
SUBSTITUTE SENATE BILL 5247

State of Washington

65th Legislature

2017 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Zeiger, Mullet, Fain, Billig, Chase, and Kuderer; by request of Department of Early Learning)

1 AN ACT Relating to updating certain department of early learning
2 advising and contracting mechanisms to reflect federal requirements,
3 legislative mandates, and planned system improvements; and amending
4 RCW 43.215.090 and 43.215.130.

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

6 **Sec. 1.** RCW 43.215.090 and 2015 3rd sp.s. c 7 s 16 are each
7 amended to read as follows:

8 (1) The early learning advisory council is established to advise
9 the department on statewide early learning issues that (~~would~~
10 ~~build~~) contribute to the ongoing efforts of building a comprehensive
11 system of quality early learning programs and services for
12 Washington's children and families (~~by assessing needs and the~~
13 ~~availability of services, aligning resources, developing plans for~~
14 ~~data collection and professional development of early childhood~~
15 ~~educators, and establishing key performance measures~~) prenatal
16 through age five.

17 (2) The council shall work in conjunction with the department to
18 (~~develop a statewide early learning plan that guides~~) assist in
19 policy development and implementation that assist the department in
20 promoting alignment of private and public sector actions, objectives,
21 and resources, (~~and~~) ensuring school readiness.

1 (3) The council shall include diverse, statewide representation
2 from public, nonprofit, and for-profit entities. Its membership shall
3 include critical partners in service delivery and reflect regional,
4 racial, and cultural diversity to adequately represent the needs of
5 all children and families in the state.

6 (4) Councilmembers shall serve two-year terms. However, to
7 stagger the terms of the council, the initial appointments for twelve
8 of the members shall be for one year. Once the initial one-year to
9 two-year terms expire, all subsequent terms shall be for two years,
10 with the terms expiring on June 30th of the applicable year. The
11 terms shall be staggered in such a way that, where possible, the
12 terms of members representing a specific group do not expire
13 simultaneously.

14 (5) The council shall consist of ~~((not more than twenty three))~~
15 members essential to coordinating services statewide prenatal through
16 age five, as follows:

17 (a) In addition to being staffed and supported by the department,
18 the governor shall appoint ~~((at least))~~ one representative from each
19 of the following: ~~The ((department, the office of financial~~
20 ~~management, the department of social and health services, the))~~
21 department of health, the student achievement council, and the state
22 board for community and technical colleges;

23 (b) One representative from the office of the superintendent of
24 public instruction, to be appointed by the superintendent of public
25 instruction;

26 (c) The governor shall appoint ~~((seven))~~ leaders in early
27 childhood education to represent critical service delivery and
28 support sectors, with at least one ~~((representative with experience~~
29 ~~or expertise in one or more of the areas such as))~~ individual
30 representing each of the following: ~~((The K-12 system, family day~~
31 ~~care providers, and child care centers with four of the seven~~
32 ~~governor's appointees made as follows:))~~

33 (i) The head start state collaboration office director or the
34 director's designee;

35 (ii) A representative of a head start, early head start, or
36 migrant/seasonal head start~~((, or tribal head start))~~ program;

37 (iii) A representative of a local education agency; ~~((and))~~

38 (iv) A representative of the state agency responsible for
39 programs under section 619 or part C of the federal individuals with
40 disabilities education act;

1 (v) A representative of the early childhood education and
2 assistance program;

3 (vi) A representative of licensed family day care providers;

4 (vii) A representative of child day care centers; and

5 (viii) A representative from the home visiting advisory committee
6 established in RCW 43.215.130;

7 (d) Two members of the house of representatives, one from each
8 caucus, and two members of the senate, one from each caucus, to be
9 appointed by the speaker of the house of representatives and the
10 president of the senate, respectively, serving as ex officio,
11 nonvoting members;

12 (e) Two parents, one of whom serves on the department's parent
13 advisory group, to be appointed by the governor;

14 (f) ~~((One representative of the private-public partnership~~
15 ~~created in RCW 43.215.070, to be appointed by the partnership~~
16 ~~board;))~~ Representatives of underserved communities who have a
17 special expertise or interest in high quality early learning, one to
18 be appointed by each of the following commissions:

19 (i) The Washington state commission on Asian Pacific American
20 affairs;

21 (ii) The Washington state commission on African-American affairs;
22 and

23 (iii) The Washington state commission on Hispanic affairs;

24 (g) ~~((One))~~ Two representatives designated by sovereign tribal
25 governments, one of whom must be a representative of a tribal early
26 childhood education assistance program or head start program; ((and))

27 (h) One representative from the Washington federation of
28 independent schools;

29 (i) One representative from the Washington library association;

30 (j) Four representatives from the early learning regional
31 coalitions;

32 (k) One representative from a nonprofit organization that
33 develops services and programs for people with intellectual and
34 developmental disabilities; and

35 (l) One representative from a broad coalition of organizations
36 that focuses on early learning.

37 (6) The council shall be cochaired by ~~((one representative of a~~
38 ~~state agency and one nongovernmental))~~ two members, to be elected by
39 the council for two-year terms.

1 (7) The council shall appoint two members and stakeholders with
2 expertise in early learning to sit on the technical working group
3 created in section 2, chapter 234, Laws of 2010.

