomes for children, with the strongest positive impacts on  
10 the most vulnerable children. The legislature further understands that  
11 the proper dosage, duration of programming, and stability of care are  
12 critical to enhancing program quality and improving child outcomes.  
13 The legislature acknowledges that the early care and education system  
14 must be culturally responsive and meet the needs of Washington's  
15 diverse populations. The legislature intends to prioritize the  
16 integration of child care and preschool in an effort to promote full  
17 workday programming. The legislature further intends to reward quality  
18 and create incentives for providers to participate in a quality rating  
19 and improvement system that will also provide valuable information to  
20 parents regarding the quality of care available in their communities.

21 **Sec. 2.** RCW 43.215.010 and 2013 c 323 s 3 and 2013 c 130 s 1 are  
22 each reenacted and amended to read as follows:

23 The definitions in this section apply throughout this chapter  
24 unless the context clearly requires otherwise.

25 (1) "Agency" means any person, firm, partnership, association,  
26 corporation, or facility that provides child care and early learning  
27 services outside a child's own home and includes the following  
28 irrespective of whether there is compensation to the agency:

1 (a) "Child day care center" means an agency that regularly provides  
2 early childhood education and early learning services for a group of  
3 children for periods of less than twenty-four hours;

4 (b) "Early learning" includes but is not limited to programs and  
5 services for child care; state, federal, private, and nonprofit  
6 preschool; child care subsidies; child care resource and referral;  
7 parental education and support; and training and professional  
8 development for early learning professionals;

9 (c) "Family day care provider" means a child care provider who  
10 regularly provides early childhood education and early learning  
11 services for not more than twelve children in the provider's home in  
12 the family living quarters;

13 (d) "Nongovernmental private-public partnership" means an entity  
14 registered as a nonprofit corporation in Washington state with a  
15 primary focus on early learning, school readiness, and parental  
16 support, and an ability to raise a minimum of five million dollars in  
17 contributions;

18 (e) "Service provider" means the entity that operates a community  
19 facility.

20 (2) "Agency" does not include the following:

21 (a) Persons related to the child in the following ways:

22 (i) Any blood relative, including those of half-blood, and  
23 including first cousins, nephews or nieces, and persons of preceding  
24 generations as denoted by prefixes of grand, great, or great-great;

25 (ii) Stepfather, stepmother, stepbrother, and stepsister;

26 (iii) A person who legally adopts a child or the child's parent as  
27 well as the natural and other legally adopted children of such persons,  
28 and other relatives of the adoptive parents in accordance with state  
29 law; or

30 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this  
31 subsection, even after the marriage is terminated;

32 (b) Persons who are legal guardians of the child;

33 (c) Persons who care for a neighbor's or friend's child or  
34 children, with or without compensation, where the person providing care  
35 for periods of less than twenty-four hours does not conduct such  
36 activity on an ongoing, regularly scheduled basis for the purpose of  
37 engaging in business, which includes, but is not limited to,  
38 advertising such care;

- 1 (d) Parents on a mutually cooperative basis exchange care of one  
2 another's children;
- 3 (e) Nursery schools that are engaged primarily in early childhood  
4 education with preschool children and in which no child is enrolled on  
5 a regular basis for more than four hours per day;
- 6 (f) Schools, including boarding schools, that are engaged primarily  
7 in education, operate on a definite school year schedule, follow a  
8 stated academic curriculum, accept only school-age children, and do not  
9 accept custody of children;
- 10 (g) Seasonal camps of three months' or less duration engaged  
11 primarily in recreational or educational activities;
- 12 (h) Facilities providing child care for periods of less than  
13 twenty-four hours when a parent or legal guardian of the child remains  
14 on the premises of the facility for the purpose of participating in:
- 15 (i) Activities other than employment; or  
16 (ii) Employment of up to two hours per day when the facility is  
17 operated by a nonprofit entity that also operates a licensed child care  
18 program at the same facility in another location or at another  
19 facility;
- 20 (i) Any entity that provides recreational or educational  
21 programming for school-age((d)) children only and the entity meets all  
22 of the following requirements:
- 23 (i) The entity utilizes a drop-in model for programming, where  
24 children are able to attend during any or all program hours without a  
25 formal reservation;
- 26 (ii) The entity does not assume responsibility in lieu of the  
27 parent, unless for coordinated transportation;
- 28 (iii) The entity is a local affiliate of a national nonprofit; and  
29 (iv) The entity is in compliance with all safety and quality  
30 standards set by the associated national agency;
- 31 (j) A program operated by any unit of local, state, or federal  
32 government or an agency, located within the boundaries of a federally  
33 recognized Indian reservation, licensed by the Indian tribe;
- 34 (k) A program located on a federal military reservation, except  
35 where the military authorities request that such agency be subject to  
36 the licensing requirements of this chapter;
- 37 (l) A program that offers early learning and support services, such

1 as parent education, and does not provide child care services on a  
2 regular basis.

