

#1

C.F. 313661

SMITH & LOWNEY, P.L.L.C.
2317 E. JOHN ST.
SEATTLE, WASHINGTON 98122
(206) 860-2976, FAX (206) 860-4187

May 13, 2014.

Monica Martinez Simmons, City Clerk
600 Fourth Ave. 3rd Floor
Seattle, WA 98104

FILED
CITY OF SEATTLE
2014 MAY 13 PM 1:49
CITY CLERK

Subject: Signature Submission Initiative 107

Dear City Clerk:

On behalf of the sponsors of Seattle Initiative 107 ("I-107"), we hereby request that you transfer our 26,209 signatures on I-107 to King County for validation. Pursuant to our letter dated May 7th, 2014, we request that you make this transfer within 24 hours.

If you have any questions, you can reach me at knoll@igc.org or 206-650-1044.

Very Truly Yours,

SMITH & LOWNEY, P.L.L.C.

By 
Knoll D. Lowney



King County

Department of Elections

Sherril Huff, Director

FILED
CITY OF SEATTLE

2014 MAY 30 PM 3 58

May 28, 2014

CITY CLERK

SENT VIA U.S. MAIL AND EMAIL

Monica Martinez Simmons
Seattle City Clerk
City Hall, Floor 3
600 4th Avenue
Seattle, WA 98104-1859

RE: City of Seattle Proposed Initiative Measure Number 107

Dear Ms. Simmons:

Effective Monday, June 2, at 9AM, King County Elections will begin the determination of sufficiency on the additional signatures for the City of Seattle Proposed Initiative Measure Number 107. We will incorporate the new pages into the pages initially submitted and process the two submissions concurrently.

As prescribed by RCW 35A.01.040(4), the foregoing date is certified as the terminal date for the petition. No signer may withdraw his or her signature hereafter nor may any further signatures be added to the petition, unless otherwise determined by City Charter of the City of Seattle.

As referenced in your letter dated May 23, 2014, a total of 20,638 valid signatures of City of Seattle registered voters are needed to meet the sufficiency requirement of the law.

If you have questions, please feel free to contact Julie Wise at 206-477-4176.

Sincerely,

Sherril Huff, Director

cc: Julie Wise, Program Manager of Voter Services
File Copy

SMITH & LOWNEY, P.L.L.C.
2317 E. JOHN ST.
SEATTLE, WASHINGTON 98122
(206) 860-2976, FAX (206) 860-4187

March 11, 2014.

Monica Martinez Simmons, City Clerk
600 Fourth Ave. 3rd Floor
Seattle, WA 98104

**Subject: Updated petition forms
Initiatives 105-110**

Dear City Clerk:

With this letter, I am transmitting, on behalf of the sponsor/petitioner Laura Chandler, updated petition forms for Initiatives 105-110 and electronic copies thereof.

These petition forms are individually tailored to the six different initiatives. They state the initiative number you assigned this morning and have the corresponding initiative text on the back. They are printed out on the legal size paper that we intend to use. Finally, these petition forms show the campaign's contact information, as you requested.

If you have any questions, or see any other changes you would like us to make, you can reach me at knoll@igc.org or 206-860-2976.

Thanks for your attention to details in this important process.

Very Truly Yours,

SMITH & LOWNEY, P.L.L.C.

By 
Knoll D. Lowney

Campaign logo
goes here.

Please Return Your Initiative or Contact Us At: Yes for Early Success
PO Box XXXX
Seattle, WA XXXX
Phone - 206.322.3010
email-XXXX
web - XXXX

Initiative 107

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL. To the City Council of The City of Seattle:

We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. 107, entitled:

XXXX (established ballot title of the measure) XXXX

a full, true and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of The City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

WARNING: "Ordinance 94289 provides as follows: "Section 1. It is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment petition by threat, intimidation or any other corrupt means or practice; or 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum or Charter amendment measure, or to sign any such petition knowing that he or she is not a registered voter of The City of Seattle." The provisions of this ordinance shall be printed as a warning on every petition for a City initiative, referendum, or Charter amendment. "Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

(* Only Registered Seattle Voters Can Sign This Petition *)

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	Date Signed
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

**AN ACT Relating to early learning and child care
BE IT ENACTED BY THE PEOPLE OF THE CITY OF SEATTLE:**

**PART I
INTENT.**

NEW SECTION, Sec. 101.

It is the intent of the People of Seattle to increase the quality, affordability, and safety of the City's early education and child care system through: (a) establishing a \$15 minimum wage for child care teachers and staff, with support for small businesses; (b) establishing city policy that families should pay no more than ten percent of family income on child care; (c) prohibiting violent felons from being child care teachers and staff, even in a non-licensed facility; (d) requiring enhanced training for child care teachers and staff, to be provided through a training partnership between the City and workers; and (e) giving child care teachers and staff a formal role in establishing work force standards for their profession.

**PART II
ESTABLISHING A \$15 MINIMUM WAGE FOR CHILD CARE TEACHERS AND STAFF,
WITH SUPPORT FOR SMALL BUSINESS.**

NEW SECTION, Sec. 201.

- A. All child care teachers and staff in the City of Seattle shall be entitled to a minimum wage of not less than fifteen dollars (\$15.00) per hour worked within the geographic boundaries in the City.
- B. Beginning on January 1, 2015, the minimum wage for child care teachers and staff shall be an hourly rate of \$15.00. Beginning on January 1, 2016, and each year thereafter, this minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the greater Seattle-Tacoma-Bremerton metropolitan area.
- C. The minimum wage for child care teachers and staff employed by small child care providers shall phase in over a three year period in order to afford such small businesses time to adjust. For a transition period beginning February 1, 2015 and ending December 31, 2015, the minimum wage for child care teachers and staff employed by a small child care provider shall be an hourly rate of \$11.00. Beginning January 1, 2016, the minimum wage for such employees shall increase to \$12.50. Beginning January 1, 2017, the minimum wage for such employees shall increase to \$14.00. Beginning January 1, 2018, the minimum wage for such employees shall be the regular minimum wage established pursuant to Section 201(b) of this Ordinance.
- D. Should there be a conflict between the minimum wage adopted in this Ordinance and a minimum wage adopted by the City Council or another initiative, childcare teachers and staff shall be entitled to the highest applicable minimum wage.
- E. The minimum wage enacted in this section shall be enforceable through all mechanisms in City or State law for enforcing a City or State minimum wage, as currently existing or as may be enacted. In addition, an employer's failure to pay the minimum wage set by this section constitutes an "unfair employment practice" enforceable through the provisions of SMC chapter 14.04.

**PART III
ESTABLISHING CITY POLICY THAT NO FAMILY SHOULD PAY MORE THAN 10% OF INCOME
ON CHILD CARE.**

NEW SECTION, Sec. 301.

- A. It shall be the policy of the City of Seattle that early childhood education should be affordable and that no family should have to pay more than ten percent (10%) of gross family income on early education and child care. This policy is intended to increase affordability of child care in conformance with federal and expert recommendations on affordability.
- B. The City shall, within twelve months of the effective date of this Ordinance, adopt goals, timelines, and milestones for implementing this affordability standard. In adopting these standards, the City shall consult with stakeholders, who at a minimum must include parents, communities of color, child advocates, low income advocates, and the provider organization.

