

HOUSE BILL REPORT

2SHB 1550

As Amended by the Senate

Title: An act relating to assisting eligible children in need of additional preparation to be successful in kindergarten by replacing transitional kindergarten with a legislatively established and authorized transition to kindergarten program.

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

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Santos, Senn, Ortiz-Self, Berry, Goodman, Ramel, Simmons, Stonier, Bergquist, Pollet, Fosse and Doglio).

Brief History:

Committee Activity:

Education: 1/31/23, 2/14/23 [DPS];

Appropriations: 2/21/23, 2/24/23 [DP2S(w/o sub ED)].

Floor Activity:

Passed House: 3/6/23, 74-22.

Senate Amended.

Passed Senate: 4/12/23, 39-10.

House Refused to Concur.

Senate Receded.

Senate Amended.

Passed Senate: 4/23/23, 30-19.

Brief Summary of Second Substitute Bill

- Establishes the Transition to Kindergarten Program with associated duties for the Office of the Superintendent of Public Instruction and the Department of Children, Youth, and Families.
- Prohibits, as of August 31, 2024, operation of programs referred to as Transitional Kindergarten.

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

- 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.
- Requires the implementation of a data system across all state-funded early learning, elementary, and secondary education programs.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Bergquist, Callan, Eslick, McClintock, Ortiz-Self, Pollet, Sandlin, Steele, Stonier and Timmons.

Minority Report: Without recommendation. Signed by 2 members: Representatives McEntire, Assistant Ranking Minority Member; Harris.

Staff: Megan Wargacki (786-7194).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 26 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; Berg, Chandler, Chopp, Connors, Davis, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Senn, Simmons, Slatter, Springer, Steele, Stonier and Tharinger.

Minority Report: Do not pass. Signed by 2 members: Representatives Dye and Schmick.

Minority Report: Without recommendation. Signed by 2 members: Representatives Couture and Sandlin.

Staff: Jordan Clarke (786-7123).

Background:

Kindergarten.

The state's statutory instructional program of basic education must be provided to students who are age 5 and less than 21. All school districts must make a full-day kindergarten program available to children who are residents of the district. 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 5 years old as of August 31. The Office of the Superintendent of Public Instruction (OSPI) is permitted by statute to adopt rules to provide for exceptions based upon the 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 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.

Some school districts and charter schools have elected to offer programs referred to as Transitional Kindergarten (TK). The OSPI website states that TK is a kindergarten program for children not yet age 5 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 need additional preparation to be successful in kindergarten the following year.

The OSPI first published guidance on TK in 2019. The Legislature has not adopted, referenced, or defined "transitional kindergarten" in any 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 OSPI to limit state allocations for TK enrollments was vetoed in the 2022 Supplemental Budget. Agency rules for TK programs have not been adopted, but in December 2022 the OSPI filed a preproposal statement of inquiry for possible rulemaking on TK.

According to the OSPI, TK is kindergarten, so TK programs must meet the requirements for 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.

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 that include transportation funding, additional transitional

bilingual instructional program funding for English-learner students, and other state and federal funding.

The OSPI encourages TK program administrators 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 3- to 5-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; staff professional development, training, and other requirements; classroom environment; interactions and curriculum; and program administration and oversight. Class time requirements vary 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 be rated at a level four or above within a specified timeline to continue as a provider.

Summary of Second Substitute Bill:

Transitional Kindergarten.

Screening Report. By October 1, 2023, school districts and charter schools that offered a program referred to as Transitional Kindergarten (TK) during the 2022-23 school year must submit a report to the Office of the Superintendent of Public Instruction (OSPI) describing the screening process or other instruments used to determine children's eligibility for the TK Program.

