
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-0434.1/15

ATTY/TYPIST: SCG:eab

BRIEF DESCRIPTION: Improving quality in the early care and education system.

1 AN ACT Relating to improving quality in the early care and
2 education system; amending RCW 43.215.100, 43.215.135, 43.215.1352,
3 43.215.425, 43.215.415, and 43.215.455; reenacting and amending RCW
4 43.215.010; adding new sections to chapter 43.215 RCW; creating new
5 sections; and repealing 2013 2nd sp.s. c 16 s 2 (uncodified).

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

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

1 to reward quality and create incentives for providers to participate
2 in a quality rating and improvement system that will also provide
3 valuable information to parents regarding the quality of care
4 available in their communities.

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

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

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

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

16 (b) "Early learning" includes but is not limited to programs and
17 services for child care; state, federal, private, and nonprofit
18 preschool; child care subsidies; child care resource and referral;
19 parental education and support; and training and professional
20 development for early learning professionals;

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

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

30 (e) "Service provider" means the entity that operates a community
31 facility.

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

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

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

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

38 (iii) A person who legally adopts a child or the child's parent
39 as well as the natural and other legally adopted children of such

1 persons, and other relatives of the adoptive parents in accordance
2 with state law; or

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

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

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

12 (d) Parents on a mutually cooperative basis exchange care of one
13 another's children;

14 (e) Nursery schools that are engaged primarily in early childhood
15 education with preschool children and in which no child is enrolled
16 on a regular basis for more than four hours per day;

17 (f) Schools, including boarding schools, that are engaged
18 primarily in education, operate on a definite school year schedule,
19 follow a stated academic curriculum, accept only school-age children,
20 and do not accept custody of children;

21 (g) Seasonal camps of three months' or less duration engaged
22 primarily in recreational or educational activities;

23 (h) Facilities providing child care for periods of less than
24 twenty-four hours when a parent or legal guardian of the child
25 remains on the premises of the facility for the purpose of
26 participating in:

27 (i) Activities other than employment; or

28 (ii) Employment of up to two hours per day when the facility is
29 operated by a nonprofit entity that also operates a licensed child
30 care program at the same facility in another location or at another
31 facility;

32 (i) Any entity that provides recreational or educational
33 programming for school-age((d)) children only and the entity meets
34 all of the following requirements:

35 (i) The entity utilizes a drop-in model for programming, where
36 children are able to attend during any or all program hours without a
37 formal reservation;

38 (ii) The entity does not assume responsibility in lieu of the
39 parent, unless for coordinated transportation;

1 (iii) The entity is a local affiliate of a national nonprofit;
2 and
3 (iv) The entity is in compliance with all safety and quality
4 standards set by the associated national agency;
5 (j) A program operated by any unit of local, state, or federal
6 government or an agency, located within the boundaries of a federally
7 recognized Indian reservation, licensed by the Indian tribe;
8 (k) A program located on a federal military reservation, except
9 where the military authorities request that such agency be subject to
10 the licensing requirements of this chapter;
11 (l) A program that offers early learning and support services,
12 such as parent education, and does not provide child care services on
13 a regular basis.
14 (3) "Applicant" means a person who requests or seeks employment
15 in an agency.
16 (4) "Conviction information" means criminal history record
17 information relating to an incident which has led to a conviction or
18 other disposition adverse to the applicant.
19 (5) "Department" means the department of early learning.
20 (6) "Director" means the director of the department.
21 (7) "Early achievers" means a program that improves the quality
22 of early learning programs and supports and rewards providers for
23 their participation.
24 (8) "Early start" means an integrated high quality continuum of
25 early learning programs for children birth-to-five years of age.
26 Components of early start include, but are not limited to, the
27 following:
28 (a) Home visiting and parent education and support programs;
29 (b) The early achievers program described in RCW 43.215.100;
30 (c) Integrated full-day and part-day high quality early learning
31 programs; and
32 (d) High quality preschool for children whose family income is at
33 or below one hundred ten percent of the federal poverty level.
34 (9) "Employer" means a person or business that engages the
35 services of one or more people, especially for wages or salary to
36 work in an agency.
37 (10) "Enforcement action" means denial, suspension, revocation,
38 modification, or nonrenewal of a license pursuant to RCW
39 43.215.300(1) or assessment of civil monetary penalties pursuant to
40 RCW 43.215.300(3).