**PART IV
PROHIBITING VIOLENT FELONS FROM PROVIDING PROFESSIONAL
CHILD CARE, EVEN IN UNLICENSED FACILITIES.**

NEW SECTION, Sec. 401.

- A. The People hereby declare that it is of paramount importance to protect the safety of all children in care - whether they are cared for in a licensed or unlicensed facility. Children in unlicensed care are placed at unacceptable dangers by a lack of safety regulations. This section extends one of the most basic protections of licensed care to children being cared for in unlicensed facilities.
- B. It shall be a gross misdemeanor for any violent felon to provide professional child care services, whether in a licensed or unlicensed facility.
- C. For the purpose of this section, "violent felon" means a person convicted of one or more of the following criminal felonies:
- (1) Child abuse or neglect, or both;
 - (2) Spousal abuse;
 - (3) A crime against a child, including child pornography;
 - (4) The following crimes involving violence: Rape, sexual assault, homicide, assault in the first degree, assault in the second degree, or assault in the third degree involving domestic violence;
 - (5) Any other crime that constitutes a disqualification from child care licensure under state law; or
 - (6) Any federal or out-of-state conviction for an offense equivalent to those enumerated in (1) through (5) of this subsection.
- D. For the purpose of this section, to "provide professional child care services" means to receive payment for providing child care for one or more children who are unrelated to the person providing the care.

**PART V
REQUIRING ENHANCED TRAINING FOR CHILD CARE TEACHERS AND STAFF,
TO BE PROVIDED THROUGH A TRAINING PARTNERSHIP.**

NEW SECTION, Section 501.

- A. Child care teachers and staff must obtain enhanced training and certification through the Professional Development Institute. The enhanced training requirements shall be set by the City Council in consultation with the City of Seattle Early Care and Education Workforce Board.
- B. The City, acting through the Mayor, shall cooperate with the provider organization to establish the Professional Development Institute, which shall be a training partnership jointly controlled and operated by the City of Seattle and the provider organization.
- C. The Professional Development Institute shall be charged with performing the following functions in the early learning and care system: (1) securing and leveraging resources for workforce development and training; and (2) delivering and/or coordinating delivery of: (a) enhanced training required under this Ordinance or by later enactment; (b) continuing education requirements; (c) new hire orientation, which shall be required for all new child care teachers and staff in child care facilities receiving public support; (d) apprenticeship and mentoring programs; (3) developing and maintaining an early learning and care substitute teachers pool; and (4) verifying that child care teachers and staff have satisfied applicable training and professional development requirements.
- D. The Professional Development Institute must ensure the efficient and effective use of city funds by leveraging state, federal and other funding, incentivizing employer participation, and subcontracting with existing professional development providers where appropriate. The City shall fund the Professional Development Institute to provide the services set forth in this section.
- E. The Professional Development Institute must verify that child care teachers and staff have met all applicable training and professional development requirements before such teacher or staff member may deliver services in the City's Universal Pre-Kindergarten Program.

NEW SECTION, Section 502.

- A. The City of Seattle Early Care and Education Workforce Board shall be created to recommend policy and investment priorities regarding workforce development and training for child care teachers and staff and to oversee the Professional Development Institute. The City shall convene and support the Board to serve the functions set forth in this section.
- B. The Mayor and the provider organization shall each appoint fifty percent of the members of the Board and may make new appointments at will. In making the appointments, the City and the provider organization shall seek to appoint persons who have a demonstrated commitment to early education and care, who reflect the ethnic, racial, and economic diversity of the City's children, and who reflect the interests of stakeholders, including parents, communities of color, child advocates, and low income communities.
- C. The Early Care and Education Workforce Board will recommend and oversee expenditures from the Small Business Early Childhood Resource Fund, which is hereby created to help small child care providers and not for profit child care providers meet and maintain standards set by the Board or otherwise required under law. The City Council shall determine the level of necessary appropriation for this purpose.

NEW SECTION, Section 503.

- A. Successful implementation of a high quality early education and care system including Universal Pre-Kindergarten will require significant recruitment and training of child care teachers and staff. It is the intent of the voters to give child care teachers and staff a role in shaping and implementing workforce development and training programs and to increase coordination within and among these programs.
- B. The City shall hire a single provider organization to facilitate communications between the City and child care teachers and staff, facilitate the expression of child care teachers and staff's interests in workforce development and training programs, and to perform other roles as set forth in this Ordinance. The City shall allow child care teachers and staff to assist in the selection of the provider organization as follows: If an organization demonstrates by written or electronic means that it has support of over 30% of child care teachers and staff, and it is the only organization to demonstrate such support, the City shall select and hire it as the provider organization. If more than one organization makes this showing, the City shall hire the organization that has shown the most support. To qualify as the provider organization, an entity must meet the following criteria or be a project of one or more entities meeting such criteria: (a) has existed for more than five years; (b) has successfully negotiated an agreement with the state or city or government agency on behalf of child care teachers and staff, which has increased wages and benefits; (c) is not dominated by advocates for employer or government interests; and (d) gives child care teachers and staff the rights to be members of the organization and to participate in the democratic control of the organization.

**PART VI
DEFINITIONS.**

NEW SECTION, Sec. 601.

The definitions in this section apply throughout this act unless the context clearly requires otherwise.

- A. "Child care teachers and staff" includes all employees of a child care facility in Seattle who work on-site, including on-site supervisors and/or sole proprietors providing family child care.
- B. "Child care facility" includes (1) licensed family child care homes, (2) licensed child care centers, (3) school-age programs, and (4) other facilities participating in the Seattle Universal Pre-Kindergarten Program.
- C. "City" means the City of Seattle, including its departments and agencies.
- D. "Provider organization" means the entity hired by the City under Section 503(B) of this Ordinance to serve the roles set forth in this Ordinance.
- E. "Small child care provider" means an entity that employs 250 or fewer full time equivalents, as defined and calculated under the City of Seattle Paid Sick Time and Safe Time Ordinance, and operates a child care facility within the City of Seattle.
- F. "Universal Pre-Kindergarten Program" means a City-wide pre-school program funded by the City of Seattle, including any program implementing the City's "preschool for all" initiative.
- G. Definitions set forth under section 12A.28.200 of the Seattle Municipal Code apply throughout this chapter unless otherwise stated.

**PART VII
MISCELLANEOUS.**

NEW SECTION, Sec. 701.

- A. The provisions of this ordinance may not be waived by agreement between an individual employee and an employer. All of the provisions of this ordinance may be superseded by a collective bargaining agreement entered into pursuant to the National Labor Relations Act, 29 U.S.C. Sec. 151 et seq, but only if the agreement explicitly states in clear and unambiguous terms that specific provisions of this ordinance are to be superseded.
- B. The facilitative processes authorized by this Ordinance do not constitute collective bargaining pursuant to RCW 41.56.030(4) or under the National Labor Relations Act, 29 U.S.C. Sec 151 et seq, nor in any way impact the rights of employers and employees under that Act. This measure must be interpreted to be consistent with the National Labor Relations Act and not to limit or intrude, in any way, upon the rights of employers or employees under federal labor law.
- C. Nothing in this act creates or modifies: (a) The parents' or legal guardians' right to choose and terminate the services of any child care provider that provides care for their child or children or (b) the child care facility's right to choose, direct, and terminate the services of any child care teacher or staff.
- D. Nothing in this ordinance shall require any individual or child care facility to make any payment to or associate with the provider organization. Nothing in this ordinance shall infringe on any person's rights to communicate with the City on matters of interest through all legal means.
- E. The City is directed to engage stakeholders in negotiated rulemaking in implementing this ordinance.