Conversion of Existing Transitional Kindergarten Programs. By December 31, 2023, the OSPI must adopt and begin implementing a conversion plan to assist school districts that offered a program referred to as TK during the 2022-23 school year to be authorized, as describe below, to begin offering a Transition to Kindergarten (TTK) Program no later than September 1, 2024. The conversion plan must include a process for coordinating approval of future sites and slots for the TTK Program and the Early Childhood Education and Assistance Program (ECEAP). The goal of the process is to distribute future sites and slots

across communities in an equitable and effective manner.

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

Kindergarten Eligibility.

Beginning with the 2024-25 school year, the OSPI rules providing for exceptions to the uniform entry qualifications for kindergarten must limit early kindergarten admission to children deemed by the local Educational Service District, using multiple objective criteria, to be "likely to be successful in kindergarten."

Transition to Kindergarten Program.

The TTK Program is established to assist eligible children in need of additional preparation to be successful kindergarten students in the following school year. The OSPI must administer the TTK Program. The TTK Program is not part of the state's instructional program of basic education.

Authorizations and Approvals. The OSPI may authorize school districts to offer a TTK Program, approve TTK Program sites at one or more of an authorized school district's schools, and cap eligible child enrollment for each authorized school district.

The OSPI must authorize any school district offering a program referred to as TK during the 2023-24 school year that is converting to a TTK program under a conversion plan adopted by the OSPI, provided the school district meets the operations requirements described below by September 1, 2024, or earlier of required by the OSPI.

By December 31, 2023, the OSPI must develop and begin implementing a process for school districts to apply to operate or expand a TTK Program. The application must specify the number of program sites the school district is applying for and the intended number of eligible children to be enrolled at each site. It must describe the screening process or other instruments that the school district will use to individually determine whether an eligible child has a developmental delay or otherwise needs additional preparation to be successful in kindergarten in the following school year. Eligible children who are on the waitlist for Early Childhood Education and Assistance Program (ECEAP) sites are not required to be screened. In addition, the application must outline the school district's plan for coordinated recruitment and enrollment with other early learning program providers, including its proposed memoranda of understanding.

In order to distribute high quality early learning programs across communities in an equitable and effective manner, the OSPI must coordinate the following activities with the Department of Children, Youth, and Families (DCYF): authorization of school districts to offer a TTK Program; approval of TTK Program sites at one or more of an authorized school district's schools; and capping eligible child enrollment. In addition, the OSPI must

limit the number of authorized school districts, approved program sites, and enrolled eligible children as required by the omnibus appropriations act.

Child Eligibility. Children are eligible for the TTK Program if they:

1. turn 5 years old between September 1 of the year of admission to the TTK Program and the following August 31;
2. do not have access to enroll in a federal or state program providing high quality early learning services;
3. do not have access to, or have been referred by, a licensed early learning program provider; and
4. are either: (a) on the waitlist for, but not scheduled for enrollment in, an ECEAP; or (b) 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.

Operations. Authorized school districts operating a TTK Program must meet the following operations requirements.

Except for school districts offering a program referred to as TK during the 2023-24 school year that are converting to a TTK Program under a conversion plan adopted by the OSPI, authorized school districts must engage in a planning year before operating a TTK Program site, during which it must prepare for compliance with applicable OSPI rules.

Authorized school districts may not charge tuition or other fees to state-funded eligible children for enrollment in a TTK Program.

Authorized school districts must work in collaboration with early learning partners to promote coordinated systems of comprehensive early childhood services. Authorized school districts must avoid adversely impacting enrollment in other high quality early learning programs by using a coordinated recruitment and enrollment plan to prioritize enrollment in the program in the following order:

1. eligible children on the waitlist for, but not scheduled for enrollment in, an ECEAP site; then
2. eligible children who have been individually determined through a screening process or other instruments to have a developmental delay or otherwise need additional preparation to be successful in kindergarten in the following school year, with priority to the eldest children and the children with the lowest household incomes.

Nothing prohibits authorized school districts from blending or co-locating early learning programs, such as the TTK Program, ECEAP, Head Start, or private pay programs.