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

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

7 (13) "Negative action" means a court order, court judgment, or an
8 adverse action taken by an agency, in any state, federal, tribal, or
9 foreign jurisdiction, which results in a finding against the
10 applicant reasonably related to the individual's character,
11 suitability, and competence to care for or have unsupervised access
12 to children in child care. This may include, but is not limited to:

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

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

16 (c) An adverse agency action, including termination, revocation,
17 or denial of a license or certification, or if pending adverse agency
18 action, the voluntary surrender of a license, certification, or
19 contract in lieu of the adverse action;

20 (d) A revocation, denial, or restriction placed on any
21 professional license; or

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

23 (~~(12)~~) (14) "Nonconviction information" means arrest, founded
24 allegations of child abuse, or neglect pursuant to chapter 26.44 RCW,
25 or other negative action adverse to the applicant.

26 (~~(13)~~) (15) "Nonschool age child" means a child birth through
27 six years of age who has yet to enter kindergarten or school.

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

31 (~~(14)~~) (17) "Requirement" means any rule, regulation, or
32 standard of care to be maintained by an agency.

33 (~~(15)~~) (18) "School-age child" means a child not less than five
34 years of age through twelve years of age and who is attending
35 kindergarten or school.

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

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

3 (1) ~~((Subject to the availability of amounts appropriated for
4 this specific purpose,))~~ The department, in collaboration with tribal
5 governments and community and statewide partners, shall implement a
6 voluntary quality rating and improvement system, called the early
7 achievers program, that is applicable to licensed or certified child
8 care centers and homes and early education programs. The early
9 achievers program establishes the framework for strengthening the
10 quality of the early care and education system in Washington.

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

13 (a) ~~((To))~~ Improve short-term and long-term outcomes for children
14 as measured by assessments including, but not limited to, the
15 Washington kindergarten inventory of developing skills in RCW
16 28A.655.080;

17 **(b)** Give parents clear and easily accessible information about
18 the quality of child care and early education programs((τ));

19 **(c)** Support improvement in early learning and care programs
20 throughout the state((τ));

21 **(d)** Increase the readiness of children for school((τ—and));

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

23 **(f)** Provide professional development opportunities to early care
24 and education providers; and ((b—to))

25 **(g)** Establish a common set of expectations and standards that
26 define, measure, and improve the quality of early learning and care
27 settings.

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

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

33 ~~(5))~~ There are five levels in the early achievers program.
34 Participants are expected to actively engage in the program and
35 continually advance from level 1, or the foundation level, to level
36 5.

37 **(5)** The department has the authority to determine the rating
38 cycle for the early achievers program.

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

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

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

5 (7) The department shall provide an early achievers participant
6 an update on their progress toward completing level 2 activities,
7 after the participant has been enrolled in the early achievers
8 program for fifteen months.

9 (8)(a) The department must charge a fee for optional rerating
10 requests made by program participants that are outside the
11 established rating cycle.

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

15 (9)(a)(i) Effective July 1, 2016, the department shall publish on
16 the department's web site or offer a link on its web site the early
17 achievers program rating levels 1 through 5 for all child care
18 programs that receive state subsidy, early childhood education and
19 assistance programs, and federal head start programs in Washington.

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

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

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

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

37 (e) To the extent possible, the department must create a single
38 source of information for parents and caregivers to access details on
39 a provider's early achievers program rating level, licensing history,

1 and other indicators of quality and safety that will help parents and
2 caregivers make informed choices.

