
SUBSTITUTE HOUSE BILL 1550

State of Washington

68th Legislature

2023 Regular Session

By House Education (originally sponsored by Representatives Santos, Senn, Ortiz-Self, Berry, Goodman, Ramel, Simmons, Stonier, Bergquist, Pollet, Fosse, and Doglio)

READ FIRST TIME 02/17/23.

1 AN ACT Relating to assisting eligible children in need of
2 additional preparation to be successful in kindergarten by replacing
3 transitional kindergarten with a legislatively established and
4 authorized transition to kindergarten program; amending RCW
5 28A.225.160, 43.216.085, and 43.216.655; adding new sections to
6 chapter 28A.300 RCW; adding new sections to chapter 43.216 RCW;
7 creating new sections; and providing expiration dates.

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

9 NEW SECTION. **Sec. 1.** (1) The legislature finds that high
10 quality early learning is the best way to ensure children have the
11 social-emotional skills and other skills they need to enter
12 kindergarten ready to learn. Unfortunately, too many children across
13 the state do not have access to high quality early learning.

14 (2) The legislature recognizes that the early childhood education
15 and assistance program, the state's preschool program, is expanding
16 and will become an entitlement for eligible children in the year
17 2026. The fair start for kids act, enacted in 2021, is helping to
18 expand access to more affordable, high quality child care; and early
19 learning and federal early learning programs serve thousands of
20 families across the state.

1 (3) However, the legislature finds that these early learning
2 programs do not yet reach all families in need. As a result, there
3 are children about to enter kindergarten who need an opportunity for
4 high quality preschool in order to be successful kindergarten
5 students in the following school year. The legislature recognizes
6 that school districts, especially those in communities with early
7 learning deserts, can and do reach children who need these
8 opportunities. Some school districts and charter schools have
9 attempted to address this gap by creating programs referred to as
10 transitional kindergarten using allocations appropriated for the
11 state's program of basic education. These extrastatutory programs are
12 established by school districts and charter schools on an ad hoc
13 basis and not all of the programs referred to as transitional
14 kindergarten meet the high quality age-appropriate early learning
15 standards that other state-funded early learning programs are
16 required to meet.

17 (4) Therefore, the legislature intends to establish a transition
18 to kindergarten program that meets early learning standards in lieu
19 of transitional kindergarten programs and to help fill in gaps in
20 access to high quality early learning for eligible children,
21 especially in early learning deserts. School district transitional
22 kindergarten programs in operation in 2023 will be converted to
23 school district transition to kindergarten programs for eligible
24 students, provided that the standards set forth in this act are met.
25 The legislature intends to provide state funding, which is separate
26 from and in addition to the state basic education allocation, for the
27 transition to kindergarten program so that it can be offered at no
28 charge to eligible students, and to prohibit the use of state basic
29 education allocations for this program. The legislature further
30 intends to clarify that these transition to kindergarten programs,
31 which are offered at the school district's option, are not part of
32 the state's required minimum instructional program of basic education
33 and do not constitute enrollments for purposes of generating state
34 basic education funding allocations. The legislature also intends to:
35 Require that the early learning ecosystem work together; promote
36 coordinated systems of comprehensive early learning services;
37 maximize efficient use of state, federal, and local resources; and
38 ensure that children and families get the early learning services
39 they need in the most appropriate setting.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
2 RCW to read as follows:

3 (1) **Establishment.**

4 (a) The transition to kindergarten program is established to
5 assist eligible children in need of additional preparation to be
6 successful kindergarten students in the following school year. The
7 program is not part of the state's instructional program of basic
8 education under RCW 28A.150.220.

9 (b) The office of the superintendent of public instruction shall
10 administer the program as required by this section.

11 (2) **Authorizations and approvals.** The office of the
12 superintendent of public instruction may authorize school districts
13 to offer a program, approve program sites at one or more of an
14 authorized school district's schools, and cap eligible child
15 enrollment for each authorized school district as required by this
16 subsection (2).