NEW SECTION, Sec. 702.

The requirements contained in this act constitute ministerial, mandatory, and nondiscretionary duties, the performance of which can be judicially compelled in an action brought by any party with standing. Should a person be required to bring suit to enforce this ordinance, and the City is found to be in violation, the City shall be responsible for reimbursement of the costs of such enforcement action, including reasonable attorneys' fees and costs.

NEW SECTION, Sec. 703.

If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. Should any provision relating to the selection or role of the provider organization be held invalid by a court of law, the City must utilize an alternative selection method if necessary and ensure the fulfillment of all valid functions.

NEW SECTION, Sec. 704.

The subject of this initiative is "early learning and child care."

Initiative Sponsor information:

Yes for Early Success

PO Box XXXX

Seattle, WA XXXX

Phone - 206.322.3010

email - XXXX

web - XXXX

Campaign logo goes here.

Please Return Your Initiative or Contact Us At: Yes for Early Success
PO Box XXXX
Seattle, WA XXXX
Phone - 206.322.3010
email-XXXX
web - XXXX

Initiative 107

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL. To the City Council of The City of Seattle:

We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. 107, entitled:

XXXX (established ballot title of the measure) XXXX

a full, true and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of The City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

WARNING: "Ordinance 94289 provides as follows: "Section 1. It is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment petition by threat, intimidation or any other corrupt means or practice; or 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum or Charter amendment measure, or to sign any such petition knowing that he or she is not a registered voter of The City of Seattle." The provisions of this ordinance shall be printed as a warning on every petition for a City initiative, referendum, or Charter amendment. "Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

(* Only Registered Seattle Voters Can Sign This Petition *)

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	Date Signed
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

**AN ACT Relating to early learning and child care
BE IT ENACTED BY THE PEOPLE OF THE CITY OF SEATTLE:**

**PART I
INTENT.**

NEW SECTION, Sec. 101.

It is the intent of the People of Seattle to increase the quality, affordability, and safety of the City's early education and child care system through: (a) establishing a \$15 minimum wage for child care teachers and staff, with support for small businesses; (b) establishing city policy that families should pay no more than ten percent of family income on child care; (c) prohibiting violent felons from being child care teachers and staff, even in a non-licensed facility; (d) requiring enhanced training for child care teachers and staff, to be provided through a training partnership between the City and workers; and (e) giving child care teachers and staff a formal role in establishing work force standards for their profession.

**PART II
ESTABLISHING A \$15 MINIMUM WAGE FOR CHILD CARE TEACHERS AND STAFF,
WITH SUPPORT FOR SMALL BUSINESS.**

NEW SECTION, Sec. 201.

- A. All child care teachers and staff in the City of Seattle shall be entitled to a minimum wage of not less than fifteen dollars (\$15.00) per hour worked within the geographic boundaries in the City.
- B. Beginning on January 1, 2015, the minimum wage for child care teachers and staff shall be an hourly rate of \$15.00. Beginning on January 1, 2016, and each year thereafter, this minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the greater Seattle-Tacoma-Bremerton metropolitan area.
- C. The minimum wage for child care teachers and staff employed by small child care providers shall phase in over a three year period in order to afford such small businesses time to adjust. For a transition period beginning February 1, 2015 and ending December 31, 2015, the minimum wage for child care teachers and staff employed by a small child care provider shall be an hourly rate of \$11.00. Beginning January 1, 2016, the minimum wage for such employees shall increase to \$12.50. Beginning January 1, 2017, the minimum wage for such employees shall increase to \$14.00. Beginning January 1, 2018, the minimum wage for such employees shall be the regular minimum wage established pursuant to Section 201(b) of this Ordinance.
- D. Should there be a conflict between the minimum wage adopted in this Ordinance and a minimum wage adopted by the City Council or another initiative, child care teachers and staff shall be entitled to the highest applicable minimum wage.
- E. The minimum wage enacted in this section shall be enforceable through all mechanisms in City or State law for enforcing a City or State minimum wage, as currently existing or as may be enacted. In addition, an employer's failure to pay the minimum wage set by this section constitutes an "unfair employment practice" enforceable through the provisions of SMC chapter 14.04.

PART III

**ESTABLISHING CITY POLICY THAT NO FAMILY SHOULD PAY MORE THAN 10% OF INCOME
ON CHILD CARE.**

NEW SECTION, Sec. 301.

- A. It shall be the policy of the City of Seattle that early childhood education should be affordable and that no family should have to pay more than ten percent (10%) of gross family income on early education and child care. This policy is intended to increase affordability of child care in conformity with federal and expert recommendations on affordability.
- B. The City shall, within twelve months of the effective date of this Ordinance, adopt goals, timelines, and milestones for implementing this affordability standard. In adopting these standards, the City shall consult with stakeholders, who at a minimum must include parents, communities of color, child advocates, low income advocates, and the provider organization.

PART IV

**PROHIBITING VIOLENT FELONS FROM PROVIDING PROFESSIONAL
CHILD CARE, EVEN IN UNLICENSED FACILITIES.**

NEW SECTION, Sec. 401.

- A. The People hereby declare that it is of paramount importance to protect the safety of all children in care - whether they are cared for in a licensed or unlicensed facility. Children in unlicensed care are placed at unacceptable dangers by a lack of safety regulations. This section extends one of the most basic protections of licensed care to children being cared for in unlicensed facilities.
- B. It shall be a gross misdemeanor for any violent felon to provide professional child care services, whether in a licensed or unlicensed facility.
- C. For the purpose of this section, "violent felon" means a person convicted of one or more of the following criminal felonies:
- (1) Child abuse or neglect, or both;
 - (2) Spousal abuse;
 - (3) A crime against a child, including child pornography;
 - (4) The following crimes involving violence: Rape, sexual assault, homicide, assault in the first degree, assault in the second degree, or assault in the third degree involving domestic violence;
 - (5) Any other crime that constitutes a disqualification from child care licensure under state law; or
 - (6) Any federal or out-of-state conviction for an offense equivalent to those enumerated in (1) through (5) of this subsection.
- D. For the purpose of this section, to "provide professional child care services" means to receive payment for providing child care for one or more children who are unrelated to the person providing the care.

PART V

**REQUIRING ENHANCED TRAINING FOR CHILD CARE TEACHERS AND STAFF,
TO BE PROVIDED THROUGH A TRAINING PARTNERSHIP.**

NEW SECTION, Section 501.