3 (10)(a) The department shall create a professional development
4 pathway for early achievers participants to obtain a high school
5 diploma or equivalency or higher education credential in early
6 childhood education, early childhood studies, child development, or
7 an academic field related to early care and education.

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

12 (c) The professional development pathway must be culturally and
13 linguistically reflective of the needs and demographics of
14 participants.

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

17 (12) The early achievers quality improvement awards shall be
18 reserved for participants offering programs that are composed of at
19 least five percent of children receiving subsidy.

20 (13) The department shall design a plan to incorporate school-age
21 child care providers into the early achievers program.

22 (14) In collaboration with tribal governments, and community and
23 statewide partners, the department shall develop a protocol for
24 granting early achievers program participants an extension in meeting
25 rating level requirement timelines outlined for the working
26 connections child care program and the early childhood education and
27 assistance program.

28 (a) At the department's discretion, extensions may be granted
29 when early achievers program participants experience an unexpected
30 life circumstance, such as, but not limited to, an illness.

31 (b) Extensions may only be granted to early achievers program
32 participants who have demonstrated engagement in the early achievers
33 program.

34 (c) A report outlining the early achievers program extension
35 protocol shall be delivered to the appropriate committees of
36 legislature by December 31, 2015.

37 (15) Before final implementation of the early achievers program,
38 the department shall report on program progress, as defined within
39 the race to the top federal grant award, and expenditures to the
40 appropriate policy and fiscal committees of the legislature. Nothing

1 in this section changes the department's responsibility to
2 collectively bargain over mandatory subjects.

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

5 REDUCTION OF BARRIERS—LOW-INCOME PROVIDERS AND PROGRAMS. Subject
6 to the amounts appropriated for this specific purpose, the department
7 shall, in collaboration with tribal governments and community and
8 statewide partners, implement a protocol to maximize and encourage
9 participation in the early achievers program for low-income center
10 and family home child care providers and providers who offer
11 programming in low-income neighborhoods. The protocol should address
12 barriers to early achievers program participation and include at a
13 minimum the following:

- 14 (1) The creation of a substitute pool; and
- 15 (2) The establishment of needs-based grants for providers at
16 level 2 in the early achievers program to assist with purchasing
17 curriculum development, instructional materials, supplies, and
18 equipment to improve program quality.

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.215
20 RCW to read as follows:

21 THE EARLY ACHIEVERS PROGRAM DATA COLLECTION AND EVALUATION. (1)
22 The department shall collect longitudinal, student-level data on all
23 children attending a working connections child care program or an
24 early childhood education and assistance program. Data collected
25 should capture at a minimum the following characteristics:

- 26 (a) Daily program attendance;
 - 27 (b) Identification of classroom and teacher;
 - 28 (c) Early achievers program quality level rating;
 - 29 (d) Program hours;
 - 30 (e) Program duration;
 - 31 (f) Distinct ethnic categories within racial subgroups that align
32 with categories established by the education data center established
33 in RCW 43.41.400; and
 - 34 (g) Developmental results from the Washington kindergarten
35 inventory of developing skills in RCW 28A.655.080.
- 36 (2) Data collected pursuant to this section shall be provided to
37 the education data center established in RCW 43.41.400.

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

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

7 (5)(a) The Washington state institute for public policy shall
8 conduct a longitudinal analysis examining relationships between the
9 early achievers program quality ratings levels and outcomes for
10 children participating in subsidized early care and education
11 programs.

12 (b) The institute shall submit the first report to the
13 appropriate committees of the legislature by December 31, 2018. The
14 institute shall submit subsequent reports annually to the appropriate
15 committees of the legislature by December 31st, with the final report
16 due December 31, 2021. The final report shall include a cost-benefit
17 analysis.