Authorized school districts must: enroll in the Early Achievers program within 30 days of being authorized by the OSPI to offer a TTK Program; complete Level 2 Early Achiever activities within 12 months of enrollment; and be rated or request to be rated at a Level 3 or

higher in the Early Achievers program within 30 months of enrollment. Additional requirements related to a remedial period, loss of eligibility, and continued receipt of funding pending review are provided.

Authorized school districts must require that TTK Program sites use developmentally appropriate curricula and implement the following elements in alignment with ECEAP performance standards: classroom environment, pedagogical approach, and safety measures.

Each TTK Program classroom must be staffed with a teacher who holds a valid Washington teacher certificate and who either: holds an early childhood education endorsement or an early childhood special education endorsement; or holds an elementary education endorsement and, within five years of initial assignment to the program, completes at least 24 college credits, or 60 clock hours, related to the state early childhood education core competencies established by the DCYF.

Funding. By each December 1, the OSPI must report to the Legislature with the number of state-funded eligible children enrolled in TTK Programs operated by authorized school districts in the current school year and the estimated number of eligible children that authorized school districts intend to enroll in the following school year.

The OSPI must distribute to authorized school districts an amount per eligible child enrolled in a TTK Program that is equivalent to the amount per child enrolled in a school day class of an ECEAP, divided by 1.091, and multiplied by the school district's regionalization factor identified in the omnibus appropriations act, excluding the experience factor. The OSPI must prorate the amount per eligible child to account for enrollment in a TTK Program that is less than a full school day or a full school year.

Reapprovals and Reauthorizations. The OSPI must establish processes to reapprove TTK Program sites and reauthorize school districts periodically and, at a minimum, as required in the omnibus appropriations act. If an authorized school district or approved TTK Program site will be discontinued or otherwise not provided with state funding, the OSPI must provide the authorized school district with at least one year of notice. For an authorized school district required to complete remedial activities to continue enrollment in the Early Achievers program, the initiation of the remedial period serves as the one year of notice.

Resources. The OSPI must collaborate with the DCYF to develop, and make publicly available, a model memorandum of understanding between authorized school districts and other early learning program providers. The model language must include a process for resolving concerns between early learning program providers, including school districts.

Data. Beginning September 1, 2024, the Education Research and Data Center must collect longitudinal, student-level data on all children enrolled in 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. Where applicable, the OSPI must collaborate with the DCYF in the development of the rules. These rules may not be adopted until the SPI and the Secretary of the DCYF have developed and commenced implementation of the TK to TTK conversion plan.

Duties of the Department of Children, Youth, and Families.

The DCYF must:

1. partner with the OSPI to coordinate distribution of high quality early learning programs across communities;
2. identify developmentally appropriate curricula for use in TTK Programs and publish the list on the DCYF website;
3. direct early learning providers to work in collaboration with school districts authorized to offer a TTK Program to promote coordinated systems of comprehensive early childhood services; and
4. make administrative changes to better align ECEAP implementation with school district offered state-funded early learning programs serving 3- through 5-year-old children, and submit a report to the Legislature by July 1, 2024.

Data System.

The DCYF must implement, in partnership with the OSPI, a data system that uses a single student identifier across all state-funded early learning, elementary, and secondary education programs. The state-funded early learning programs must be required to collect and submit to the data system race and ethnicity data that includes subracial and subethnic categories as specified.

EFFECT OF SENATE AMENDMENT(S):

As compared to the underlying bill, the Senate amendment does not include uncodified Legislative findings and intent language, but states that the intent of the Legislature is to continue and rename Transitional Kindergarten (TK) as the Transition to Kindergarten (TTK) Program and that the program be established in statute with the goal of assisting children in need of additional preparation to be successful kindergarten students in the following school year. The Senate amendment maintains the underlying bill's assertion that the TTK Program is not part of the state's statutory program of basic education. Both versions designate the Office of the Superintendent of Public Instruction (OSPI) as the administrator of the TTK Program.