3 (3) "Applicant" means a person who requests or seeks employment in  
4 an agency.

5 (4) "Conviction information" means criminal history record  
6 information relating to an incident which has led to a conviction or  
7 other disposition adverse to the applicant.

8 (5) "Department" means the department of early learning.

9 (6) "Director" means the director of the department.

10 (7) "Early achievers" means a program that improves the quality of  
11 early learning programs and supports and rewards providers for their  
12 participation.

13 (8) "Early start" means an integrated high quality continuum of  
14 early learning programs for children birth-to-five years of age.  
15 Components of early start include, but are not limited to, the  
16 following:

- 17 (a) Home visiting and parent education and support programs;
- 18 (b) The early achievers program described in RCW 43.215.100;
- 19 (c) Integrated full-day and part-day high quality early learning  
20 programs; and

21 (d) High quality preschool for children whose family income is at  
22 or below one hundred ten percent of the federal poverty level.

23 (9) "Employer" means a person or business that engages the services  
24 of one or more people, especially for wages or salary to work in an  
25 agency.

26 (10) "Enforcement action" means denial, suspension, revocation,  
27 modification, or nonrenewal of a license pursuant to RCW 43.215.300(1)  
28 or assessment of civil monetary penalties pursuant to RCW  
29 43.215.300(3).

30 (11) "Low-income child care provider" means a person who  
31 administers a child care program that consists of at least eighty  
32 percent of children receiving working connections child care subsidy.

33 (12) "Low-income neighborhood" means a district or community where  
34 more than twenty percent of households are below the federal poverty  
35 level.

36 (13) "Negative action" means a court order, court judgment, or an  
37 adverse action taken by an agency, in any state, federal, tribal, or  
38 foreign jurisdiction, which results in a finding against the applicant

1 reasonably related to the individual's character, suitability, and  
2 competence to care for or have unsupervised access to children in child  
3 care. This may include, but is not limited to:

4 (a) A decision issued by an administrative law judge;

5 (b) A final determination, decision, or finding made by an agency  
6 following an investigation;

7 (c) An adverse agency action, including termination, revocation, or  
8 denial of a license or certification, or if pending adverse agency  
9 action, the voluntary surrender of a license, certification, or  
10 contract in lieu of the adverse action;

11 (d) A revocation, denial, or restriction placed on any professional  
12 license; or

13 (e) A final decision of a disciplinary board.

14 ~~((+12+))~~ (14) "Nonconviction information" means arrest, founded  
15 allegations of child abuse, or neglect pursuant to chapter 26.44 RCW,  
16 or other negative action adverse to the applicant.

17 ~~((+13+))~~ (15) "Nonschool age child" means a child birth through six  
18 years of age who has yet to enter kindergarten or school.

19 (16) "Probationary license" means a license issued as a  
20 disciplinary measure to an agency that has previously been issued a  
21 full license but is out of compliance with licensing standards.

22 ~~((+14+))~~ (17) "Requirement" means any rule, regulation, or standard  
23 of care to be maintained by an agency.

24 ~~((+15+))~~ (18) "School-age child" means a child not less than five  
25 years of age through twelve years of age and who is attending  
26 kindergarten or school.

27 (19) "Washington state preschool program" means an education  
28 program for children three-to-five years of age who have not yet  
29 entered kindergarten, such as the early childhood education and  
30 assistance program.

31 **Sec. 3.** RCW 43.215.100 and 2013 c 323 s 6 are each amended to read  
32 as follows:

33 (1) ~~((Subject to the availability of amounts appropriated for this  
34 specific purpose,))~~ The department, in collaboration with tribal  
35 governments and community and statewide partners, shall implement a  
36 voluntary quality rating and improvement system, called the early  
37 achievers program, that is applicable to licensed or certified child

1 care centers and homes and early education programs. The early  
2 achievers program establishes the framework for strengthening the  
3 quality of the early care and education system in Washington.

