

SENATE BILL REPORT

2SHB 1550

As of March 22, 2023

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

Committee Activity: Early Learning & K-12 Education: 3/22/23.

Brief Summary of Bill

- States that the Legislature intends to continue and rename Transitional Kindergarten as the Transition to Kindergarten program, and that this program is not part of the state's program of basic education under Article IX of the State Constitution.
- Directs the Office of the Superintendent of Public Instruction to adopt rules for the administration and the allocation of state funding for this program and specifies minimum requirements for these rules.
- Provides a funding formula for the program using certain portions of the prototypical school funding model and requires certain data to be reported.
- States that the individual exceptions for admission to kindergarten and first grade programs may not be used as a basis for developing a new basic education program.

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.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

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Background: Basic Education. Basic education is a program defined and funded by the Legislature, intended to meet the state's paramount duty under Article IX of the State Constitution, and delivered by public schools. State law provides certain minimum components for the state's instructional program of basic education for kindergarten through 12th grade. For example, the program must consist of a minimum of 180 school days and 1000 instructional hours for kindergarten programs.

Funding for the state's program of basic education is based on the prototypical school funding allocation model. The stated intent of this model is to provide a state allocation to support school districts that offer the minimum instructional program of basic education in a school of a particular size with particular grade levels. The model uses commonly understood terms and inputs such as class size, hours of instruction, various categories of school staff, materials, supplies, and operating costs, and categorical programs. The Legislature adjusts the actual funding allocations based on the number of annual average full-time equivalent students in each grade level at each school.

Admission Policy. It is the general policy of the state that the common schools be open to the admission of all persons who are 5 years of age and less than 21. Except as provided in state law or the Office of the Superintendent of Public Instruction (OSPI) rules, districts may establish uniform entry qualifications, including but not limited to, birthdate requirements for admission to kindergarten and first grade programs. Such rules may provide exceptions based upon the ability, or the need, or both, of an individual student.

OSPI rule requires a child to be 5 years old as of midnight August 31st of the year of entry to be entitled to enter kindergarten unless an individual exception is made. School districts must provide for a screening process, instrument, or both, to measure the ability or the need, or both, of an individual student to succeed in earlier entry.

Washington Kindergarten Inventory of Developing Skills. To the extent funds are available, beginning in the 2012-13 school year, the Washington Kindergarten Inventory of Developing Skills (WaKIDS) must be administered at the beginning of the school year to all students enrolled in state-funded full-day kindergarten programs. According to OSPI's website, WaKIDS is a whole-child assessment that allows teachers to observe children while they are engaged in everyday activities and assess their skills, knowledge, and abilities.

Transitional Kindergarten. According to OSPI's website, transitional kindergarten is a kindergarten program for children age 5 who have missed the cutoff for kindergarten or are turning 5 before the following school year and who do not have access to high-quality early learning experiences prior to kindergarten. Additionally, they have been deemed by a

school district through a screening process or other instrument to be in need of additional preparation to be successful in kindergarten the following year.

The Legislature has not adopted, referenced, or defined transitional kindergarten in any state law. There have been two operating budget provisos that have referenced transitional kindergarten, which were both vetoed. A 2020 proviso directed a study on transitional kindergarten and a 2022 proviso limited state allocations for these programs.

Department of Children, Youth, and Families Duties. The Department of Children, Youth, and Families (DCYF) implements state early learning policy and coordinates, consolidates, and integrates child care and early learning programs to administer programs and funding as efficiently as possible. Among other duties, DCYF licenses child care providers and administers the Early Childhood Education and Assistance Program (ECEAP), which is a state-funded voluntary preschool program serving children ages 3 and 4.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Striking Amendment): Transition to Kindergarten Program. The stated intent is to continue and rename Transitional Kindergarten as the Transition to Kindergarten program (program) and that the program be established in statute with the goal of assisting eligible children in need of additional preparation to be successful kindergarten students in the following school year.

This program is not part of the state's program of basic education under Article IX of the state Constitution.

Office of the Superintendent of Public Instruction Rules. OSPI must administer the program and must adopt rules for the administration of and allocation of state funding for the program. OSPI rules must include, at a minimum, the following requirements for the program:

- a limitation on program enrollment to eligible children, which are children who have been determined to benefit from additional preparation for kindergarten and are at least 4 years old by August 31st of the year they enroll in the program;
- a requirement that WaKIDS be administered to all children enrolled in the program at the beginning of their enrollment and at least one more time during the school year unless parents or guardians excuse their child from participation;
- a requirement that all eligible children be assigned a statewide student identifier and be considered a separate class or course for the purpose of data reporting;
- a requirement that school districts conduct a local child care and early learning needs assessment before beginning or expanding a program that considers existing availability and affordability of ECEAP programs, Head Start programs, and licensed child care centers and family home providers in the region and may use data available through DCYF;
- a process for DCYF to conduct site visits of a school district offering the program and

- provide feedback related to best practices, developmentally appropriate curricula, and professional development opportunities;
- a prohibition of school districts from charging tuition or other fees for this program; and
 - a prohibition of school districts from establishing a policy of excluding an eligible child due only to the presence of a disability.

Funding. Funding for the program is based on the school district's reported full-time equivalent headcount of eligible children in the program and calculated under certain portions of the prototypical school funding model including:

- class size;
- staff types;
- district-wide support services;
- materials, supplies, and operating costs;
- the learning assistance program;
- the transitional bilingual instruction program; and
- transportation.

A transition to kindergarten child must be counted as a kindergarten student for the purposes of the funding calculations but must be reported separately. This funding is not part of the program of basic education and must be expended only for the support of operating a transition to kindergarten program.

Data. By December 1st of each odd-numbered year, OSPI must make data available to the Legislature that includes the number of state-funded eligible children enrolled in a transition to kindergarten program in the current school year.

Admission Policy. Rules providing exceptions for earlier admission to kindergarten and first grade programs based upon the ability, or the need, or both, of an individual student may not be used as a basis for developing a new basic education program.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.