As compared to the underlying bill, the Senate amendment does not include language directing, by August 31, 2024, school districts and charter schools to cease operation of TK Programs and to no longer report TK students as kindergarten students for the purposes of receiving basic education allocations.

As compared to the underlying bill, the Senate amendment does not direct the OSPI to: (1)

establish processes for authorization and reauthorization of school districts to offer TTK Programs; (2) implement a conversion plan to assist school districts (but not charter schools) that offered a TK Program during the 2022-23 school year to be authorized to offer a TTK Program no later than September 1, 2024; (3) require school districts not yet offering a TK Program to apply to operate a TTK Program; or (4) establish a process to approve and reapprove TTK Program sites. Instead, the Senate amendment specifies that initial rules of the OSPI, which include expectations for school districts and charter schools transitioning existing TK Programs to the new TTK Program requirements, must be adopted in time for the 2023-24 school year and that permanent rules must be adopted by the beginning of the 2024-25 school year.

The Senate amendment permits charter schools authorized by a school district to immediately operate a TTK Program and permits charter schools authorized by the Charter School Commission to operate a TTK Program beginning with the 2025-26 school year.

As compared to the underlying bill, the Senate amendment does not limit the number of approved TTK Program sites, nor enrolled eligible children, as required in the omnibus appropriations act.

The Senate amendment removes language in the underlying bill that requires the OSPI to coordinate with the Department of Children, Youth, and Families (DCYF) to authorize TTK Programs, distribute TTK Program sites and other high quality early learning program sites across communities, and cap eligible child enrollment, in consideration of specified early learning programs and future expansions. The Senate amendment instead directs the OSPI, in collaboration with the DCYF, to develop statewide coordinated eligibility, recruitment, enrollment, and selection best practices and provide technical assistance to those implementing a TTK Program to support connections with local early learning providers. The Senate amendment directs school districts, charter schools, and state-tribal education compact schools to consider these best practices when adopting TTK Program policies.

The Senate amendment requires that, before beginning or expanding a TTK Program, a local childcare and early learning needs assessment must be conducted that considers the existing availability and affordability of early learning providers using data available through the regionalized data dashboard maintained by the DCYF or any other appropriate sources. As compared to the underlying bill, the Senate amendment does not direct TTK Programs to avoid adversely impacting enrollment in other high quality early learning programs by using a coordinated recruitment and enrolment plan to prioritize children for enrolment as specified. The Senate amendment also does not require that the OSPI collaborate with the DCYF to develop and publish a model memorandum of understanding between TTK Programs and other early learning program providers.

As compared to the underlying bill, the Senate amendment expands child eligibility requirements for the TTK Program by specifying that eligible children are those who have been determined to benefit from additional preparation for kindergarten and who are at least

4 years old by August 31 of the school year they enroll in the TTK Program. The Senate amendment requires TTK Programs, as practicable, to prioritize families with the lowest incomes and children most in need for additional preparation to be successful in kindergarten when enrolling children. The Senate amendment also specifies that access to the TTK Program does not constitute an individual entitlement for any particular child.

The Senate amendment modifies the TTK Program funding provisions by requiring funding for the TTK Program to be calculated using the actual number of annual average full-time equivalent eligible children enrolled in the program and based on the following portions of the prototypical school funding model: class size; staff types; district-wide support services; materials, supplies, and operating costs; the Learning Assistance Program; and the Transitional Bilingual Instruction Program. The Senate amendment provides that a TTK child must be counted as a kindergarten student for purposes of the model's funding calculations, but be reported separately. The Senate amendment also requires that funding for the TTK Program be based on the transportation distribution formula for public elementary and secondary schools, calculated using reported ridership for eligible children enrolled in the TTK Program. In addition, the Senate amendment specifies that funding provided for the TTK Program is not part of the state's statutory program of basic education and must be expended only for the support of operating a TTK Program. As compared to the underlying bill, the Senate amendment does not contain a null and void clause.