17 (a) The office of the superintendent of public instruction must
18 develop a process for school districts to apply to operate or expand
19 a program. At a minimum, the application must:

20 (i) Specify the number of program sites the school district is
21 applying for and the intended number of eligible children to be
22 enrolled at each site;

23 (ii) Describe the screening process or other instruments that the
24 school district will use to individually determine whether an
25 eligible child has a developmental delay or otherwise needs
26 additional preparation to be successful in kindergarten in the
27 following school year. Eligible children who are on the waitlist for
28 early childhood education and assistance program sites are not
29 required to be screened; and

30 (iii) Outline the school district's plan for coordinated
31 recruitment and enrollment with other early learning program
32 providers, including its proposed memoranda of understanding.

33 (b) (i) In order to distribute high quality early learning
34 programs across communities in an equitable and effective manner, the
35 following activities must be coordinated with the department of
36 children, youth, and families, in consideration of the items listed
37 in (ii) of this subsection (2) (b): Authorization of school districts
38 to offer a program; approval of program sites at one or more of an
39 authorized school district's schools; and capping eligible child
40 enrollment. In addition, the office of the superintendent of public

1 instruction must limit the number of authorized school districts,
2 approved program sites, and enrolled eligible children as required by
3 the omnibus operating appropriations act.

4 (ii) The activities listed in (i) of this subsection (2)(b) must
5 be made in consideration of: The existing availability of the early
6 childhood education and assistance programs, head start programs, and
7 licensed child care providers; planned expansion of early childhood
8 education and assistance program sites and eligibility criteria; and
9 the state-funded early childhood education and assistance program
10 entitlement required in RCW 43.216.556.

11 (3) **Operations.** Authorized school districts operating a program
12 must meet the requirements in this subsection (3).

13 (a) Authorized school districts must engage in a planning year
14 before operating a program site, during which it must prepare for
15 compliance with applicable rules.

16 (b) Authorized school districts may not charge tuition or other
17 fees to state-funded eligible children for enrollment in a program.

18 (c) Authorized school districts must avoid adversely impacting
19 enrollment in other high quality early learning programs by using a
20 coordinated recruitment and enrollment plan to prioritize eligible
21 children for enrollment in the program in the following order:

22 (i) Eligible children on the waitlist for, but not scheduled for
23 enrollment in, an early childhood education and assistance program
24 site; then

25 (ii) Eligible children who have been individually determined
26 through a screening process or other instruments to have a
27 developmental delay or otherwise need additional preparation to be
28 successful in kindergarten in the following school year with priority
29 to the eldest children and the children with the lowest household
30 incomes.

31 (d) Authorized school districts must participate in the early
32 achievers program established under RCW 43.216.085.

33 (e) Authorized school districts must require that program sites
34 use developmentally appropriate curricula and implement the following
35 elements in alignment with early childhood education and assistance
36 program performance standards: Classroom environment; pedagogical
37 approach; and safety measures.

38 (f) Each program classroom must be staffed with a teacher who
39 holds a valid Washington teacher certificate and who either:

1 (i) Holds an early childhood education endorsement or an early
2 childhood special education endorsement; or

3 (ii) Holds an elementary education endorsement and, within five
4 years of initial assignment to the program, completes at least 30
5 college credits related to the state early childhood education core
6 competencies established by the department of children, youth, and
7 families.

8 (g) Authorized school districts are prohibited from establishing
9 a policy of excluding an eligible child due only to the presence of a
10 disability.

11 (h) Authorized school districts must work in collaboration with
12 early learning partners to promote coordinated systems of
13 comprehensive early childhood services.

14 (i) Nothing in this section prohibits authorized school districts
15 from blending or colocating early learning programs, such as the
16 program established under this section, the early childhood education
17 and assistance program, the federal head start program, or private
18 pay programs.

19 (4) **Funding.**

20 (a) The office of the superintendent of public instruction must
21 distribute to authorized school districts an amount per eligible
22 child enrolled in a program that is the greater of: (i) The estimated
23 allocation per kindergarten student statewide generated by the
24 distribution formula under RCW 28A.150.260 (4) (a), (5), (6), and (8),
25 and the allocation under RCW 28A.150.415; or (ii) an amount as
26 specified in the omnibus operating appropriations act. The office of
27 the superintendent of public instruction must prorate the amount per
28 eligible child to account for enrollment in a program that is less
29 than a full school day or a full school year.