4 (2) The ~~((purpose))~~ objectives of the early achievers program  
5 ~~((is))~~ are to:

6 (a) ~~((To))~~ Improve short-term and long-term outcomes for children  
7 as measured by assessments including, but not limited to, the  
8 Washington kindergarten inventory of developing skills in RCW  
9 28A.655.080;

10 (b) Give parents clear and easily accessible information about the  
11 quality of child care and early education programs~~((τ))~~;

12 (c) Support improvement in early learning and care programs  
13 throughout the state~~((τ))~~;

14 (d) Increase the readiness of children for school~~((τ and))~~;

15 (e) Close the disparity in access to quality care;

16 (f) Provide professional development opportunities to early care  
17 and education providers; and ~~((b to))~~

18 (g) Establish a common set of expectations and standards that  
19 define, measure, and improve the quality of early learning and care  
20 settings.

21 (3) Participation in the early achievers program is voluntary for  
22 licensed or certified child care centers and homes.

23 (4) ~~((By fiscal year 2015, Washington state preschool programs~~  
24 ~~receiving state funds must enroll in the early achievers program and~~  
25 ~~maintain a minimum score level.~~

26 ~~(5))~~ There are five levels in the early achievers program.  
27 Participants are expected to actively engage in the program and  
28 continually advance from level 1, or the foundation level, to level 5.

29 (5) The department has the authority to determine the rating cycle  
30 for the early achievers program.

31 (a) The first rating is free for early achievers participants.

32 (b) Each subsequent rating within the established rating cycle is  
33 free for early achievers participants.

34 (6) Early achievers participants may request to be rated at any  
35 time after the completion of all level 2 activities.

36 (7)(a) The department must charge a fee for optional rerating  
37 requests made by program participants that are outside the established  
38 rating cycle.

1 (b) Fees charged are based on, but may not exceed, the cost to the  
2 department for the class of activities associated with the early  
3 achievers program.

4 (8)(a)(i) Effective July 1, 2015, the department shall publish on  
5 the department's web site or offer a link on its web site the early  
6 achievers program rating levels 1 through 5 for all child care programs  
7 that receive state subsidy, early childhood education and assistance  
8 programs, and federal head start programs in Washington.

9 (ii) Child care programs that do not receive state subsidy may have  
10 their early achievers program rating level published by the department.

11 (b) Early achievers program participants who have published rating  
12 levels on the department's web site or on a link on the department's  
13 web site may include a brief description of their program, contingent  
14 upon the review and approval by the department, as determined by  
15 established marketing standards.

16 (c) The early achievers program ratings must be published on the  
17 department's web site or have a link on the department's web site  
18 within thirty days from the time a program becomes licensed or  
19 certified or receives a rating.

20 (d) The early achievers program rating levels must be published on  
21 the department's web site or have a link on the department's web site  
22 in a manner that is easily accessible to parents and caregivers and  
23 takes into account the linguistic needs of parents and caregivers.

24 (e) To the extent possible, the department must create a single  
25 source of information for parents and caregivers to access details on  
26 a provider's early achievers program rating level, licensing history,  
27 and other indicators of quality and safety that will help parents and  
28 caregivers make informed choices.

29 (9)(a) The department shall create a professional development  
30 pathway for early achievers participants to obtain a high school  
31 diploma or equivalency or higher education credential in early  
32 childhood education, early childhood studies, child development, or an  
33 academic field related to early care and education.

34 (b) The professional development pathway must include opportunities  
35 for scholarships and grants to assist early achievers participants with  
36 the costs associated with obtaining an educational degree.

37 (c) The professional development pathway must be culturally and

1 linguistically reflective of the needs and demographics of  
2 participants.

3 (10) The department shall implement tiered reimbursement for early  
4 achievers participants rating at level 3, 4, or 5.

5 (11) The early achievers quality improvement awards shall be  
6 reserved for participants offering programs that are composed of at  
7 least five percent of children receiving subsidy.

8 (12) The department shall design a plan to incorporate school-age  
9 child care providers into the early achievers program.

10 (13) Before final implementation of the early achievers program,  
11 the department shall report on program progress, as defined within the  
12 race to the top federal grant award, and expenditures to the  
13 appropriate policy and fiscal committees of the legislature. Nothing  
14 in this section changes the department's responsibility to collectively  
15 bargain over mandatory subjects.