The Senate amendment adds a direction to the Caseload Forecast Council to forecast eligible children participating in the TTK Program. The Senate amendment also removes the requirement that the Education Research and Data Center collect longitudinal, student-level data on children attending a TTK Program. As compared to the underlying bill, the Senate amendment requires children enrolled in the TTK Program to be assigned a statewide student identifier and that the TTK Program be considered a separate class or course for purposes of data reporting requirements, rather than requiring the DCYF to partner with the OSPI to implement a data system that uses a single student identifier across all state-funded early learning, elementary, and secondary education programs.

The Senate amendment requires TTK Programs to adhere to OSPI-developed guidelines related to best practices for site readiness of facilities, developmentally appropriate curricula that might maintain a high quality program, and professional development opportunities. The Senate amendment removes the requirement that TTK Programs participate in the Early Achievers Program and instead directs the OSPI to conduct site visits of TTK Programs and to provide feedback on the elements specified in the guidelines. The Senate amendment removes the requirement that TTK Programs use developmentally appropriate curricula and that the DCYF identify and publish developmentally appropriate curricula for use in TTK Programs. As compared to the underlying bill, the Senate amendment does not require that TTK Programs implement the following elements in alignment with ECEAP performance standards: classroom environment; pedagogical approach; and safety measures. Both versions direct the DCYF to make administrative changes to better align ECEAP implementation with state-funded early learning programs serving 3 through 5-year-old

children and report to the Legislature by July 1, 2024.

The Senate amendment adds a requirement that the Washington Kindergarten Inventory of Developing Skills be administered to children enrolled in the TTK Program at the beginning of the child's enrolment in the program and at least once more during the school year, unless a parent or guardian has excused a child from participation. Both versions: (1) permit blending or collocating a TTK Program with other early learning programs; (2) prohibit charging tuition or other fees to state-funded eligible children for enrollment in a TTK Program; and (3) prohibit TTK Programs from establishing a policy of excluding an eligible child due only to the presence of a disability. As compared to the underlying bill, the Senate amendment does not specify the experience or education requirements for TTK Program classroom teachers.

As compared to the underlying bill, the Senate amendment removes language stating that, beginning with the 2024-25 school year, rules of the OSPI providing for exceptions to the uniform entry qualifications for kindergarten must limit early kindergarten admission to children deemed by the local educational service district, using multiple objective criteria, to be "likely to be successful in kindergarten," and instead specifies that exceptions to uniform entry qualifications must be individualized. The Senate amendment also adds that school districts, public schools, and the Superintendent of Public Instruction are not authorized to create state-funded programs based on entry qualification exceptions except as otherwise expressly provided by law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony (Education):

(In support) This bill will legislatively establish a program for 4-year-old children who would benefit from additional preparation but who are unable to access it. The state has committed to child-focused, developmentally appropriate, state-funded preschool through the Early Childhood Education and Assistance Program (ECEAP). It is intentional that ECEAP supports not only the whole child, but the whole family. This active partnership is essential to the success and wellbeing of every child. This age and developmentally appropriate approach should be implemented by all early learning providers.

The Transition to Kindergarten (TTK) Program acknowledges that many learners will not be ready because the state has not adequately funded universal early learning. It is fortunate that some school districts have stepped in to fill the void by operating Transitional Kindergarten (TK) Programs, but not all districts are offering a developmentally appropriate

preschool program. This bill asserts the state's role is to legislatively enact a new program and correct a misinterpretation of the executive agency. This bill should be considered a first step to creating a solid, coordinated bridge between early learning and the elementary and secondary system.

The state has a mixed-delivery, early learning system that should meet kids where they are. This bill is a thoughtful approach to expanding preschool, which is needed. Both the TK Program and the TTK Program can be one part of a mixed-delivery system of early learning. The state should avoid impacting childcare providers who serve children ages 0 to 3 years old.