30 (b) The office of the superintendent of public instruction must
31 submit to the legislature by each December 1st a report that includes
32 the following data: (i) The number of state-funded eligible children
33 enrolled in programs operated by authorized school districts in the
34 current school year; and (ii) the estimated number of eligible
35 children that authorized school districts intend to enroll in the
36 following school year.

37 (5) **Reapprovals and reauthorizations.** The office of the
38 superintendent of public instruction must establish processes to
39 reapprove program sites and reauthorize school districts,
40 periodically and, at a minimum, as required in the omnibus operating

1 appropriations act. If an authorized school district or approved
2 program site will be discontinued or otherwise not provided with
3 state funding, the office of the superintendent of public instruction
4 must provide the authorized school district with at least one year of
5 notice.

6 (6) **Resources.** The office of the superintendent of public
7 instruction must collaborate with the department of children, youth,
8 and families to develop, and make publicly available, a model
9 memorandum of understanding between authorized school districts and
10 other early learning program providers. The model language must
11 include a process for resolving local concerns between early learning
12 program providers, including school districts.

13 (7) **Rules.** The office of the superintendent of public instruction
14 shall adopt rules under chapter 34.05 RCW for the authorization of,
15 the administration of, and the allocation of state funding for the
16 transition to kindergarten program. Where applicable, the office of
17 the superintendent of public instruction shall collaborate with the
18 department of children, youth, and families in the development of the
19 rules.

20 (8) **Definitions.** The definitions in this subsection apply
21 throughout this section unless the context clearly requires
22 otherwise.

23 (a) "Approved school district" means a school district approved
24 by the office of the superintendent of public instruction to operate
25 a program under this section.

26 (b) "Common school" has the same meaning as in RCW 28A.150.020.

27 (c) "Eligible child" means a child who turns five years old
28 between September 1st of the year of admission to the program and the
29 following August 31st, who does not have access to enroll in a
30 federal or state program providing high quality early learning
31 services, who has not participated in a formal early learning
32 program, and who either:

33 (i) Is on the waitlist for, but not scheduled for enrollment in,
34 an early childhood education and assistance program; or

35 (ii) Has been individually determined through a screening process
36 or other instruments to have a developmental delay or otherwise needs
37 additional preparation to be successful in kindergarten in the
38 following school year.

39 (d) "Program" means the transition to kindergarten program
40 established in this section.

1 (e) "Program site" means a school in an authorized school
2 district that is approved by the office of the superintendent of
3 public instruction to operate a program.

4 NEW SECTION. **Sec. 3.** (1) The office of the superintendent of
5 public instruction shall develop and implement a conversion plan to
6 assist school districts that offered a program referred to as
7 transitional kindergarten during the 2022-23 school year to be
8 authorized to offer a transition to kindergarten program under
9 section 2 of this act. The plan must include a process for
10 coordinating approval of future sites and slots for the transition to
11 kindergarten program and the early childhood education and assistance
12 program. The goal of the process is to distribute future sites and
13 slots across communities in an equitable and effective manner.

14 (2) Rules may not be adopted under section 2 of this act until
15 the superintendent of public instruction has developed and commenced
16 implementation of the conversion plan required by this section.

17 (3) This section expires June 30, 2026.

18 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.300
19 RCW to read as follows:

20 (1) By October 1, 2023, school districts and charter schools that
21 offered a program referred to as transitional kindergarten during the
22 2022-23 school year must submit a report to the office of the
23 superintendent of public instruction describing the screening process
24 or other instruments used to determine children's eligibility for the
25 program.

26 (2) By August 31, 2024, school districts and charter schools must
27 cease operation of programs referred to as transitional kindergarten
28 and may no longer report transitional kindergarten students as
29 kindergarten students for purposes of receiving basic education
30 allocations under RCW 28A.150.250.

31 (3) As used in this section, "transitional kindergarten" means an
32 extrastatutory instructional program, based on kindergarten standards
33 rather than on developmentally appropriate early learning standards,
34 established on an ad hoc basis for children below the age of five who
35 do not have access to high quality early learning experiences prior
36 to kindergarten, and who have been deemed by a school district or
37 charter school, through a screening process or other instrument, to

1 be in need of additional preparation to be successful in kindergarten
2 the following year.