- A. Child care teachers and staff must obtain enhanced training and certification through the Professional Development Institute. The enhanced training requirements shall be set by the City Council in consultation with the City of Seattle Early Care and Education Workforce Board.
- B. The City, acting through the Mayor, shall cooperate with the provider organization to establish the Professional Development Institute, which shall be a training partnership jointly controlled and operated by the City of Seattle and the provider organization.
- C. The Professional Development Institute shall be charged with performing the following functions in the early learning and care system: (1) securing and leveraging resources for workforce development and training; and (2) delivering and/or coordinating delivery of: (a) enhanced training required under this Ordinance or by later enactment; (b) continuing education requirements; (c) new hire orientation, which shall be required for all new child care teachers and staff in child care facilities receiving public support; (d) apprenticeship and mentoring programs; (3) developing and maintaining an early learning and care substitute teachers pool; and (4) verifying that child care teachers and staff have satisfied applicable training and professional development requirements.
- D. The Professional Development Institute must ensure the efficient and effective use of city funds by leveraging state, federal and other funding, incentivizing employer participation, and subcontracting with existing professional development providers where appropriate. The City shall fund the Professional Development Institute to provide the services set forth in this section.
- E. The Professional Development Institute must verify that child care teachers and staff have met all applicable training and professional development requirements before such teacher or staff member may deliver services in the City's Universal Pre-Kindergarten Program.

NEW SECTION, Section 502.

- A. The City of Seattle Early Care and Education Workforce Board shall be created to recommend policy and investment priorities regarding workforce development and training for child care teachers and staff and to oversee the Professional Development Institute. The City shall convene and support the Board to serve the functions set forth in this section.
- B. The Mayor and the provider organization shall each appoint fifty percent of the members of the Board and may make new appointments at will. In making the appointments, the City and the provider organization shall seek to appoint persons who have a demonstrated commitment to early education and care, who reflect the ethnic, racial, and economic diversity of the City's children, and who reflect the interests of stakeholders, including parents, communities of color, child advocates, and low income communities.
- C. The Early Care and Education Workforce Board will recommend and oversee expenditures from the Small Business Early Childhood Resource Fund, which is hereby created to help small child care providers and not for profit child care providers meet and maintain standards set by the Board or otherwise required under law. The City Council shall determine the level of necessary appropriation for this purpose.

NEW SECTION, Section 503.

- A. Successful implementation of a high quality early education and care system including Universal Pre-Kindergarten will require significant recruitment and training of child care teachers and staff. It is the intent of the voters to give child care teachers and staff a role in shaping and implementing workforce development and training programs and to increase coordination within and among these programs.
- B. The City shall hire a single provider organization to facilitate communications between the City and child care teachers and staff, facilitate the expression of child care teachers and staff's interests in workforce development and training programs, and to perform other roles as set forth in this Ordinance. The City shall allow child care teachers and staff to assist in the selection of the provider organization as follows: If an organization demonstrates by written or electronic means that it has support of over 30% of child care teachers and staff, and it is the only organization to demonstrate such support, the City shall select and hire it as the provider organization. If more than one organization makes this showing, the City shall hire the organization that has shown the most support. To qualify as the provider organization, an entity must meet the following criteria or be a project of one or more entities meeting such criteria: (a) has existed for more than five years; (b) has successfully negotiated an agreement with the state or city or government agency on behalf of child care teachers and staff, which has increased wages and benefits; (c) is not dominated by advocates for employer or government interests; and (d) gives child care teachers and staff the rights to be members of the organization and to participate in the democratic control of the organization.

PART VI

DEFINITIONS.

NEW SECTION, Sec. 601.

The definitions in this section apply throughout this act unless the context clearly requires otherwise.

- A. "Child care teachers and staff" includes all employees of a child care facility in Seattle who work on-site, including on-site supervisors and/or sole proprietors providing family child care.
- B. "Child care facility" includes (1) licensed family child care homes, (2) licensed child care centers, (3) school-age programs, and (4) other facilities participating in the Seattle Universal Pre-Kindergarten Program.
- C. "City" means the City of Seattle, including its departments and agencies.
- D. "Provider organization" means the entity hired by the City under Section 503(B) of this Ordinance to serve the roles set forth in this Ordinance.
- E. "Small child care provider" means an entity that employs 250 or fewer full time equivalents, as defined and calculated under the City of Seattle Paid Sick Time and Safe Time Ordinance, and operates a child care facility within the City of Seattle.
- F. "Universal Pre-Kindergarten Program" means a City-wide pre-school program funded by the City of Seattle, including any program implementing the City's "preschool for all" initiative.
- G. Definitions set forth under section 12A.28.200 of the Seattle Municipal Code apply throughout this chapter unless otherwise stated.

PART VII

MISCELLANEOUS.

NEW SECTION, Sec. 701.

- A. The provisions of this ordinance may not be waived by agreement between an individual employee and an employer. All of the provisions of this ordinance may be superseded by a collective bargaining agreement entered into pursuant to the National Labor Relations Act, 29 U.S.C. Sec. 151 et seq., but only if the agreement explicitly states in clear and unambiguous terms that specific provisions of this ordinance are to be superseded.
- B. The facilitative processes authorized by this Ordinance do not constitute collective bargaining pursuant to RCW 41.56.030(4) or under the National Labor Relations Act, 29 U.S.C. Sec 151 et seq., nor in any way impact the rights of employers and employees under that Act. This measure must be interpreted to be consistent with the National Labor Relations Act and not to limit or intrude, in any way, upon the rights of employers or employees under federal labor law.
- C. Nothing in this act creates or modifies: (a) The parents' or legal guardians' right to choose and terminate the services of any child care provider that provides care for their child or children or (b) the child care facility's right to choose, direct, and terminate the services of any child care teacher or staff.
- D. Nothing in this ordinance shall require any individual or child care facility to make any payment to or associate with the provider organization. Nothing in this ordinance shall infringe on any person's rights to communicate with the City on matters of interest through all legal means.
- E. The City is directed to engage stakeholders in negotiated rulemaking in implementing this ordinance.

NEW SECTION, Sec. 702.

The requirements contained in this act constitute ministerial, mandatory, and nondiscretionary duties, the performance of which can be judicially compelled in an action brought by any party with standing. Should a person be required to bring suit to enforce this ordinance, and the City is found to be in violation, the City shall be responsible for reimbursement of the costs of such enforcement action, including reasonable attorneys' fees and costs.

NEW SECTION, Sec. 703.

If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. Should any provision relating to the selection or role of the provider organization be held invalid by a court of law, the City must utilize an alternative selection method if necessary and ensure the fulfillment of all valid functions.

NEW SECTION, Sec. 704.

The subject of this initiative is "early learning and child care."

Initiative Sponsor Information:

Yes for Early Success
PO Box XXXX
Seattle, WA XXXX
Phone - 206.322.3010
email - XXXX
web - XXXX

City of Seattle
Legislative Department
Office of the City Clerk

Monica Martinez Simmons, City Clerk



PROPOSED INITIATIVE PETITION SUBMITTAL RECEIPT

Initiative No. 107 (Version 3)

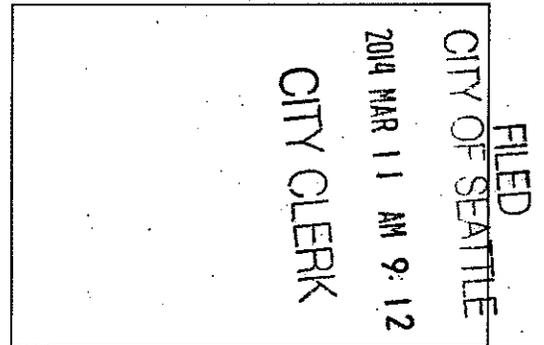
On March 11, 2014 at 9:05 a.m./p.m., I filed one paper and one electronic copy of a proposed Initiative Petition with the Seattle City Clerk.