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

20 (1) The department shall establish and implement policies in the
21 working connections child care program to promote stability ~~((and))~~,
22 quality of care for children from low-income households, and support
23 school readiness for young learners. Policies for the expenditure of
24 funds constituting the working connections child care program must be
25 consistent with the outcome measures defined in RCW 74.08A.410 and
26 the standards established in this section intended to promote quality
27 early care and education programming, and stability and continuity of
28 care for children.

29 ~~((Beginning in fiscal year 2013,))~~ Authorizations for the
30 working connections child care subsidy ~~((shall be))~~ are effective for
31 twelve months ~~((unless a change in circumstances necessitates~~
32 ~~reauthorization sooner than twelve months. The twelve-month~~
33 ~~certification applies only if the enrollments in the child care~~
34 ~~subsidy or working connections child care program are capped.~~

35 ~~(3) Subject to the availability of amounts appropriated for this~~
36 ~~specific purpose, beginning September 1, 2013, working connections~~
37 ~~child care providers shall receive a five percent increase in the~~
38 ~~subsidy rate for enrolling in level 2 in the early achievers~~
39 ~~programs. Providers must complete level 2 and advance to level 3~~

1 within thirty months in order to maintain this increase)). A child is
2 eligible for working connections child care for a twelve-month
3 enrollment period and may not be deemed ineligible due to any change
4 in circumstance including, but not limited to, the following:

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

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

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

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

11 (3) Working connections child care is a capped program. The
12 working connections child care cap is established in the omnibus
13 appropriations act.

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

17 (i) Allowable periods of child absences;

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

20 (iii) A de-enrollment procedure when allowable child absences are
21 exceeded.

22 (b) The implementation of rules pertaining to child absences and
23 de-enrollment procedures must align with the implementation of the
24 electronic time and attendance record system. Rules pertaining to
25 child absences and de-enrollment procedures shall be adopted no later
26 than July 31, 2016.

27 (5) Child care providers serving nonschool age children and
28 receiving state subsidy payments must enroll in the early achievers
29 program and complete level 2 activities by July 1, 2018, or the
30 provider can no longer receive a state subsidy under this section.

31 (6)(a) Child care providers serving nonschool age children and
32 receiving state subsidy payments must be rated at level 3 in the
33 early achievers program by July 1, 2020, or the provider can no
34 longer receive state subsidy under this section.

35 (b) If a child care provider serving nonschool age children and
36 receiving state subsidy payments has completed all of level 2
37 activities and is approved and waiting for a rating by July 1, 2020,
38 the provider may continue to receive state subsidy pending the
39 successful completion of the level 3 rating activity. If the provider
40 does not rate at a level 3 or higher during the level 3 rating

1 activity, the provider can no longer receive state subsidy under this
2 section.

3 (7) Effective July 1, 2016, a new child care provider serving
4 nonschool age children and receiving state subsidy payments must
5 complete the following activities or the provider can no longer
6 receive a state subsidy under this section:

- 7 (a) Enroll in the early achievers program within thirty days;
- 8 (b) Complete the early achievers program quality level 2
9 activities within twelve months from receiving a state subsidy; and
- 10 (c) Rate as an early achievers program quality level 3 within
11 thirty months from receiving a state subsidy payment.

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

16 (b) Family, friend, and neighbor child care providers who receive
17 state subsidy payments are required to obtain a child care license no
18 later than thirty-six paid months after the effective date of this
19 section or thirty-six paid months after receiving the first subsidy
20 payment, whichever occurs later, or after simultaneously or
21 consecutively caring for more than six unrelated children unless one
22 of the following conditions apply:

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

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

28 (iii) The provider is a grandparent, stepgrandparent, half-
29 grandparent or great-grandparent, stepgreat-grandparent, or half-
30 great-grandparent of the child or children receiving care; or

31 (iv) The provider is an aunt or uncle, step-aunt or step-uncle,
32 half-aunt or half-uncle, or great-aunt or great-uncle, step-great-
33 aunt or step-great-uncle, or half-great-aunt or half-great-uncle of
34 the child or children receiving care.