3 **Sec. 5.** RCW 28A.225.160 and 2009 c 380 s 3 are each amended to
4 read as follows:

5 (1) Except as provided in subsection (2) of this section and
6 otherwise provided by law, it is the general policy of the state that
7 the common schools shall be open to the admission of all persons who
8 are five years of age and less than (~~twenty-one~~) 21 years residing
9 in that school district. Except as otherwise provided by law or rules
10 adopted by the superintendent of public instruction, districts may
11 establish uniform entry qualifications, including but not limited to
12 birthdate requirements, for admission to kindergarten and first grade
13 programs of the common schools. Such rules may provide for exceptions
14 based upon the ability, or the need, or both, of an individual
15 student. For the purpose of complying with any rule adopted by the
16 superintendent of public instruction that authorizes a preadmission
17 screening process as a prerequisite to granting exceptions to the
18 uniform entry qualifications, a school district may collect fees to
19 cover expenses incurred in the administration of any preadmission
20 screening process: PROVIDED, That in so establishing such fee or
21 fees, the district shall adopt rules for waiving and reducing such
22 fees in the cases of those persons whose families, by reason of their
23 low income, would have difficulty in paying the entire amount of such
24 fees. Beginning with the 2024-25 school year, rules providing for
25 exceptions to the uniform entry qualifications for kindergarten must
26 limit early kindergarten admission to children deemed by the local
27 educational service district, using multiple objective criteria, to
28 be "likely to be successful in kindergarten."

29 (2) A student who meets the definition of a child of a military
30 family in transition under Article II of RCW 28A.705.010 shall be
31 permitted to continue enrollment at the grade level in the common
32 schools commensurate with the grade level of the student when
33 attending school in the sending state as defined in Article II of RCW
34 28A.705.010, regardless of age or birthdate requirements.

35 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.216
36 RCW to read as follows:

37 (1) The department of children, youth, and families shall:

1 (a) Partner with the office of the superintendent of public
2 instruction to coordinate distribution of high quality early learning
3 programs across communities as described in section 2(2)(b) of this
4 act;

5 (b) Identify developmentally appropriate curricula for use in
6 transition to kindergarten programs and publish the list on the
7 department website; and

8 (c) Direct early learning providers to work in collaboration with
9 school districts authorized to offer a transition to kindergarten
10 program to promote coordinated systems of comprehensive early
11 childhood services.

12 (2) As used in this section, "transition to kindergarten program"
13 means the program established under section 2 of this act.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.216
15 RCW to read as follows:

16 The department must implement, in partnership with the office of
17 the superintendent of public instruction, a data system that uses a
18 single student identifier across all state-funded early learning,
19 elementary, and secondary education programs. The state-funded early
20 learning programs must be required to collect and submit to the data
21 system race and ethnicity data as described in RCW 28A.300.042(1).

22 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.300
23 RCW to read as follows:

24 The office of the superintendent of public instruction must
25 partner with the department of children, youth, and families to
26 implement the data system as required under section 7 of this act.

27 NEW SECTION. **Sec. 9.** (1) The department of children, youth, and
28 families must make administrative changes to better align early
29 childhood education and assistance program implementation with school
30 district offered state-funded early learning programs serving three
31 through five-year-old children and must submit a report, in
32 compliance with RCW 43.01.036, of the changes to the appropriate
33 committees of the legislature by July 1, 2024.

34 (2) This section expires August 30, 2025.

35 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.216
36 RCW to read as follows:

1 (1) A school district offering a transition to kindergarten
2 program under section 2 of this act must complete the following
3 activities to be eligible for state funding under section 2 of this
4 act:

5 (a) Enroll in the early achievers program within 30 days of being
6 authorized by the office of the superintendent of public instruction
7 to offer a transition to kindergarten program;

8 (b) Complete level 2 activities in the early achievers program
9 within 12 months of enrollment; and

10 (c) Rate or request to be rated at a level 3 or higher in the
11 early achievers program within 30 months of enrollment. If a school
12 district offering a transition to kindergarten program under section
13 2 of this act does not rate or request to be rated at a level 3
14 within 30 months from enrollment into the early achievers program,
15 the school district must complete remedial activities with the
16 department, and rate or request to be rated at a level 3 or higher
17 within 12 months of beginning remedial activities.

