
Education Committee

HB 1550

Brief Description: Assisting eligible children in need of additional preparation to be successful in kindergarten by establishing the transition to kindergarten program.

Sponsors: Representatives Santos, Senn, Ortiz-Self, Berry, Goodman, Ramel, Simmons, Stonier, Bergquist, Pollet, Fosse and Doglio.

Brief Summary of Bill

- Establishes the transition to kindergarten program to provide no-charge assistance to eligible children in need of additional preparation to be successful kindergarten students in the following school year.
- Prohibits, as of August 31, 2024, operation of a transitional kindergarten program.
- Provides that, beginning with the 2024-25 school year, early entry to kindergarten is limited to children who are likely to be successful in kindergarten.

Hearing Date: 1/31/23

Staff: Megan Wargacki (786-7194).

Background:

Kindergarten. The state's statutory program of basic education must be provided to students who are age five and less than 21, which means that public schools must make a kindergarten program available to them. Except as otherwise provided by law, school districts may establish uniform entry qualifications for admission to kindergarten, for example by requiring a child to turn five years old as of August 31. The Office of the Superintendent of Public Instruction (OSPI) is permitted by state statute to adopt rules to provide for exceptions based upon the

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ability, or the need, or both, of an individual student. The rules of the OSPI require a screening process or instrument be used to determine a student's the ability or need.

To receive state basic education allocations for full-day kindergarten programs, school districts must meet specified conditions, for example: (1) provide at least 1,000 instructional hours over 180 school days; (2) provide a curriculum that assists students in developing academic, communication, motor, and social-emotional skills; (3) establish developmentally appropriate learning environments; and (4) communicate and collaborate with early learning providers.

Transitional Kindergarten.

The OSPI defines transitional kindergarten (TK) as a kindergarten program for children not yet age five who do not have access to high-quality early learning experiences prior to kindergarten and have been deemed, through a screening process or other instrument, to be in need of additional preparation to be successful in kindergarten the following year. There are school districts and charter schools offering TK programs.

In 2019 the OSPI first published guidance on TK. The legislature has not referenced or defined "transitional kindergarten" in statutes. There have been two operating budget provisos that referenced TK and both were vetoed: a study on TK was vetoed in the 2020 supplemental budget and a requirement for the SPI to limit state allocations for TK enrollments was vetoed in the 2022 supplemental budget. Agency rules for TK programs have not been adopted, but the OSPI filed a preproposal statement of inquiry for possible rulemaking on TK in December 2022.

According to the OSPI, TK is kindergarten, so TK programs must meet the requirements for full-day kindergarten. The OSPI recommends that TK teachers be certificated by the state with early childhood or early childhood special education endorsements. In addition, the OSPI recommends that TK programs give attention to the developmental capabilities and needs specific to young children in school settings.

State statute requires that kindergarten include 1,000 annual instructional hours over 180 school days; however, the OSPI permits TK programs to prorate instructional hours from the start date of the program, which may begin between the beginning of the school year, and January 31. The OSPI directs school districts to report TK students as kindergarten students, although there is no corresponding statute or budget proviso that authorizes or requires this reporting. Because TK students are reported as kindergarten students, they generate state basic education allocations, additional special education funding for students with qualifying disabilities, and possibly other state and federal funding.

The OSPI encourages TK programs to work in collaboration with and not adversely impact enrollment in community-based preschool programs, including by participating in coordinated outreach, referral, and placement to assure best fit and appropriateness of services based on each child and family's need.

Early Childhood Education and Assistance Program.

The Early Childhood Education and Assistance Program (ECEAP) is a state preschool program that provides no-charge services and supports to eligible three to five-year-old children who are not age-eligible for kindergarten. In general, eligibility criteria relate to family income and whether a child has qualifying disabilities. The ECEAP is slated to become an entitlement for eligible children in the 2026-27 school year. The Department of Children, Youth, and Families (DCYF) contracts with school districts, nonprofit organizations, and other entities for provision of ECEAP.

Providers of the ECEAP must follow performance standards developed by the DCYF on the following topics: child outcomes; family engagement and partnerships; professional development, training, and requirements; environment; interactions and curriculum; and program administration and oversight. There are different class time requirements depending on the type of ECEAP program: part day, school day, or working day.

Providers of the ECEAP must participate in Early Achievers, which is the state's quality rating/recognition and improvement system for child care and early learning providers receiving state subsidies. An ECEAP provider must rate at a level four or above in order to continue as a provider.

Summary of Bill:

Transitional Kindergarten.