16 NEW SECTION. Sec. 4. A new section is added to chapter 43.215 RCW  
17 to read as follows:

18 REDUCTION OF BARRIERS--LOW-INCOME PROVIDERS AND PROGRAMS. Subject  
19 to the amounts appropriated for this specific purpose, the department  
20 shall, in collaboration with tribal governments and community and  
21 statewide partners, implement a protocol to maximize and encourage  
22 participation in the early achievers program for low-income center and  
23 family home child care providers and providers who offer programming in  
24 low-income neighborhoods. The protocol should address barriers to  
25 early achievers program participation and include at a minimum the  
26 following:

27 (1) The creation of a substitute pool; and

28 (2) The establishment of needs-based grants for providers at level  
29 2 in the early achievers program to assist with purchasing curriculum  
30 development, instructional materials, supplies, and equipment to  
31 improve program quality.

32 NEW SECTION. Sec. 5. A new section is added to chapter 43.215 RCW  
33 to read as follows:

34 THE EARLY ACHIEVERS PROGRAM DATA COLLECTION AND EVALUATION. (1)  
35 The department shall collect longitudinal, student-level data on all



1 children attending a working connections child care program or an early  
2 childhood education and assistance program. Data collected should  
3 capture at a minimum the following characteristics:

4 (a) Daily program attendance;

5 (b) Identification of classroom and teacher;

6 (c) Early achievers program quality level rating;

7 (d) Program hours;

8 (e) Program duration;

9 (f) Distinct ethnic categories within racial subgroups that align  
10 with categories established by the education data center established in  
11 RCW 43.41.400; and

12 (g) Developmental results from the Washington kindergarten  
13 inventory of developing skills in RCW 28A.655.080.

14 (2) Data collected pursuant to this section shall be provided to  
15 the education data center established in RCW 43.41.400.

16 (3) Data collected pursuant to this section shall be provided to  
17 the Washington state institute for public policy.

18 (4) The department shall provide child care and early learning  
19 providers student-level data collected pursuant to this section that  
20 are specific to the child care provider's or the early learning  
21 provider's program.

22 (5)(a) The Washington state institute for public policy shall  
23 conduct a longitudinal analysis examining relationships between the  
24 early achievers program quality ratings levels and outcomes for  
25 children participating in subsidized early care and education programs.

26 (b) The institute shall submit the first report to the appropriate  
27 committees of the legislature by December 31, 2017. The institute  
28 shall submit subsequent reports annually to the appropriate committees  
29 of the legislature by December 31st, with the final report due December  
30 31, 2020. The final report shall include a cost-benefit analysis.

31 **Sec. 6.** RCW 43.215.135 and 2013 c 323 s 9 are each amended to read  
32 as follows:

33 (1) The department shall establish and implement policies in the  
34 working connections child care program to promote stability ~~((and))~~,  
35 quality of care for children from low-income households, and support  
36 school readiness for young learners. Policies for the expenditure of  
37 funds constituting the working connections child care program must be

1 consistent with the outcome measures defined in RCW 74.08A.410 and the  
2 standards established in this section intended to promote quality early  
3 care and education programming, and stability and continuity of care  
4 for children.

5 ~~(2) ((Beginning in fiscal year 2013,))~~ Authorizations for the  
6 working connections child care subsidy ((shall be)) are effective for  
7 twelve months ((unless a change in circumstances necessitates  
8 reauthorization sooner than twelve months. The twelve-month  
9 certification applies only if the enrollments in the child care subsidy  
10 or working connections child care program are capped.

11 ~~(3) Subject to the availability of amounts appropriated for this~~  
12 ~~specific purpose, beginning September 1, 2013, working connections~~  
13 ~~child care providers shall receive a five percent increase in the~~  
14 ~~subsidy rate for enrolling in level 2 in the early achievers programs.~~  
15 ~~Providers must complete level 2 and advance to level 3 within thirty~~  
16 ~~months in order to maintain this increase)).~~ A child is eligible for  
17 working connections child care for a twelve-month enrollment period and  
18 may not be deemed ineligible due to any change in circumstance  
19 including, but not limited to, the following:

20 (a) A change in family composition or household;

21 (b) A change in a parent's or a caregiver's employment status;

22 (c) A change in a parent's or a caregiver's employment status due  
23 to health, maternity or paternity leave, or other family leave  
24 condition as provided for in chapter 49.78 RCW; or

25 (d) A change in a parent's or a caregiver's income.

26 (3) Working connections child care is a capped program. The  
27 working connections child care cap is established in the operating  
28 budget.

29 (4)(a) The department shall adopt rules pertaining to the working  
30 connections child care program for both contracted slots and child care  
31 vouchers that outline the following:

32 (i) Allowable periods of child absences;

33 (ii) Required contact with parents or caregivers to discuss child  
34 absences and encourage regular program attendance; and

35 (iii) A de-enrollment procedure when allowable child absences are  
36 exceeded.