18 (2) If a school district offering a transition to kindergarten
19 program under section 2 of this act does not rate or request to be
20 rated at a level 3 or higher following the remedial period, the
21 school district is no longer eligible for state funding under section
22 2 of this act. If a school district offering a transition to
23 kindergarten program under section 2 of this act does not rate at a
24 level 3 or higher when the rating is released following the remedial
25 period, the school district is no longer eligible for state funding
26 under section 2 of this act.

27 (3) If a school district offering a transition to kindergarten
28 program under section 2 of this act and receiving state funding under
29 section 2 of this act has successfully completed all level 2
30 activities and is waiting to be rated by the deadline provided in
31 this section, the school district may continue to receive state
32 funding under section 2 of this act pending the successful completion
33 of the level 3 rating activity.

34 **Sec. 11.** RCW 43.216.085 and 2021 c 304 s 6 are each amended to
35 read as follows:

36 (1) The department, in collaboration with tribal governments and
37 community and statewide partners, shall implement a quality rating
38 and improvement system, called the early achievers program. The early
39 achievers program provides a foundation of quality for the early care

1 and education system. The early achievers program is applicable to
2 licensed or certified child care centers, family home child care,
3 outdoor nature-based child care, and early learning programs such as
4 working connections child care (~~and~~), early childhood education and
5 assistance programs, and transition to kindergarten programs
6 established under section 2 of this act.

7 (2) The objectives of the early achievers program are to:

8 (a) Improve short-term and long-term educational outcomes for
9 children as measured by assessments including, but not limited to,
10 the Washington kindergarten inventory of developing skills in RCW
11 28A.655.080;

12 (b) Give parents clear and easily accessible information about
13 the quality of child care and early education programs;

14 (c) Support improvement in early learning and child care programs
15 throughout the state;

16 (d) Increase the readiness of children for school;

17 (e) Close the disparities in access to quality care;

18 (f) Provide professional development and coaching opportunities
19 to early child care and education providers; and

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

23 (3)(a) Licensed or certified child care centers, family home
24 child care, and outdoor nature-based child care, serving nonschool-
25 age children and receiving state subsidy payments, must participate
26 in the early achievers program by the required deadlines established
27 in RCW 43.216.135.

28 (b) Approved early childhood education and assistance program
29 providers receiving state-funded support must participate in the
30 early achievers program by the required deadlines established in RCW
31 43.216.515.

32 (c) School districts authorized to provide a transition to
33 kindergarten program under section 2 of this act must participate in
34 the early achievers program by the required deadlines established in
35 section 10 of this act.

36 (d) Participation in the early achievers program is voluntary
37 for:

38 (i) Licensed or certified child care centers, family home child
39 care, and outdoor nature-based child care, not receiving state
40 subsidy payments; and

1 (ii) Early learning programs not receiving state funds.

2 (~~(d)~~) (e) School-age child care providers are exempt from
3 participating in the early achievers program. By July 1, 2017, the
4 department and the office of the superintendent of public instruction
5 shall jointly design a plan to incorporate school-age child care
6 providers into the early achievers program or other appropriate
7 quality improvement system. To test implementation of the early
8 achievers system for school-age child care providers the department
9 and the office of the superintendent of public instruction shall
10 implement a pilot program.

11 (4)(a) There are five primary levels in the early achievers
12 program.

13 (b) In addition to the primary levels, the department must
14 establish an intermediate level that is between level 3 and level 4
15 and serves to assist participants in transitioning to level 4.

16 (c) Participants are expected to actively engage and continually
17 advance within the program.

18 (5) The department has the authority to determine the rating
19 cycle for the early achievers program. The department shall
20 streamline and eliminate duplication between early achievers
21 standards and state child care rules in order to reduce costs
22 associated with the early achievers rating cycle and child care
23 licensing.

24 (a) Early achievers program participants may request to be rated
25 at any time after the completion of all level 2 activities.

26 (b) The department shall provide an early achievers program
27 participant an update on the participant's progress toward completing
28 level 2 activities after the participant has been enrolled in the
29 early achievers program for fifteen months.

30 (c) The first rating is free for early achievers program
31 participants.