4 (8) Each member of the board shall be compensated in accordance
5 with RCW 43.03.240 and reimbursed for travel expenses incurred in
6 carrying out the duties of the board in accordance with RCW 43.03.050
7 and 43.03.060.

8 (9)(a) The council shall convene an early achievers review
9 subcommittee to provide feedback and guidance on strategies to
10 improve the quality of instruction and environment for early learning
11 and provide input and recommendations on the implementation and
12 refinement of the early achievers program. The review conducted by
13 the subcommittee shall be a part of the annual progress report
14 required in RCW 43.215.102. At a minimum the review shall address the
15 following:

16 (i) Adequacy of data collection procedures;

17 (ii) Coaching and technical assistance standards;

18 (iii) Progress in reducing barriers to participation for low-
19 income providers and providers from diverse cultural backgrounds,
20 including a review of the early achievers program's rating tools,
21 quality standard areas, and components, and how they are applied;

22 (iv) Strategies in response to data on the effectiveness of early
23 achievers program standards in relation to providers and children
24 from diverse cultural backgrounds;

25 (v) Status of the life circumstance exemption protocols; and

26 (vi) Analysis of early achievers program data trends.

27 (b) The subcommittee must include consideration of cultural
28 linguistic responsiveness when analyzing the areas for review
29 required by (a) of this subsection.

30 (c) The subcommittee shall include representatives from child
31 care centers, family child care, the early childhood education and
32 assistance program, contractors for early achievers program technical
33 assistance and coaching, tribal governments, the organization
34 responsible for conducting early (~~achiever[s]~~) achievers program
35 ratings, and parents of children participating in early learning
36 programs, including working connections child care and early
37 childhood education and assistance programs. The subcommittee shall
38 include representatives from diverse cultural and linguistic
39 backgrounds.

40 (10) The department shall provide staff support to the council.

1 **Sec. 2.** RCW 43.215.130 and 2013 c 165 s 1 are each amended to
2 read as follows:

3 (1)(a) The home visiting services account is created in the state
4 treasury. Revenues to the account shall consist of appropriations by
5 the legislature and all other sources deposited in the account. All
6 federal funds received by the department for home visiting activities
7 must be deposited into the account.

8 (b)(i) Expenditures from the account shall be used for state
9 matching funds for the purposes of the program established in this
10 section and federally funded activities for the home visiting
11 program, including administrative expenses.

12 (ii) The department oversees the account and is the lead state
13 agency for home visiting system development. The nongovernmental
14 private-public partnership (~~((administers))~~) supports the home visiting
15 service delivery system and provides (~~((implementation))~~) support
16 functions to funded programs.

17 (iii) It is the intent of the legislature that state funds
18 invested in the account be matched at fifty percent by the
19 private-public partnership each fiscal year. However, state funds in
20 the account may be accessed in the event that the private-public
21 partnership fails to meet the fifty percent match target. Should the
22 private-public partnership not meet the fifty percent match target by
23 the conclusion of the fiscal year ending on June 30th, the department
24 and the private-public partnership(~~((τ))~~) shall jointly submit a report
25 to the relevant legislative committees detailing the reasons why the
26 fifty percent match target was not met, the actual match rate
27 achieved, and a plan to achieve fifty percent match in the subsequent
28 fiscal year. This report shall be submitted as promptly as
29 practicable, but the lack of receipt of this report shall not prevent
30 state funds in the account from being accessed.

31 (iv) Amounts used for program administration by the department
32 may not exceed an average of (~~((four))~~) ten percent in any two
33 consecutive fiscal years.

34 (v) Authorizations for expenditures may be given only after
35 private funds are committed. The nongovernmental private-public
36 partnership must report to the department quarterly to demonstrate
37 sufficient investment of private match funds.

38 (c) Expenditures from the account are subject to appropriation
39 and the allotment provisions of chapter 43.88 RCW.

1 (2) The department must expend moneys from the account to provide
2 state matching funds for partnership activities to implement home
3 visiting services and administer the infrastructure necessary to
4 develop, support, and evaluate evidence-based, research-based, and
5 promising home visiting programs.

6 (3) Activities eligible for funding through the account include,
7 but are not limited to:

8 (a) Home visiting services that achieve one or more of the
9 following: (i) Enhancing child development and well-being by
10 alleviating the effects on child development of poverty and other
11 known risk factors; (ii) reducing the incidence of child abuse and
12 neglect; or (iii) promoting school readiness for young children and
13 their families; and

14 (b) Development and maintenance of the infrastructure for home
15 visiting programs, including training, quality improvement, and
16 evaluation.

17 (4) Beginning July 1, 2010, the department shall contract with
18 the nongovernmental private-public partnership designated in RCW
19 43.215.070 to (~~administer~~) support programs funded through the home
20 visiting services account. The department shall monitor performance
21 and provide periodic reports on the use outcomes of the home visiting
22 services account.

23 (5) The (~~nongovernmental private-public partnership~~) department
24 shall, in the administration of the programs:

25 (a) Fund programs through a competitive bid process or in
26 compliance with the regulations of the funding source; and

27 (b) Convene an advisory committee of early learning and home
28 visiting experts, including one representative from the department,
29 to advise the partnership regarding research and the distribution of
30 funds from the account to eligible programs.

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