37 (b) The implementation of rules pertaining to child absences and  
38 de-enrollment procedures must align with the implementation of the

1 electronic time and attendance record system. Rules pertaining to  
2 child absences and de-enrollment procedures shall be adopted no later  
3 than July 31, 2015.

4 (5) Child care providers serving nonschool age children and  
5 receiving state subsidy payments must enroll in the early achievers  
6 program and complete level 2 activities by July 1, 2017, or the  
7 provider can no longer receive a state subsidy under this section.

8 (6)(a) Child care providers serving nonschool age children and  
9 receiving state subsidy payments must be rated at level 3 in the early  
10 achievers program by July 1, 2019, or the provider can no longer  
11 receive state subsidy under this section.

12 (b) If a child care provider serving nonschool age children and  
13 receiving state subsidy payments has completed all of level 2  
14 activities and is approved and waiting for a rating by July 1, 2019,  
15 the provider may continue to receive state subsidy pending the  
16 successful completion of the level 3 rating activity. If the provider  
17 does not rate at a level 3 or higher during the level 3 rating  
18 activity, the provider can no longer receive state subsidy under this  
19 section.

20 (7) Effective July 1, 2015, a new child care provider serving  
21 nonschool age children and receiving state subsidy payments must  
22 complete the following activities or the provider can no longer receive  
23 a state subsidy under this section:

24 (a) Enroll in the early achievers program within thirty days;

25 (b) Complete the early achievers program quality level 2 activities  
26 within twelve months from receiving a state subsidy; and

27 (c) Rate as an early achievers program quality level 3 within  
28 thirty months from receiving a state subsidy payment.

29 (8)(a) Family, friend, and neighbor child care providers who  
30 receive state subsidy payments and are exempt from child care licensure  
31 are not required to join early achievers while qualifying as an  
32 unlicensed provider.

33 (b) Family, friend, and neighbor child care providers who receive  
34 state subsidy payments are required to obtain a child care license no  
35 later than thirty-six paid months after the effective date of this  
36 section or thirty-six paid months after receiving the first subsidy  
37 payment, whichever occurs later, or after simultaneously or

1 consecutively caring for more than six unrelated children unless one of  
2 the following conditions apply:

3 (i) The provider is an adult sibling, half-sibling, or stepsibling  
4 of the child or children receiving care and lives outside of the  
5 child's or children's home;

6 (ii) The provider is an extended tribal family member of the child  
7 or children receiving care;

8 (iii) The provider is a grandparent, stepgrandparent, half-  
9 grandparent or great-grandparent, stepgreat-grandparent, or  
10 half-great-grandparent of the child or children receiving care; or

11 (iv) The provider is an aunt or uncle, step-aunt or step-uncle,  
12 half-aunt or half-uncle, or great-aunt or great-uncle, step-great-aunt  
13 or step-great-uncle, or half-great-aunt or half-great-uncle of the  
14 child or children receiving care.

15 (c) Family, friend, and neighbor child care providers who do not  
16 obtain child care licensure under this section are not able to receive  
17 state subsidies.

18 **Sec. 7.** RCW 43.215.1352 and 2012 c 251 s 2 are each amended to  
19 read as follows:

20 When an applicant or recipient applies for or receives working  
21 connections child care benefits, (~~he or she~~) the applicant or  
22 recipient is required to(~~+~~

23 ~~(1))~~ notify the department of social and health services, within  
24 five days, of any change in providers(~~+~~and

25 ~~(2) Notify the department of social and health services, within ten~~  
26 ~~days, about any significant change related to the number of child care~~  
27 ~~hours the applicant or recipient needs, cost sharing, or eligibility)).~~

28 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.215 RCW  
29 to read as follows:

30 **CONTRACTED CHILD CARE SLOTS.** (1) The department shall employ a  
31 combination of vouchers and contracted slots for the subsidized child  
32 care program in RCW 43.215.135. Child care vouchers preserve parental  
33 choice. Child care contracted slots promote access to continuous  
34 quality care for children, provide parents and caregivers stable child  
35 care that supports employment, and allow providers to have predictable  
36 funding.

1 (2) The department shall contract at least twenty percent of the  
2 working connections child care program slots by January 1, 2016.

3 (3) Only a child care provider who participates in the early  
4 achievers program and rates at a level 3, 4, or 5 is eligible to be  
5 awarded a contracted slot.

6 (4) Only providers offering full workday early care and education  
7 opportunities are eligible to be awarded a contracted slot.