Signed [Signature]

Print Name Kroll Lowrey

CITY CLERK ACKNOWLEDGEMENT OF RECEIPT

Date/Time Stamp:



[Signature]
Received by (City Clerk)

600 4th Avenue, Floor 3, PO Box 94728, Seattle, Washington 98124-4728

(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025

email: clerk@seattle.gov

Accommodations for people with disabilities provided upon request. An equal opportunity employer

FILED
CITY OF SEATTLE
SMITH & LOWNEY, P.L.L.C.
2317 E. JOHN ST.
SEATTLE, WASHINGTON 98101
(206) 860-2976, FAX (206) 860-4187
2014 MAR 11 AM 9:14

March 11, 2014. CITY CLERK

Monica Martinez Simmons, City Clerk
600 Fourth Ave. 3rd Floor
Seattle, WA 98104

**Subject: Transmittal Letter
Early Learning and Child Care Initiative – Version 3**

Dear City Clerk:

With this letter, I am transmitting, on behalf of the sponsor/petitioner identified below, the necessary paperwork to commence the initiative process for a measure on the subject of “Early Learning and Child Care.”

Since we are submitting several initiatives on this subject, we are designating the attached initiative as “**Version 3.**”

The following individual is the sponsor of this initiative:

Laura Chandler
11516 Palatine Ave. N
Seattle, WA 98133
(206) 361-9324
lauraalice@comcast.net

However, please contact me directly on all matters relating to this initiative. I am Ms. Chandler’s attorney in this matter. If possible, we would appreciate if you could avoid publication of Ms. Chandler’s personal contact information. If you have any questions, you can reach me at knoll@igc.org.

Very Truly Yours,

SMITH & LOWNEY, P.L.L.C.

By 
Knoll D. Lowney

FILED
CITY OF SEATTLE

2014 MAR 11 AM 9:14

CITY CLERK

Campaign logo
goes here.

Please Return Your Initiative or Contact Us At: Address
Phone
Email
Web

Initiative XXXX

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL. To the City Council of The City of Seattle:

We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. XXXX, entitled:

XXXX (established ballot title of the measure) XXXX

a full, true and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of The City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

WARNING: "Ordinance 94289 provides as follows: "Section 1. It is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment petition by threat, intimidation or any other corrupt means or practice; or 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum or Charter amendment measure, or to sign any such petition knowing that he or she is not a registered voter of The City of Seattle." The provisions of this ordinance shall be printed as a warning on every petition for a City initiative, referendum, or Charter amendment. "Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

(* Only Registered Seattle Voters Can Sign This Petition *)

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	Date Signed
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

AN ACT Relating to early learning and child care
BE IT ENACTED BY THE PEOPLE OF THE CITY OF SEATTLE:

PART I
INTENT.

NEW SECTION, Sec. 101.

It is the intent of the People of Seattle to increase the quality, affordability, and safety of the City's early education and child care system through: (a) establishing a \$15 minimum wage for child care teachers and staff, with support for small businesses; (b) establishing city policy that families should pay no more than ten percent of family income on child care; (c) prohibiting violent felons from being child care teachers and staff, even in a non-licensed facility; (d) requiring enhanced training for child care teachers and staff, to be provided through a training partnership between the City and workers; and (e) giving child care teachers and staff a formal role in establishing work force standards for their profession.

PART II

ESTABLISHING A \$15 MINIMUM WAGE FOR CHILD CARE TEACHERS AND STAFF, WITH SUPPORT FOR SMALL BUSINESS.

NEW SECTION, Sec. 201.

- A. All child care teachers and staff in the City of Seattle shall be entitled to a minimum wage of not less than fifteen dollars (\$15.00) per hour worked within the geographic boundaries in the City.
- B. Beginning on January 1, 2015, the minimum wage for child care teachers and staff shall be an hourly rate of \$15.00. Beginning on January 1, 2016, and each year thereafter, this minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the greater Seattle-Tacoma-Bremerton metropolitan area.
- C. The City shall provide support for small child care providers to pay this increased minimum wage for a three year period. For a transition period beginning January 1, 2015 and ending December 31, 2015, the City shall provide small child care providers a subsidy equal to two-thirds (2/3) of the increased hourly wages mandated by this Ordinance and paid to their staff during that period. For the period beginning January 1, 2016 and ending December 31, 2016, the City shall provide small child care providers a subsidy equal to one-third (1/3) of the increased hourly wages mandated by this Ordinance and paid to their staff during that period. For the period beginning January 1, 2017 and ending December 31, 2017, the City shall provide small child care providers a subsidy equal to one-sixth (1/6) of the increased hourly wages mandated by this Ordinance and paid to their staff during that period. The City shall adopt rules to implement this subsidy program and the City Council shall provide adequate funding for this program. To seek a subsidy from this program, small child care providers must demonstrate the amount of increased wages that they paid during the specific period to bring employees up to the minimum wage established in this section.
- D. Should there be a conflict between the minimum wage adopted in this Ordinance and a minimum wage adopted by the City Council or another initiative, child care teachers and staff shall be entitled to the highest applicable minimum wage.
- E. The minimum wage enacted in this section shall be enforceable through all mechanisms in City or State law for enforcing a City or State minimum wage, as currently existing or as may be enacted. In addition, an employer's failure to pay the minimum wage set by this section constitutes an "unfair employment practice" enforceable through the provisions of SMC chapter 14.04.

PART III

ESTABLISHING CITY POLICY THAT NO FAMILY SHOULD PAY MORE THAN 10% OF INCOME ON CHILD CARE.

NEW SECTION, Sec. 301.

- A. It shall be the policy of the City of Seattle that early childhood education should be affordable and that no family should have to pay more than ten percent (10%) of gross family income on early education and child care. This policy is intended to increase affordability of child care in conformance with federal and expert recommendations on affordability.
- B. The City shall, within twelve months of the effective date of this Ordinance, adopt goals, timelines, and milestones for implementing this affordability standard. In adopting these standards, the City shall consult with stakeholders, who at a minimum must include parents, communities of color, child advocates, low income advocates, and the provider organization.

PART IV

PROHIBITING VIOLENT FELONS FROM PROVIDING PROFESSIONAL CHILD CARE, EVEN IN UNLICENSED FACILITIES.

NEW SECTION, Sec. 401.

- A. The People hereby declare that it is of paramount importance to protect the safety of all children in care - whether they are cared for in a licensed or unlicensed facility. Children in unlicensed care are placed at unacceptable dangers by a lack of safety regulations. This section extends one of the most basic protections of licensed care to children being cared for in unlicensed facilities.
- B. It shall be a gross misdemeanor for any violent felon to provide professional child care services, whether in a licensed or unlicensed facility.
- C. For the purpose of this section, "violent felon" means a person convicted of one or more of the following criminal felonies:
- (1) Child abuse or neglect, or both;
 - (2) Spousal abuse;
 - (3) A crime against a child, including child pornography;
 - (4) The following crimes involving violence: Rape, sexual assault, homicide, assault in the first degree, assault in the second degree, or assault in the third degree involving domestic violence;
 - (5) Any other crime that constitutes a disqualification from child care licensure under state law; or
 - (6) Any federal or out-of-state conviction for an offense equivalent to those enumerated in (1) through (5) of this subsection.
- D. For the purpose of this section, to "provide professional child care services" means to receive payment for providing child care for one or more children who are unrelated to the person providing the care.