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

34 (6)(a) Early achievers program participants may request to be
35 rerated outside the established rating cycle. A rerating shall reset
36 the rating cycle timeline for participants.

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

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

4 (7) (a) The department must create a single source of information
5 for parents and caregivers to access details on a provider's early
6 achievers program rating level, licensing history, and other
7 indicators of quality and safety that will help parents and
8 caregivers make informed choices. The licensing history that the
9 department must provide for parents and caregivers pursuant to this
10 subsection shall only include license suspension, surrender,
11 revocation, denial, stayed suspension, or reinstatement. No unfounded
12 child abuse or neglect reports may be provided to parents and
13 caregivers pursuant to this subsection.

14 (b) The department shall publish to the department's website, or
15 offer a link on its website to, the following information:

16 (i) Early achievers program rating levels 1 through 5 for all
17 child care programs that receive state subsidy, early childhood
18 education and assistance programs, transition to kindergarten
19 programs established under section 2 of this act, and federal head
20 start programs in Washington; and

21 (ii) New early achievers program ratings within thirty days after
22 a program becomes licensed or certified, or receives a rating.

23 (c) The early achievers program rating levels shall be published
24 in a manner that is easily accessible to parents and caregivers and
25 takes into account the linguistic needs of parents and caregivers.

26 (d) The department must publish early achievers program rating
27 levels for child care programs that do not receive state subsidy but
28 have voluntarily joined the early achievers program.

29 (e) Early achievers program participants who have published
30 rating levels on the department's website or on a link on the
31 department's website may include a brief description of their
32 program, contingent upon the review and approval by the department,
33 as determined by established marketing standards.

34 (8) (a) The department shall create a professional development
35 pathway for early achievers program participants to obtain a high
36 school diploma or equivalency or higher education credential in early
37 childhood education, early childhood studies, child development, or
38 an academic field related to early care and education.

39 (b) The professional development pathway must include
40 opportunities for scholarships and grants to assist early achievers

1 program participants with the costs associated with obtaining an
2 educational degree.

3 (c) The department shall address cultural and linguistic
4 diversity when developing the professional development pathway.

5 (9) The early achievers quality improvement awards shall be
6 reserved for participants offering programs to an enrollment
7 population consisting of at least five percent of children receiving
8 a state subsidy.

9 (10) In collaboration with tribal governments, community and
10 statewide partners, and the early achievers review subcommittee
11 created in RCW 43.216.075, the department shall develop a protocol
12 for granting early achievers program participants an extension in
13 meeting rating level requirement timelines outlined for the working
14 connections child care program and the early childhood education and
15 assistance program.

16 (a) The department may grant extensions only under exceptional
17 circumstances, such as when early achievers program participants
18 experience an unexpected life circumstance.

19 (b) Extensions shall not exceed six months, and early achievers
20 program participants are only eligible for one extension in meeting
21 rating level requirement timelines.

22 (c) Extensions may only be granted to early achievers program
23 participants who have demonstrated engagement in the early achievers
24 program.

25 (11)(a) The department shall accept national accreditation that
26 meets the requirements of this subsection (11) as a qualification for
27 the early achievers program ratings.

28 (b) Each national accreditation agency will be allowed to submit
29 its most current standards of accreditation to establish potential
30 credit earned in the early achievers program. The department shall
31 grant credit to accreditation bodies that can demonstrate that their
32 standards meet or exceed the current early achievers program
33 standards. By December 1, 2019, and subject to the availability of
34 amounts appropriated for this specific purpose, the department must
35 submit a detailed plan to the governor and the legislature to
36 implement a robust cross-accreditation process with multiple pathways
37 that allows a provider to earn equivalent early achievers credit
38 resulting from accreditation by high quality national organizations.

39 (c) Licensed child care centers, child care home providers, and
40 outdoor nature-based child care must meet national accreditation

1 standards approved by the department for the early achievers program
2 in order to be granted credit for the early achievers program
3 standards. Eligibility for the early achievers program is not subject
4 to bargaining, mediation, or interest arbitration under RCW
5 41.56.028, consistent with the legislative reservation of rights
6 under RCW 41.56.028(4)(d).

7 (12) The department shall explore the use of alternative quality
8 assessment tools that meet the culturally specific needs of the
9 federally recognized tribes in the state of Washington.