8 (5) The department is required to use data to calculate a set  
9 number of targeted contracted slots. In calculating this number, the  
10 department must take into account a representative balance of family  
11 home and center child care programs and the overall geographic  
12 distribution of child care programs in the state. The targeted  
13 contracted slots are reserved for programs meeting both of the  
14 following conditions:

15 (a) Programs in low-income neighborhoods; and

16 (b) Programs that consist of at least fifty percent of children  
17 receiving subsidy pursuant to RCW 43.215.135.

18 (6) The department shall award the remaining contracted slots via  
19 a competitive process and prioritize child care programs with at least  
20 one of the following characteristics:

21 (a) Programs located in a high-need geographic area;

22 (b) Programs partnering with elementary schools to offer  
23 transitional planning and support to children as they advance to  
24 kindergarten; or

25 (c) Programs serving children involved in the child welfare system  
26 or children diagnosed with a special need.

27 (7) The department shall pay a provider for each contracted slot,  
28 unless a contracted slot is not used for thirty days.

29 (8) The department shall charge a child care copayment for each  
30 contracted slot and establish the copayment fee by rule.

31 **Sec. 9.** RCW 43.215.425 and 1994 c 166 s 6 are each amended to read  
32 as follows:

33 (1) The department shall adopt rules under chapter 34.05 RCW for  
34 the administration of the early childhood education and assistance  
35 program. Approved early childhood education and assistance programs  
36 shall conduct needs assessments of their service area, identify any  
37 targeted groups of children, to include but not be limited to children

1 of seasonal and migrant farmworkers and native American populations  
2 living either on or off reservation, and provide to the department a  
3 service delivery plan, to the extent practicable, that addresses these  
4 targeted populations.

5 (2) The department, in developing rules for the early childhood  
6 education and assistance program, shall consult with the advisory  
7 committee, and shall consider such factors as coordination with  
8 existing head start and other early childhood programs, the preparation  
9 necessary for instructors, qualifications of instructors, adequate  
10 space and equipment, and special transportation needs. The rules shall  
11 specifically require the early childhood programs to provide for  
12 parental involvement in participation with their child's program, in  
13 local program policy decisions, in development and revision of service  
14 delivery systems, and in parent education and training.

15 (3)(a) The department shall adopt rules pertaining to the early  
16 childhood education and assistance program that outline allowable  
17 periods of child absences, required contact with parents or caregivers  
18 to discuss child absences and encourage regular attendance, and a  
19 de-enrollment procedure when allowable child absences are exceeded.

20 (b) The implementation of rules pertaining to child absences and  
21 de-enrollment procedures must align with the implementation of the  
22 electronic time and attendance record system.

23 (c) Rules pertaining to child absences and de-enrollment procedures  
24 shall be adopted no later than July 31, 2015.

25 (4) The department shall adopt rules requiring early childhood  
26 education and assistance program employees and volunteers who have  
27 access to children to submit to a fingerprint background check.  
28 Fingerprint background check procedures for the early childhood  
29 education and assistance program shall be the same as the background  
30 check procedures in RCW 43.215.215.

31 (5) By July 1, 2016, the department shall develop a pathway for  
32 family home providers to administer an early childhood education and  
33 assistance program.

34 **Sec. 10.** RCW 43.215.415 and 1994 c 166 s 5 are each amended to  
35 read as follows:

36 (1) Approved early childhood programs shall receive state-funded  
37 support through the department. Public or private nonsectarian

1 organizations, including, but not limited to school districts,  
2 educational service districts, community and technical colleges, local  
3 governments, or nonprofit organizations, are eligible to participate as  
4 providers of the state early childhood program.

5 (2) Funds appropriated for the state program shall be used to  
6 continue to operate existing programs or to establish new or expanded  
7 early childhood programs(~~(, and shall not be used to supplant federally~~  
8 supported head start programs)).

9 (3) Funds obtained by providers through voluntary grants or  
10 contributions from individuals, agencies, corporations, or  
11 organizations may be used to expand or enhance preschool programs so  
12 long as program standards established by the department are  
13 maintained(~~(, but shall not be used to supplant federally supported~~  
14 head start programs or state supported early childhood programs)).

15 (4) Persons applying to conduct the early childhood program shall  
16 identify targeted groups and the number of children to be served,  
17 program components, the qualifications of instructional and special  
18 staff, the source and amount of grants or contributions from sources  
19 other than state funds, facilities and equipment support, and  
20 transportation and personal care arrangements.

21 (5) Early childhood education and assistance providers must enroll  
22 in the early achievers program and be rated at a level 3 by July 1,  
23 2015.