PART V

REQUIRING ENHANCED TRAINING FOR CHILD CARE TEACHERS AND STAFF, TO BE PROVIDED THROUGH A TRAINING PARTNERSHIP.

NEW SECTION, Section 501.

- A. Child care teachers and staff must obtain enhanced training and certification through the Professional Development Institute. The enhanced training requirements shall be set by the City Council in consultation with the City of Seattle Early Care and Education Workforce Board.
- B. The City, acting through the Mayor, shall cooperate with the provider organization to establish the Professional Development Institute, which shall be a training partnership jointly controlled and operated by the City of Seattle and the provider organization.
- C. The Professional Development Institute shall be charged with performing the following functions in the early learning and care systems: (1) securing and leveraging resources for workforce development and training; and (2) delivering and/or coordinating delivery of (a) enhanced training required under this Ordinance or by later enactment; (b) continuing education requirements; (c) new hire orientation, which shall be required for all new child care teachers and staff in child care facilities receiving public support; (d) apprenticeship and mentoring programs; (3) developing and maintaining an early learning and care substitute teachers pool; and (4) verifying that child care teachers and staff have satisfied applicable training and professional development requirements.
- D. The Professional Development Institute must ensure the efficient and effective use of city funds by leveraging state, federal and other funding, incentivizing employer participation, and subcontracting with existing professional development providers where appropriate. The City shall fund the Professional Development Institute to provide the services set forth in this section.
- E. The Professional Development Institute must verify that child care teachers and staff have met all applicable training and professional development requirements before such teacher or staff member may deliver services in the City's Universal Pre-Kindergarten Program.

NEW SECTION, Section 502.

- A. The City of Seattle Early Care and Education Workforce Board shall be created to recommend policy and investment priorities regarding workforce development and training for child care teacher, and staff and to oversee the Professional Development Institute. The City shall convene and support the Board to serve the functions set forth in this section.
- B. The Mayor and the provider organization shall each appoint fifty percent of the members of the Board and may make new appointments at will. In making the appointments, the City and the provider organization shall seek to appoint persons who have a demonstrated commitment to early education and care, who reflect the ethnic, racial, and economic diversity of the City's children, and who reflect the interests of stakeholders, including parents, communities of color, child advocates, and low income communities.
- C. The Early Care and Education Workforce Board will recommend and oversee expenditures from the Small Business Early Childhood Resource Fund, which is hereby created to help small child care providers and not-for-profit child care providers meet and maintain standards set by the Board or otherwise required under law. The City Council shall determine the level of necessary appropriation for this purpose.

NEW SECTION, Section 503.

- A. Successful implementation of a quality early education and care system including Universal Pre-Kindergarten will require significant recruitment and training of child care teachers and staff. It is the intent of the voters to give child care teachers and staff a role in shaping and implementing workforce development and training programs and to increase coordination within and among these programs.
- B. The City shall hire a single provider organization to facilitate communications between the City and child care teachers and staff, facilitate the expression of child care teachers and staff's interests in workforce development and training programs, and to perform other roles as set forth in this Ordinance. The City shall allow child care teachers and staff to assist in the selection of the provider organization as follows: If an organization demonstrates by written or electronic means that it has support of over 30% of child care teachers and staff, and it is the only organization to demonstrate such support, the City shall select and hire it as the provider organization. If more than one organization makes this showing, the City shall hire the organization that has shown the most support. To qualify as the provider organization, an entity must meet the following criteria or be a project of one or more entities meeting such criteria: (a) has existed for more than five years; (b) has successfully negotiated an agreement with the state or city or government agency on behalf of child care teachers and staff, which has increased wages and benefits; (c) is not dominated by advocates for employer or government interests; and (d) gives child care teachers and staff the rights to be members of the organization and to participate in the democratic control of the organization.

PART VI

DEFINITIONS.

NEW SECTION, Sec. 601.

- The definitions in this section apply throughout this act unless the context clearly requires otherwise.
- A. "Child care teachers and staff" includes all employees of a child care facility in Seattle who work on-site, including on-site supervisors and/or sole proprietors providing family child care.
- B. "Child care facility" includes (1) licensed family child care homes, (2) licensed child care centers, (3) school-age programs, and (4) other facilities participating in the Seattle Universal Pre-Kindergarten Program.
- C. "City" means the City of Seattle, including its departments and agencies.
- D. "Provider organization" means the entity hired by the City under Section 503(B) of this Ordinance to serve the roles set forth in this Ordinance.
- E. "Small child care provider" means an entity that employs 100 or fewer full time equivalents, as defined and calculated under the City of Seattle Paid Sick Time and Safe Time Ordinance, and operates a child care facility within the City of Seattle.
- F. "Universal Pre-Kindergarten Program" means a City-wide pre-school program funded by the City of Seattle, including any program implementing the City's "preschool for all" initiative.

PART VII

MISCELLANEOUS.

NEW SECTION, Sec. 701.

- A. The provisions of this ordinance may not be waived by agreement between an individual employee and an employer. All of the provisions of this ordinance may be superseded by a collective bargaining agreement entered into pursuant to the National Labor Relations Act, 29 U.S.C. Sec. 151 et seq. but only if the agreement explicitly states in clear and unambiguous terms that specific provisions of this ordinance are to be superseded.
- B. The facilitative processes authorized by this Ordinance do not constitute collective bargaining pursuant to RCW 4156.030(4) or under the National Labor Relations Act, 29 U.S.C. Sec 151 et seq., nor in any way impact the rights of employers and employees under that Act. This measure must be interpreted to be consistent with the National Labor Relations Act and not to limit or intrude, in any way, upon the rights of employers or employees under federal labor law.
- C. Nothing in this act creates or modifies: (a) The parents' or legal guardians' right to choose and terminate the services of any child care provider that provides care for their child or children or (b) the child care facility's right to choose, direct, and terminate the services of any child care teacher or staff.
- D. Nothing in this ordinance shall require any individual or child care facility to make any payment to or associate with the provider organization. Nothing in this ordinance shall infringe on any person's rights to communicate with the City on matters of interest through all legal means.
- E. The City is directed to engage stakeholders in negotiated rulemaking in implementing this ordinance.

NEW SECTION, Sec. 702.

The requirements contained in this act constitute ministerial, mandatory, and nondiscretionary duties, the performance of which can be judicially compelled in an action brought by any party with standing. Should a person be required to bring suit to enforce this ordinance, and the City is found to be in violation, the City shall be responsible for reimbursement of the costs of such enforcement action, including reasonable attorneys' fees and costs.

NEW SECTION, Sec. 703.

If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. Should any provision relating to the selection or role of the provider organization be held invalid by a court of law, the City must utilize an alternative selection method if necessary and ensure the fulfillment of all valid functions.

NEW SECTION, Sec. 704.

The subject of this initiative is "early learning and child care."

Initiative Sponsor Information:

Name
Address: XXXX
Contact Phone Numbers:
XXX-XXXX
Email: XX@XXXX.com
Web: WWW.XXXXXXX.org

Early Learning and Child Care Version 3

AN ACT Relating to early learning and child care

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SEATTLE:

PART I

INTENT.

NEW SECTION: Sec. 101.