Screening Report. By October 1, 2023, school districts and charter schools offering a transitional kindergarten (TK) program on July 23, 2023, must submit a report to the Office of the Superintendent of Public Instruction that describes the screening process or other instruments used to determine whether an individual child needs additional preparation to be successful in kindergarten the following school year.

Conversion of Existing TK programs. By August 31, 2024, school districts and charter schools must cease operation of TK programs and may no longer report TK students as kindergarten students for purposes of receiving basic education allocations.

The Superintendent of Public Instruction (SPI) and the Secretary of the Department of Children, Youth, and Families (Secretary) must jointly develop and implement a conversion plan to assist school districts that offer a TK program, as of July 23, 2023, to be authorized to provide a transition to kindergarten (TTK) program.

Kindergarten Eligibility.

Beginning with the 2024-25 school year, rules of the SPI providing for exceptions to the uniform entry qualifications for kindergarten must limit early kindergarten admission to children who are likely to be successful in kindergarten as demonstrated through the whole-child assessment of the Washington Kindergarten Inventory of Developing Skills.

Transition to Kindergarten Program.

The SPI and the Secretary must administer, in partnership, the TTK program to provide no-charge assistance to eligible children in need of additional preparation to be successful kindergarten students in the following school year. The TTK program is not part of the state's instructional program of basic education.

Program Authorization and Site Approval. Only a school district can apply for and be authorized to provide TTK at one or more of the district's schools.

To distribute prospective sites and slots across communities in an equitable and effective manner, the SPI must establish a process, in partnership with the Secretary, for approving an applicant's prospective program and program sites in coordination with the planned expansion of the Early Childhood Education and Assistance Program (ECEAP), as well as the process for approving the intended number of eligible children served by state funds at each prospective program site.

Authorized school districts must apply for reapproval at least every five years. The SPI must provide at least one year of notice if an authorized school district or approved program site will be discontinued or otherwise not provided with state funding.

Child Eligibility. Children who are eligible for the TTK program must:

1. turn five years old between September 1 of the year of admission to the program and the following June 30;
2. not have access to participate in a federal or state program providing high quality early learning services; and
3. either be: (a) on the waitlist for, but not scheduled for enrollment in, an ECEAP; or (b) have been individually determined through a screening process or other instruments to have a developmental delay or otherwise needs additional preparation to be successful in kindergarten in the following school year, have not participated in a formal early learning program, and be in a household with an income of up to 100 percent of the state median income, adjusted for household size.

Coordinated Recruitment and Enrollment. School districts authorized to provide a TTK program and early learning providers must work together to promote coordinated systems of comprehensive early childhood services.

A coordinated recruitment and enrollment plan must be used to prioritize: first, eligible children on the waitlist for, but not scheduled for enrollment in, an ECEAP site; and second, eligible children who have been individually determined through a screening process to have a developmental delay or otherwise need additional preparation to be successful in kindergarten in the following school year, are in a household with a qualifying income, but who have not participated in a formal early learning program.

Program Requirements and Quality Monitoring. An authorized school district has one year from application submission before it may begin operating a TTK program site, during which the

school district must prepare to meet the following program requirements:

- School districts authorized to provide a TTK program must participate in the Early Achievers program.
- School districts authorized to provide a TTK program are subject to child care licensing standards.
- TTK program sites must use developmentally appropriate curricula.
- Each classroom in a TTK program must be staffed with a teacher who holds a valid Washington teacher certificate with either an early childhood education endorsement or an early childhood special education endorsement.

The Secretary, in collaboration with the SPI, must monitor the quality of TTK program sites and provide technical assistance to support program improvements.

Funding. By each December 1, the SPI must report to the Legislature with the number of eligible children served by authorized school districts in the current school year and the estimated number of eligible children intended to be served in the following school year.

Subject to available funding, the SPI must authorize and allocate state funding to school districts to provide a TTK program at approved program sites. For the 2024-25 school year, allocations must be prioritized to authorized school districts that offered a TK program, as of July 23, 2023.

Allocations for TTK programs are limited to an amount per enrolled eligible child that is no more than the amount per child provided to ECEAP providers providing the equivalent number of instructional hours.

Data. Beginning September 1, 2024, the Education Research and Data Center must collect longitudinal, student-level data on all children attending a TTK program.

Rules. The SPI must adopt rules for the authorization of, the administration of, and allocation of state funding for the TTK program. The Secretary must adopt rules for the administration of, the quality of, and standards for the TTK program. These rules may not be adopted until the SPI and the Secretary have developed and commenced implementation of the TK to TTK conversion plan.

Appropriation: None.

Fiscal Note: Requested on January 25, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.