Preschool is a key developmental stage and so the curriculum in the program should be play-based. The children in TK Programs are developmentally in early learning and are identified for the program because they are not ready for kindergarten. Some TK classrooms look just like ECEAP, while other classrooms look like kindergarten with a teacher who has no early childhood experience. The TTK Program is required to use developmentally appropriate standards that will help ensure that children who are under age 5 are ready for kindergarten.

Licensed community childcare providers have had families withdraw their children to enroll them in a TK Program, not due to dissatisfaction with the childcare provider or because the children have a developmental delay, but because the TK Program is free and offers transportation. An issue with the TK Program is that it has a high ratio of children to adults, does not provide a nap time, and the young children are transported with high school students.

The TK Program is implemented unevenly across the state. Some families have been told that if they want their child to have an individualized education program, the child will have to be withdrawn from childcare. Early learning programs should increase teacher pay and have fewer administrative burdens.

The ECEAP, the TK Program, and the TTK Program have different child eligibility schemes. Some school districts do not have enough space to offer an ECEAP and a TK Program. Under this bill, the TTK Programs must have a child screening process, and coordinate with other early learning providers. Not all school districts are early learning experts, and this bill puts in place a framework for supporting school districts.

All the early learning providers need to work together on appropriate placement of children. When there is no coordination, families in poverty miss out on services by going to a TK Program instead of an ECEAP. The TK Program should not be terminated, it just needs to be right. This bill does what is right for kids and does what is right for the early learning community. This bill addresses the inconsistencies in the TK Program.

(Opposed) Improving early childhood education access is important. When all early

learning programs are well staffed, children are placed where they are best served. In high-poverty, rural school districts, a third of students screened are determined not to be ready for kindergarten and do not have access to preschool programs. School districts should partner with other early learning programs to ensure that children are placed in a preschool program that best meets their needs: first in a Head Start program or ECEAP, then in a TK Program, then with private providers. The ECEAP and Head Start have had staffing issues due to low teacher salaries. Some elements in the bill are a step backwards. School districts are filling a critical need in the early learning system.

School districts understand the developmental needs of early learners. Many communities have a lack of reliable public transportation. The TTK Program would be more limited and less likely to serve children, and would erect more barriers for families served. Eliminating the TK Program would do a disservice to the children.

Many school districts are concerned that the TK Program will be replaced with a TTK Program that is not automatically funded by the state and will not include transportation funding. A grant program to fund the TTK Program may not fit under the current cost structures of the system. The funding for the TTK Program should be equivalent to the funding for elementary and secondary education, including funding for materials, supplies, and operating costs, as well as increases for inflation. If the current funding structure is not maintained, then some school districts will not be able to offer a TTK Program.

It is imperative that educational options are provided to the earliest learners. Certificated teachers are used in the TK Program. Given the shortage of teachers with early childhood education, the bill should create a longer implementation on-ramp that authorizes teachers with elementary education endorsements to complete early childhood education within five years.

Children who move into kindergarten from a TK Program are ready for kindergarten and might even be able to skip kindergarten. The community must give children the best opportunity they can to be successful. The TK Program is successful and helps children. The TK Program is basic education right. An analysis of the TK Program is being conducted by the Washington Institute for Public Policy, with a report due in December 2023.

(Other) There needs to be collaboration to provide universal access to preschool students in need. Expanding access to high quality early learning needs to be done through multiple strategies, including: home care, partnerships with community-based preschools, state funded preschools, and federally funded preschools. Students who do not qualify for ECEAP and Head Start or community programs can be served in a TK Program. While it is good to increase the quality of the TK Programs, if the bill passes as is there will be a reduction in access to early learning services.