24 (6) Early childhood education and assistance providers must be  
25 rated at a level 4 in the early achievers program by July 1, 2019.

26 (7) Effective January 1, 2014, new early childhood education and  
27 assistance program slots are only available to early achievers program  
28 participants rated at a level 3, 4, or 5.

29 (8) Effective July 1, 2017, any provider administering an early  
30 childhood education and assistance program must institute a working  
31 connections child care program and maintain an optional full workday  
32 program.

33 **Sec. 11.** RCW 43.215.455 and 2010 c 231 s 3 are each amended to  
34 read as follows:

35 (1) Beginning September 1, 2011, an early learning program to  
36 provide voluntary preschool opportunities for children three and four  
37 years of age shall be implemented according to the funding and

1 implementation plan in RCW (~~43.215.142~~) 43.215.456. The program must  
2 be a comprehensive program providing early childhood education and  
3 family support, options for parental involvement, and health  
4 information, screening, and referral services, as family need is  
5 determined. Participation in the program is voluntary. On a space  
6 available basis, the program may allow enrollment of children who are  
7 not otherwise eligible by assessing a fee.

8 (2) The first phase of the program shall be implemented by  
9 utilizing the program standards and eligibility criteria in the early  
10 childhood education and assistance program in RCW 43.215.400 through  
11 43.215.450.

12 (3) For the 2014-15 school year, the program implementation in this  
13 section shall prioritize programs meeting at least one of the following  
14 characteristics:

15 (a) Programs located in a high-need geographical area;

16 (b) Programs offering full workday early care and education  
17 programming;

18 (c) Providers participating in the early achievers program and  
19 rated at level 3, 4, or 5; or

20 (d) Programs offering services to children diagnosed with a special  
21 need or children involved in the child welfare system.

22 (4) For the 2014-15 school year, eighty percent of the slots for  
23 program implementation described in this section are reserved for  
24 providers offering full workday early care and education programming.

25 (5) For the 2015-16 school year, the program implementation in this  
26 section shall prioritize programs meeting at least one of the following  
27 characteristics:

28 (a) Programs located in a high-need geographical area;

29 (b) Programs offering full workday early care and education  
30 programming; or

31 (c) Programs offering services to children diagnosed with a special  
32 need or children involved in the child welfare system.

33 (6) For the 2015-16 school year, only providers participating in  
34 the early achievers program and rated at a level 3, 4, or 5 are  
35 eligible for the program implementation under this section.

36 (7) For the 2015-16 school year, eighty percent of the slots for  
37 program implementation described in this section are reserved for  
38 providers offering full workday early care and education programming.



1       (8) The director shall adopt rules for the following program  
2 components, as appropriate and necessary during the phased  
3 implementation of the program:

4       (a) Minimum program standards, including lead teacher, assistant  
5 teacher, and staff qualifications;

6       (b) Approval of program providers; and

7       (c) Accountability and adherence to performance standards.

8       (~~(4)~~) (9) The department has administrative responsibility for:

9       (a) Approving and contracting with providers according to rules  
10 developed by the director under this section;

11       (b) In partnership with school districts, monitoring program  
12 quality and assuring the program is responsive to the needs of eligible  
13 children;

14       (c) Assuring that program providers work cooperatively with school  
15 districts to coordinate the transition from preschool to kindergarten  
16 so that children and their families are well-prepared and supported;  
17 and

18       (d) Providing technical assistance to contracted providers.

19       (10) The department shall complete an annual preschool program  
20 implementation report. The first report is due by December 31, 2014,  
21 and the final report is due by December 31, 2018. The preschool  
22 program implementation report must be posted annually on the  
23 department's web site and delivered annually to the appropriate  
24 committees of the legislature. The preschool program implementation  
25 report must address the following:

26       (a) Progress on preschool program implementation as required  
27 pursuant to this section and RCW 43.215.415;

28       (b) An examination of the regional distribution of new preschool  
29 programming by zip code;

30       (c) An analysis of the impact of preschool expansion on low-income  
31 neighborhoods and communities;

32       (d) Recommendations to address any identified barriers to access to  
33 quality preschool for children living in low-income neighborhoods;

34       (e) An analysis of any impact of quality strengthening efforts on  
35 the availability of infant and toddler care;

36       (f) An analysis of any impact of full workday early care and  
37 education opportunities directives; and

1       (g) An examination of any identified barriers for providers to  
2 offer full workday early care and education opportunities.

