

---

HOUSE BILL 1875

---

State of Washington

65th Legislature

2017 Regular Session

By Representatives Kagi, Dent, McDonald, Griffey, Senn, Ortiz-Self, Kilduff, and Lovick

1 AN ACT Relating to establishing a pilot project to license  
2 outdoor early learning and child care programs; adding a new section  
3 to chapter 43.215 RCW; creating a new section; and providing an  
4 expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that, over the past  
7 decade, more than forty outdoor, nature-based early learning and  
8 child care programs have opened in Washington, several of which are  
9 in high demand based on existing wait-lists. The legislature finds,  
10 however, that these programs currently are unlicensed and thus unable  
11 to offer full-day programs, which many working families are seeking.  
12 Unlicensed outdoor programs also are unable to serve families who are  
13 eligible for assistance through the working connections child care  
14 program. The legislature further finds that the outdoor preschool  
15 model could help expand the number of high quality early learning  
16 opportunities available to families throughout Washington,  
17 particularly in areas where preschool-appropriate indoor space is  
18 unavailable or unaffordable. Additionally, when early learning  
19 programs spend less on their physical facilities, they are able to  
20 spend more on recruiting and retaining teachers and other early  
21 learning professionals. The legislature also finds that research on

1 outdoor preschools operating in Scandinavian countries for decades  
2 has demonstrated a positive impact on children's development,  
3 including improved cognitive and social skills when children  
4 transition to grade school. The legislature, therefore, intends to  
5 establish a pilot project to license outdoor preschools in order to  
6 expand access to affordable, high quality early learning programs,  
7 and to further investigate the benefits of outdoor, nature-based  
8 classrooms for Washington's children and families.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.215  
10 RCW to read as follows:

11 (1) The department shall establish a pilot project to license  
12 outdoor, nature-based early learning and child care programs. The  
13 pilot project shall commence beginning August 31, 2017, and conclude  
14 June 30, 2021.

15 (2) The pilot project must be structured to require participating  
16 providers who receive state funds to also comply with the  
17 requirements of the early achievers quality rating and improvement  
18 system. The department shall adopt rules to implement the pilot  
19 project and may waive or adapt licensing requirements, including  
20 early achievers requirements, when necessary to allow for the  
21 operation of outdoor classrooms.

22 (3) When selecting and approving pilot project locations, the  
23 department shall aim to select a mix of rural, urban, and suburban  
24 locations, and may give priority to:

25 (a) Areas where there are few or limited licensed early learning  
26 programs;

27 (b) Areas of need where licensed early learning programs are at  
28 or near full capacity, and where access may be restricted by one or  
29 more enrollment wait-lists; and

30 (c) Areas where an outdoor early learning program would provide  
31 more family choice.

32 (4) A child care or early learning program operated by a  
33 federally recognized tribe may participate in the pilot project  
34 through an interlocal agreement between the tribe and the department.  
35 The interlocal agreement must reflect the government-to-government  
36 relationship between the state and the tribe, including recognition  
37 of tribal sovereignty.

1 (5) The department shall convene an advisory group of outdoor,  
2 nature-based early learning practitioners to inform and support  
3 implementation of the pilot project.

4 (6) For purposes of this section, "outdoor, nature-based early  
5 learning and child care program" means an agency-offered program  
6 operated primarily outdoors in which children are enrolled on a  
7 regular basis for three or more hours per day.

8 (7) The department shall provide the following reports to the  
9 legislature and the governor:

10 (a) By January 15, 2018, and annually thereafter through January  
11 15, 2020, a brief status report describing implementation of the  
12 pilot project, including a description of participating providers and  
13 the number of children and families being served;

14 (b) By November 30, 2020, a full report on findings from the  
15 pilot project, including recommendations for modifying or expanding  
16 the availability of outdoor, nature-based early learning and child  
17 care programs. The final report also must include a discussion of  
18 potential options to mitigate the uncertainty for families and  
19 participating providers during the final six months of the pilot  
20 project when legislation may be pending.

21 (8) This section expires August 1, 2021.

--- END ---