The TK Program has a place in a mixed-delivery system. The TK Program helps to fill the

void and it may be the only option for some families. The TK Program needs to be operated in a thoughtful manner, rather than mirroring a kindergarten class. The Educational Service Districts can provide expertise in navigation of programs as the TK Program grows. The funding for the TK Program should remain within the prototypical school funding model.

School districts should be exempt from childcare licensing requirements. The TTK Program must be staffed with certificated teachers but should not be limited to teachers with a rare certification. It is not reasonable to use the Washington Kindergarten Inventory of Developing Skills (WA KIDS) as a screener for early entry to kindergarten because it takes several weeks to complete. Braided funding, inclusive practices, and high-quality teaching staff will support appropriate preschool learning environments for all students.

Washington needs to allow families to choose the early learning programs that meet their child's needs. Funneling children into TTK Programs limits options for families and has unintended consequences. The state needs to take care to not destabilize community providers. The TTK program must collaborate with other early learning providers to ensure that students are not eligible for other programs. The TTK Program is play-based and serves children's needs. The TTK Program works because those who were in TK had better readiness in five out of six domains of WA KIDS.

The TK program is popular because it is at the local school, so the students can access teachers that understand elementary and early childhood education. The students in TK programs have access to transitional bilingual instruction, special education, and other supports in the schools. The TK Program should not replace or compete with ECEAP. Until the state can cover costs for all students to attend an ECEAP, the TTK Program should serve those who do not qualify for ECEAP or Head Start. The state should support programs that work and have a goal of expanding early learning programs.

Staff Summary of Public Testimony (Appropriations):

(In support) The Transitional Kindergarten (TK) Program is not uniform across the state and the impacts vary. The TK Programs are successful, but they need to be expanded. Implementation statewide is uneven. Different school districts have different eligibility requirements and quality levels. Not enough planning and communication is involved. Some families have been told that if they want their child to have an individualized education program, the child will have to be withdrawn from childcare. This bill establishes standards.

Early learning providers in our mixed-delivery system have had high-quality programs for much longer with more regulation and quantifiable success. The TK Programs are causing further issues for child care providers who are already providing high-quality programs. The state will lose more childcare providers if this bill is passed.

(Opposed) The TK Program is working for kids, parents, and communities. This bill will do more harm than good. The Legislature created statute that has been recodified multiple times for creating uniform kindergarten experiences, exceptions for ability, and exceptions for need. The state assesses students on six domains and TK Program students are outperforming their peers on all six domains when entering kindergarten. This bill will eliminate access to TK Programs for thousands of students across the state. Each year about 80,000 kids enter kindergarten in the public school system and only half are ready for kindergarten. Middle- and lower-income families are ready for kindergarten at lower rates than those from more privileged backgrounds. Race and ethnicity also plays a role. High-quality prekindergarten is the state's best tool for addressing these challenges. School districts are vital partners in the Early Childhood Education and Assistance Program (ECEAP) and will continue to partner within a mixed-delivery, early learning system alongside community partners. State agencies are committed to work on rules and standards so that school districts and community-based programs can run quality, aligned, and integrated classrooms by leveraging multiple funding streams.

Kindergarten through twelfth enrollment reductions of 35,000 students per year for the next six years will provide at minimum state savings of \$2.1 billion. This bill is not the place to find savings for two to three thousand enrollments given the success of the TK Program and savings on future resources. The bill's funding mechanism would be difficult for schools to implement and will reduce access to high-quality early learning programs that prepare children for a strong start in school. Many private and early learning programs partner with school districts to braid funding and share facilities and the state should build on those successes. School districts can help communities reach economies of scale to serve children. School districts can also offer bilingual and other wrap-around services that are too costly for smaller providers. Only a small fraction of students in the state can access early learning. This is not a time to place limits. The state needs to continue to fund ECEAP and make progress. It is preferred to not replace a well-functioning system with a new program that might be funded with state grant dollars without funding for transportation or allow certificated teachers to provide instruction.