3       NEW SECTION. Sec. 12. A new section is added to chapter 43.215  
4 RCW to read as follows:

5       SINGLE SET OF LICENSING STANDARDS. No later than July 1, 2015, the  
6 department shall implement a single set of licensing standards for  
7 child care and the early childhood education and assistance program.  
8 The new licensing standards must:

9       (1) Use the early achievers program as a foundational framework and  
10 eliminate additional burdensome regulations for providers who  
11 demonstrate higher levels of quality care;

12       (2) Take into account the separate needs of family care providers  
13 and child care centers; and

14       (3) Promote the continued safety of child care settings.

15       NEW SECTION. Sec. 13. A new section is added to chapter 43.215  
16 RCW to read as follows:

17       INTEGRATION WITH LOCAL GOVERNMENT EFFORTS. (1) The foundation of  
18 the early care and education system in Washington is the quality rating  
19 and improvement system entitled the early achievers program. In an  
20 effort to build on the existing quality framework, enhance access to  
21 quality care for children, and strengthen the entire early care and  
22 education system in the state, it is important to integrate the efforts  
23 of local government.

24       (2) Local government is encouraged to collaborate with the  
25 department when establishing early learning programs for residents.

26       (3) Local government may contribute funds to the department for the  
27 following purposes:

28       (a) Initial investments to build capacity and quality in local  
29 early care and education programming; and

30       (b) Reductions in copayments charged to parents or caregivers.

31       (4) Funds contributed to the department by local government must be  
32 deposited in the early start account established in section 14 of this  
33 act.

34       NEW SECTION. Sec. 14. A new section is added to chapter 43.215  
35 RCW to read as follows:

1           The early start account is created in the state treasury. Revenues  
2 in the account shall consist of appropriations by the legislature and  
3 all other sources deposited into the account. Moneys in the account  
4 may only be used after appropriation. Expenditures from the account  
5 may be used only to improve the quality of early care and education  
6 programming. The department oversees the account.

7           NEW SECTION.   **Sec. 15.** A new section is added to chapter 43.215  
8 RCW to read as follows:

9           The department shall implement an electronic time and attendance  
10 records system by July 1, 2015. The savings generated from the  
11 electronic time and attendance records system shall be used to improve  
12 quality in the early learning system.

13           NEW SECTION.   **Sec. 16.** 2013 2nd sp.s. c 16 s 2 (uncodified) is  
14 repealed.

15           NEW SECTION.   **Sec. 17.** A new section is added to chapter 43.215  
16 RCW to read as follows:

17           Chapter . . ., Laws of 2014 (this act) may be known and cited as  
18 the early start act.

19           NEW SECTION.   **Sec. 18.** If specific funding for the purposes of  
20 this act, referencing this act by bill or chapter number, is not  
21 provided by June 30, 2014, in the omnibus appropriations act, this act  
22 is null and void."

23           Correct the title.

EFFECT: Modifies the definition of "nonschool age child" to mean  
a child birth through six years instead of a child birth through five  
years of age.

Adds a definition of "low-income neighborhood" and "low-income  
child care provider" to the definition section.

Directs the Department of Early Learning (DEL) to collaborate with  
tribal governments when implementing the Early Achievers program and  
when developing a protocol to address barriers to program  
participation.

Specifies that the DEL is required to publish Early Achievers rating levels for child care programs receiving state subsidy, in lieu of all child care programs.

Adds that child care programs that do not receive state subsidy have the option to have their Early Achievers ratings published by the DEL.

Provides that Early Achievers program participants have the option of including a program description to accompany their rating level.

Directs the DEL to create a single source of information for parents and caregivers.

Requires the DEL to implement a protocol that includes a substitute pool and needs-based grants for certain providers.

Stipulates that certain child care providers who have completed all of level 2 activities and are approved and waiting for a rating may continue to receive state subsidy pending the level 3 rating activity.

Removes the child care licensing requirement for certain relative child care providers.

Modifies the timeline to licensure for certain Family, Friend, and Neighbor child care providers.

Directs the DEL to reserve a certain number of contracted child care slots for child care programs that serve at least fifty percent of children receiving state subsidy and are located in low-income neighborhoods.

Directs the DEL to develop a pathway for family home providers to administer an early childhood education and assistance program.

Removes the requirement that programs must offer full workday early learning and care opportunities to be eligible for preschool program implementation during school years 2014-16.

Establishes that for school years 2014-16 eighty percent of the slots for preschool implementation are reserved for programs offering full workday programming.

Directs the DEL to complete a preschool program implementation report that is due annually from December 2014 through December 2018.

Specifies that the DEL oversees the Early Start account.

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