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

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

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

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

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

10 NEW SECTION. Sec. 8. A new section is added to chapter 43.215
11 RCW to read as follows:

12 CONTRACTED CHILD CARE SLOTS. (1) The department shall employ a
13 combination of vouchers and contracted slots for the subsidized child
14 care program in RCW 43.215.135. Child care vouchers preserve parental
15 choice. Child care contracted slots promote access to continuous
16 quality care for children, provide parents and caregivers stable
17 child care that supports employment, and allow providers to have
18 predictable funding.

19 (2) The department shall contract at least twenty percent of the
20 working connections child care program slots by January 1, 2017.

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

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

26 (5) The department is required to use data to calculate a set
27 number of targeted contracted slots. In calculating this number, the
28 department must take into account a representative balance of family
29 home and center child care programs and the overall geographic
30 distribution of child care programs in the state. The targeted
31 contracted slots are reserved for programs meeting both of the
32 following conditions:

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

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

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

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

1 (b) Programs partnering with elementary schools to offer
2 transitional planning and support to children as they advance to
3 kindergarten; or

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

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

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

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

12 (1) The department shall adopt rules under chapter 34.05 RCW for
13 the administration of the early childhood education and assistance
14 program. Approved early childhood education and assistance programs
15 shall conduct needs assessments of their service area, identify any
16 targeted groups of children, to include but not be limited to
17 children of seasonal and migrant farmworkers and native American
18 populations living either on or off reservation, and provide to the
19 department a service delivery plan, to the extent practicable, that
20 addresses these targeted populations.

21 (2) The department, in developing rules for the early childhood
22 education and assistance program, shall consult with the advisory
23 committee, and shall consider such factors as coordination with
24 existing head start and other early childhood programs, the
25 preparation necessary for instructors, qualifications of instructors,
26 adequate space and equipment, and special transportation needs. The
27 rules shall specifically require the early childhood programs to
28 provide for parental involvement in participation with their child's
29 program, in local program policy decisions, in development and
30 revision of service delivery systems, and in parent education and
31 training.

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

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

4 (c) Rules pertaining to child absences and de-enrollment
5 procedures shall be adopted no later than July 31, 2016.

6 (4) The department shall adopt rules requiring early childhood
7 education and assistance program employees and volunteers who have
8 access to children to submit to a fingerprint background check.
9 Fingerprint background check procedures for the early childhood
10 education and assistance program shall be the same as the background
11 check procedures in RCW 43.215.215.

12 (5) By July 1, 2017, the department shall develop a pathway for
13 family home providers to administer an early childhood education and
14 assistance program.

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

17 (1) Approved early childhood programs shall receive state-funded
18 support through the department. Public or private nonsectarian
19 organizations, including, but not limited to school districts,
20 educational service districts, community and technical colleges,
21 local governments, or nonprofit organizations, are eligible to
22 participate as providers of the state early childhood program.

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

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

33 (4) Persons applying to conduct the early childhood program shall
34 identify targeted groups and the number of children to be served,
35 program components, the qualifications of instructional and special
36 staff, the source and amount of grants or contributions from sources
37 other than state funds, facilities and equipment support, and
38 transportation and personal care arrangements.

1 (5) Early childhood education and assistance providers must
2 enroll in the early achievers program and be rated at a level 3 by
3 July 1, 2016.

4 (6) Early childhood education and assistance providers must be
5 rated at a level 4 in the early achievers program by July 1, 2020.

6 (7) Effective January 1, 2016, new early childhood education and
7 assistance program slots are only available to early achievers
8 program participants rated at a level 3, 4, or 5.

9 (8) Effective July 1, 2018, any provider administering an early
10 childhood education and assistance program must institute a working
11 connections child care program and maintain an optional full workday
12 program.