It is the intent of the People of Seattle to increase the quality, affordability, and safety of the City's early education and child care system through: (a) establishing a \$15 minimum wage for child care teachers and staff, with support for small businesses; (b) establishing city policy that families should pay no more than ten percent of family income on child care; (c) prohibiting violent felons from being child care teachers and staff, even in a non-licensed facility; (d) requiring enhanced training for child care teachers and staff, to be provided through a training partnership between the City and workers, and (e) giving child care teachers and staff a formal role in establishing work force standards for their profession.

PART II

ESTABLISHING A \$15 MINIMUM WAGE FOR CHILD CARE TEACHERS AND STAFF, WITH SUPPORT FOR SMALL BUSINESS.

NEW SECTION: Sec. 201.

- A. All child care teachers and staff in the City of Seattle shall be entitled to a minimum wage of not less than fifteen dollars (\$15.00) per hour worked within the geographic boundaries in the City.
- B. Beginning on January 1, 2015, the minimum wage for child care teachers and staff shall be an hourly rate of \$15.00. Beginning on January 1, 2016, and each year thereafter, this minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the greater Seattle-Tacoma-Bremerton metropolitan area.
- C. The minimum wage for child care teachers and staff employed by small child care providers shall phase in over a three year period in order to afford such small businesses time to adjust. For a transition period beginning February 1, 2015 and ending December 31, 2015, the minimum wage for child care teachers and staff employed by a small child care provider shall be an hourly rate of \$11.00. Beginning January 1, 2016, the minimum wage for such employees shall increase to \$12.50. Beginning January 1, 2017, the minimum wage for such employees shall increase to \$14.00. Beginning January 1, 2018, the minimum wage for such employees shall be the regular minimum wage established pursuant to Section 201(b) of this Ordinance.

Early Learning and Child Care Version 3

D. Should there be a conflict between the minimum wage adopted in this Ordinance and a minimum wage adopted by the City Council or another initiative, childcare teachers and staff shall be entitled to the highest applicable minimum wage.

E. The minimum wage enacted in this section shall be enforceable through all mechanisms in City or State law for enforcing a City or State minimum wage, as currently existing or as may be enacted. In addition, an employer's failure to pay the minimum wage set by this section constitutes an "unfair employment practice" enforceable through the provisions of SMC chapter 14.04.

PART III

ESTABLISHING CITY POLICY THAT NO FAMILY SHOULD PAY MORE THAN 10% OF INCOME ON CHILD CARE.

NEW SECTION: Sec. 301.

A. It shall be the policy of the City of Seattle that early childhood education should be affordable and that no family should have to pay more than ten percent (10%) of gross family income on early education and child care. This policy is intended to increase affordability of child care in conformance with federal and expert recommendations on affordability.

B. The City shall, within twelve months of the effective date of this Ordinance, adopt goals, timelines, and milestones for implementing this affordability standard. In adopting these standards, the City shall consult with stakeholders, who at a minimum must include parents, communities of color, child advocates, low income advocates, and the provider organization.

PART IV

PROHIBITING VIOLENT FELONS FROM PROVIDING PROFESSIONAL CHILD CARE, EVEN IN UNLICENSED FACILITIES.

NEW SECTION: Sec. 401.

A. The People hereby declare that it is of paramount importance to protect the safety of *all children* in care – whether they are cared for in a licensed or unlicensed facility. Children in unlicensed care are placed at unacceptable dangers by a lack of safety regulations. This section extends one of the most basic protections of licensed care to children being cared for in unlicensed facilities.

B. It shall be a gross misdemeanor for any violent felon to provide professional child care services, whether in a licensed or unlicensed facility.

C. For the purpose of this section, "violent felon" means a person convicted of one or more of the following criminal felonies:

Early Learning and Child Care Version 3

- (1) Child abuse or neglect, or both;
 - (2) Spousal abuse;
 - (3) A crime against a child, including child pornography;
 - (4) The following crimes involving violence: Rape, sexual assault, homicide, assault in the first degree, assault in the second degree, or assault in the third degree involving domestic violence;
 - (5) Any other crime that constitutes a disqualification from child care licensure under state law; or
 - (6) Any federal or out-of-state conviction for an offense equivalent to those enumerated in (1) through (5) of this subsection.
- D. For the purpose of this section, to “provide professional child care services” means to receive payment for providing child care for one or more children who are unrelated to the person providing the care.

PART V

REQUIRING ENHANCED TRAINING FOR CHILD CARE TEACHERS AND STAFF, TO BE PROVIDED THROUGH A TRAINING PARTNERSHIP.

NEW SECTION. Section 501.

- A. Child care teachers and staff must obtain enhanced training and certification through the Professional Development Institute. The enhanced training requirements shall be set by the City Council in consultation with the City of Seattle Early Care and Education Workforce Board.
- B. The City, acting through the Mayor, shall cooperate with the provider organization to establish the Professional Development Institute, which shall be a training partnership jointly controlled and operated by the City of Seattle and the provider organization.
- C. The Professional Development Institute shall be charged with performing the following functions in the early learning and care system: (1) securing and leveraging resources for workforce development and training; and (2) delivering and/or coordinating delivery of: (a) enhanced training required under this Ordinance or by later enactment; (b) continuing education requirements; (c) new hire orientation, which shall be required for all new child care teachers and staff in child care facilities receiving public support; (d) apprenticeship and mentoring programs; (3) developing and maintaining an early learning and care substitute teachers pool; and (4) verifying that child care teachers and staff have satisfied applicable training and professional development requirements.

Early Learning and Child Care Version 3

D. The Professional Development Institute must ensure the efficient and effective use of city funds by leveraging state, federal and other funding, incentivizing employer participation, and subcontracting with existing professional development providers where appropriate. The City shall fund the Professional Development Institute to provide the services set forth in this section.

E. The Professional Development Institute must verify that child care teachers and staff have met all applicable training and professional development requirements before such teacher or staff member may deliver services in the City's Universal Pre-Kindergarten Program.

NEW SECTION. Section 502.

A. The City of Seattle Early Care and Education Workforce Board shall be created to recommend policy and investment priorities regarding workforce development and training for child care teachers and staff and to oversee the Professional Development Institute. The City shall convene and support the Board to serve the functions set forth in this section.

B. The Mayor and the provider organization shall each appoint fifty percent of the members of the Board and may make new appointments at will. In making the appointments, the City and the provider organization shall seek to appoint persons who have a demonstrated commitment to early education and care, who reflect the ethnic, racial, and economic diversity of the City's children, and who reflect the interests of stakeholders, including parents, communities of color, child advocates, and low income communities.

C. The Early Care and Education Workforce Board will recommend and oversee expenditures from the Small Business Early Childhood Resource Fund, which is hereby created to help small child care providers and not for profit child care providers meet and maintain standards set by the Board or otherwise required under law. The City Council shall determine the level of necessary appropriation for this purpose.

NEW SECTION. Section 503.

A. Successful implementation of a high quality early education and care system including Universal Pre-Kindergarten will require significant recruitment and training of child care teachers and staff. It is the intent of the voters to give child care teachers and staff a role in shaping and implementing workforce development and training programs and to increase coordination within and among these programs.