The 2020 Legislature directed the Washington State Institute for Public Policy to do a needed analysis on the state's TK Programs.

(Other) There are major concerns with the bill as written. The current bill misses the mark on a few critical factors. First, the bill leaves out students who require transitional bilingual supplementary instruction and those with disabilities. Second, the bill delinks the programming from basic education which removes critical transportation funding. Transportation is critical for families. Without transportation parents will have to transport their children, further limiting access to these programs. Additionally, the bill does not allow private providers to refer students to TK Programs.

Do not undermine the success the TK Program has been. The ECEAP and TK Programs help with a staggering lack of early learning availability. There are many areas in the state

that are preschool deserts. This bill would gut and eliminate strong programs. Bar none, each school district with students entering kindergarten after a TK Program are better prepared and have better educational outcomes. Many children and families are at risk of being unserved.

The funding allocation needs to include all of RCW 28A.152.60 and be based on district versus statewide allocations given the different cost structures across the state. Clock hours should be added as an option in addition to the credits. Section five of the bill states that educational service districts should have an eligibility role for TK Programs, but this should stay within the school districts.

Persons Testifying (Education): (In support) Representative Sharon Tomiko Santos, prime sponsor; Katy Warren, Washington State Association of Head Start and The Early Childhood Education and Assistance Program; Angelia Hicks-Maxie; Kimberly Burrows, Upriver Discovery School; Mamie Barboza, Enterprise for Progress in the Community; and Representative Tana Senn.

(Opposed) Jim Kowalkowski, Rural Education Center; Krestin Bahr, Peninsula School District; Ingrid Colvard, Stevenson-Carson School District; Dana Rosenbach, North Mason School District; Nasue Nishida, Washington Education Association; Gerald Grubbs, Starbuck School District; and Wayne Barrett, Concrete School District.

(Other) Colleen Frerks, Quincy School District; Wade Smith, Walla Walla Public Schools; Melissa Gombosky, Association of Educational Service Districts; Karin Thompson, Spokane Schools; Peter Finch, West Valley School District #208; and Hilary Prentice, Pacific Northwest Montessori Association.

Persons Testifying (Appropriations): (In support) Katy Warren, Washington State Association of Head Start and Early Childhood Education and Assistance Program; and Colleen Condon, Washington Childcare Center Association.

(Opposed) Jim Kowalkowski, Rural Education Center; Maddy Thompson, Governor's Office; Ross Hunter, Department of Children, Youth, and Families; and Chris Reykdal, Office of Superintendent of Public Instruction.

(Other) Wade Smith, Walla Walla Public Schools; Nikolas Bergman, Quincy School District; Kimberly Headrick, Medical Lake School District; Julie Salvi, Washington Education Association; and Charlie Brown, Pierce County Superintendents.

Persons Signed In To Testify But Not Testifying (Education): Susan Brown; Karen Matson, Snohomish County Human Services Department; Margot Grant Gould, KinderCare; Lisa Reaugh and David Olson, Peninsula School District; Jayme Croff; Jan Westling; Kathy Emerick, Highline Public Schools; James Everett, Meridian School District; Christopher Granger, Blaine School District; Tabatha Mires, Waterville School District; Kyle Ehliis, North Mason School District; Tracey Beckendorf-Edou, Cascade

School District; Anne Arnold, Everett Public Schools; Erin Prince, Central Kitsap School District; Margaret Evans, Rochester School District; Wyeth Jessee, Shelton School District; Kelly Coughlan, North Thurston Public Schools; Melissa Spencer, Federal Way Public Schools; April Shiosaki, Blossoming Hill Montessori; Kevin Knight; Sara Hausken and Nikolas Bergman, Quincy School District; Kevin Knight, Colville School District; Jerry Pugh, Colfax School District; and Ian McMichael.

Persons Signed In To Testify But Not Testifying (Appropriations): None.