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

15 (1) Beginning September 1, 2011, an early learning program to
16 provide voluntary preschool opportunities for children three and four
17 years of age shall be implemented according to the funding and
18 implementation plan in RCW ((43.215.142)) 43.215.456. The program
19 must be a comprehensive program providing early childhood education
20 and family support, options for parental involvement, and health
21 information, screening, and referral services, as family need is
22 determined. Participation in the program is voluntary. On a space
23 available basis, the program may allow enrollment of children who are
24 not otherwise eligible by assessing a fee.

25 (2) The first phase of the program shall be implemented by
26 utilizing the program standards and eligibility criteria in the early
27 childhood education and assistance program in RCW 43.215.400 through
28 43.215.450.

29 (3) For the 2015-16 school year, the program implementation in
30 this section shall prioritize programs meeting at least one of the
31 following characteristics:

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

33 (b) Programs offering full workday early care and education
34 programming;

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

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

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

4 (5) For the 2016-17 school year, the program implementation in
5 this section shall prioritize programs meeting at least one of the
6 following characteristics:

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

8 (b) Programs offering full workday early care and education
9 programming; or

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

12 (6) For the 2016-17 school year, only providers participating in
13 the early achievers program and rated at a level 3, 4, or 5 are
14 eligible for the program implementation under this section.

15 (7) For the 2016-17 school year, eighty percent of the slots for
16 program implementation described in this section are reserved for
17 providers offering full workday early care and education programming.

18 (8) The director shall adopt rules for the following program
19 components, as appropriate and necessary during the phased
20 implementation of the program:

21 (a) Minimum program standards, including lead teacher, assistant
22 teacher, and staff qualifications;

23 (b) Approval of program providers; and

24 (c) Accountability and adherence to performance standards.

25 ~~((4))~~ (9) The department has administrative responsibility for:

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

28 (b) In partnership with school districts, monitoring program
29 quality and assuring the program is responsive to the needs of
30 eligible children;

31 (c) Assuring that program providers work cooperatively with
32 school districts to coordinate the transition from preschool to
33 kindergarten so that children and their families are well-prepared
34 and supported; and

35 (d) Providing technical assistance to contracted providers.

36 (10) The department shall complete an annual program
37 implementation report on preschool and the working connections child
38 care program. The first report is due by December 31, 2015, and the
39 final report is due by December 31, 2019. The preschool program
40 implementation report must be posted annually on the department's web

1 site and delivered annually to the appropriate committees of the
2 legislature. The preschool program implementation report must address
3 the following:

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

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

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

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

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

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

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

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

20 SINGLE SET OF LICENSING STANDARDS. No later than July 1, 2016,
21 the department shall implement a single set of licensing standards
22 for child care and the early childhood education and assistance
23 program. The new licensing standards must:

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

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

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

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

32 INTEGRATION WITH LOCAL GOVERNMENT EFFORTS. (1) The foundation of
33 the early care and education system in Washington is the quality
34 rating and improvement system entitled the early achievers program.
35 In an effort to build on the existing quality framework, enhance
36 access to quality care for children, and strengthen the entire early
37 care and education system in the state, it is important to integrate
38 the efforts of local government.

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

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

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

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

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

11 NEW SECTION. **Sec. 14.** A new section is added to chapter 43.215
12 RCW to read as follows:

13 The early start account is created in the state treasury.
14 Revenues in the account shall consist of appropriations by the
15 legislature and all other sources deposited into the account. Moneys
16 in the account may only be used after appropriation. Expenditures
17 from the account may be used only to improve the quality of early
18 care and education programming. The department oversees the account.

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

21 The department shall implement an electronic time and attendance
22 records system by July 1, 2016. The savings generated from the
23 electronic time and attendance records system shall be used to
24 improve quality in the early learning system.

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

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

29 Chapter . . ., Laws of 2015 (this act) may be known and cited as
30 the early start act.

31 NEW SECTION. **Sec. 18.** If specific funding for the purposes of
32 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2015, in the omnibus appropriations act, this
2 act is null and void.

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