10 (13) A child care or early learning program that is operated by a
11 federally recognized tribe and receives state funds shall participate
12 in the early achievers program. The tribe may choose to participate
13 through an interlocal agreement between the tribe and the department.
14 The interlocal agreement must reflect the government-to-government
15 relationship between the state and the tribe, including recognition
16 of tribal sovereignty. The interlocal agreement must provide that:

17 (a) Tribal child care facilities and early learning programs may
18 volunteer, but are not required, to be licensed by the department;

19 (b) Tribal child care facilities and early learning programs are
20 not required to have their early achievers program rating level
21 published to the department's website or through a link on the
22 department's website; and

23 (c) Tribal child care facilities and early learning programs must
24 provide notification to parents or guardians who apply for or have
25 been admitted into their program that early achievers program rating
26 level information is available and provide the parents or guardians
27 with the program's early achievers program rating level upon request.

28 (14) The department shall consult with the early achievers review
29 subcommittee on all substantial policy changes to the early achievers
30 program.

31 (15) Nothing in this section changes the department's
32 responsibility to collectively bargain over mandatory subjects or
33 limits the legislature's authority to make programmatic modifications
34 to licensed child care and early learning programs under RCW
35 41.56.028(4)(d).

36 **Sec. 12.** RCW 43.216.655 and 2019 c 369 s 7 are each amended to
37 read as follows:

38 (1) The education data center established in RCW 43.41.400 must
39 collect longitudinal, student-level data on all children attending an

1 early childhood education and assistance program. Upon completion of
2 an electronic time and attendance record system, the education data
3 center must collect longitudinal, student-level data on all children
4 attending a working connections child care program. Beginning
5 September 1, 2024, the education data center must collect
6 longitudinal, student-level data on all children attending a
7 transition to kindergarten program under section 2 of this act. Data
8 collected should capture at a minimum the following characteristics:

9 (a) Daily program attendance;

10 (b) Identification of classroom and teacher;

11 (c) Early achievers program quality level rating;

12 (d) Program hours;

13 (e) Program duration;

14 (f) Developmental results from the Washington kindergarten
15 inventory of developing skills in RCW 28A.655.080; and

16 (g) To the extent data is available, the distinct ethnic
17 categories within racial subgroups of children and providers that
18 align with categories recognized by the education data center.

19 (2) The department shall provide early learning providers
20 student-level data collected pursuant to this section that are
21 specific to the early learning provider's program. Upon completion of
22 an electronic time and attendance record system identified in
23 subsection (1) of this section, the department shall provide child
24 care providers student-level data that are specific to the child care
25 provider's program.

26 (3) The department shall review available research and best
27 practices literature on cultural competency in early learning
28 settings. The department shall review the K-12 components for
29 cultural competency developed by the professional educator standards
30 board and identify components appropriate for early learning
31 professional development.

32 (4) (a) The Washington state institute for public policy shall
33 conduct a longitudinal analysis examining relationships between the
34 early achievers program quality ratings levels and outcomes for
35 children participating in subsidized early care and education
36 programs.

37 (b) The institute shall submit the first report to the
38 appropriate committees of the legislature and the early learning
39 advisory council by December 31, 2019. The institute shall submit
40 subsequent reports annually to the appropriate committees of the

1 legislature and the early learning advisory council by December 31st,
2 with the final report due December 31, 2022. The final report shall
3 include a cost-benefit analysis.

4 (5) By December 31, 2021, and subject to the availability of
5 amounts appropriated for this specific purpose, the Washington state
6 institute for public policy shall update the outcome evaluation of
7 the early childhood education and assistance program required by
8 chapter 16, Laws of 2013 and report to the governor and the
9 legislature on the outcomes of program participants. The evaluation
10 must include the demographics of program participants including race,
11 ethnicity, and socioeconomic status. The evaluation must examine
12 short and long-term impacts on program participants, including high
13 school graduation rates for up to two cohorts. When conducting the
14 evaluation, the institute must consider, to the extent that data is
15 available, the education levels and demographics, including race,
16 ethnicity, and socioeconomic status, of early childhood education and
17 assistance program staff and the effects of full-day programming and
18 half-day programming on outcomes.

--- END ---