B. The City shall hire a single provider organization to facilitate communications between the City and child care teachers and staff, facilitate the expression of child care teachers and staff's interests in workforce development and training programs, and to perform other roles as set forth in this Ordinance. The City shall allow child care teachers and staff to assist in the selection of the provider organization as follows: If an organization demonstrates by written or electronic means that it has support of over 30% of child care teachers and staff, and it is the only organization to demonstrate such

support, the City shall select and hire it as the provider organization. If more than one organization makes this showing, the City shall hire the organization that has shown the most support. To qualify as the provider organization, an entity must meet the following criteria or be a project of one or more entities meeting such criteria: (a) has existed for more than five years; (b) has successfully negotiated an agreement with the state or city or government agency on behalf of child care teachers and staff, which has increased wages and benefits; (c) is not dominated by advocates for employer or government interests; and (d) gives child-care teachers and staff the rights to be members of the organization and to participate in the democratic control of the organization.

PART VI

DEFINITIONS.

NEW SECTION. Sec. 601.

The definitions in this section apply throughout this act unless the context clearly requires otherwise.

A. "Child care teachers and staff" includes all employees of a child care facility in Seattle who work on-site, including on-site supervisors and/or sole proprietors providing family child care.

B. "Child care facility" includes (1) licensed family child care homes, (2) licensed child care centers, (3) school-age programs, and (4) other facilities participating in the Seattle Universal Pre-Kindergarten Program.

C. "City" means the City of Seattle, including its departments and agencies.

D. "Provider organization" means the entity hired by the City under Section 503(B) of this Ordinance to serve the roles set forth in this Ordinance.

E. "Small child care provider" means an entity that employs 250 or fewer full time equivalents, as defined and calculated under the City of Seattle Paid Sick Time and Safe Time Ordinance, and operates a child care facility within the City of Seattle.

F. "Universal Pre-Kindergarten Program" means a City-wide pre-school program funded by the City of Seattle, including any program implementing the City's "preschool for all" initiative.

G. Definitions set forth under section 12A.28.200 of the Seattle Municipal Code apply throughout this chapter unless otherwise stated.

PART VII

MISCELLANEOUS.

NEW SECTION. Sec. 701.

Early Learning and Child Care Version 3

A. The provisions of this ordinance may not be waived by agreement between an individual employee and an employer. All of the provisions of this ordinance may be superseded by a collective bargaining agreement entered into pursuant to the National Labor Relations Act, 29 U.S.C. Sec. 151 et. seq, but only if the agreement explicitly states in clear and unambiguous terms that specific provisions of this ordinance are to be superseded.

B. The facilitative processes authorized by this Ordinance do not constitute collective bargaining pursuant to RCW 41.56.030(4) or under the National Labor Relations Act, 29 U.S.C. Sec 151 et seq., nor in any way impact the rights of employers and employees under that Act. This measure must be interpreted to be consistent with the National Labor Relations Act and not to limit or intrude, in any way, upon the rights of employers or employees under federal labor law.

C. Nothing in this act creates or modifies: (a) The parents' or legal guardians' right to choose and terminate the services of any child care provider that provides care for their child or children or (b) the child care facility's right to choose, direct, and terminate the services of any child care teacher or staff.

D. Nothing in this ordinance shall require any individual or child care facility to make any payment to or associate with the provider organization. Nothing in this ordinance shall infringe on any person's rights to communicate with the City on matters of interest through all legal means.

E. The City is directed to engage stakeholders in negotiated rulemaking in implementing this ordinance.

NEW SECTION. Sec. 702.

The requirements contained in this act constitute ministerial, mandatory, and nondiscretionary duties, the performance of which can be judicially compelled in an action brought by any party with standing. Should a person be required to bring suit to enforce this ordinance, and the City is found to be in violation, the City shall be responsible for reimbursement of the costs of such enforcement action, including reasonable attorneys' fees and costs.

NEW SECTION. Sec. 703.

If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. Should any provision relating to the selection or role of the provider organization be held invalid by a court of law, the City must utilize an alternative selection method if necessary and ensure the fulfillment of all valid functions.

NEW SECTION. Sec. 704.

The subject of this initiative is "early learning and child care."

Campaign logo
goes here.

Please Return Your Initiative or Contact Us At: Address
Phone
Email
Web

Initiative XXXX

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL. To the City Council of The City of Seattle

We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. XXXX, entitled:

XXXX (established ballot title of the measure) XXXX

a full, true and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of The City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

WARNING: "Ordinance 94289 provides as follows: "Section 1. It is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment petition by threat, intimidation or any other corrupt means or practice; or 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum or Charter amendment measure, or to sign any such petition knowing that he or she is not a registered voter of The City of Seattle." The provisions of this ordinance shall be printed as a warning on every petition for a City initiative, referendum, or Charter amendment. "Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

(* Only Registered Seattle Voters Can Sign This Petition *)

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	Date Signed
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

AN ACT Relating to early learning and child care
BE IT ENACTED BY THE PEOPLE OF THE CITY OF SEATTLE:

PART I
INTENT.

NEW SECTION, Sec. 101.

It is the intent of the People of Seattle to increase the quality, affordability, and safety of the City's early education and child care system through: (a) establishing a \$15 minimum wage for child care teachers and staff with support for small businesses; (b) establishing city policy that families should pay no more than ten percent of family income on child care; (c) prohibiting violent felons from being child care teachers and staff, even in a non-licensed facility; (d) requiring enhanced training for child care teachers and staff, to be provided through a training partnership between the City and workers; and (e) giving child care teachers and staff a formal role in establishing work force standards for their profession.

PART II
ESTABLISHING A \$15 MINIMUM WAGE FOR CHILD CARE TEACHERS
AND STAFF, WITH SUPPORT FOR SMALL BUSINESS.

NEW SECTION, Sec. 201.

- A. All child care teachers and staff in the City of Seattle shall be entitled to a minimum wage of not less than fifteen dollars (\$15.00) per hour worked within the geographic boundaries in the City.
- B. Beginning on January 1, 2015, the minimum wage for child care teachers and staff shall be an hourly rate of \$15.00. Beginning on January 1, 2016, and each year thereafter, this minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the greater Seattle-Tacoma-Bremerton metropolitan area.
- C. The City shall provide support for small child care providers to pay this increased minimum wage for a three year period. For a transition period beginning January 1, 2015 and ending December 31, 2015, the City shall provide small child care providers a subsidy equal to two-thirds (2/3) of the increased hourly wages mandated by this Ordinance and paid to their staff during that period. For the period beginning January 1, 2016 and ending December 31, 2016, the City shall provide small child care providers a subsidy equal to one-third (1/3) of the increased hourly wages mandated by this Ordinance and paid to their staff during that period. For the period beginning January 1, 2017 and ending December 31, 2017, the City shall provide small child care providers a subsidy equal to one-sixth (1/6) of the increased hourly wages mandated by this Ordinance and paid to their staff during that period. The City shall adopt rules to implement this subsidy program and the City Council shall provide adequate funding for this program. To seek a subsidy from this program, small child care providers must demonstrate the amount of increased wages that they paid during the specific period to bring employees up to the minimum wage established in this section.
- D. Should there be a conflict between the minimum wage adopted in this Ordinance and a minimum wage adopted by the City Council or another initiative, child care teachers and staff shall be entitled to the highest applicable minimum wage.
- E. The minimum wage enacted in this section shall be enforced through all mechanisms in City or State law for enforcing a City or State minimum wage, as currently existing or as may be enacted. In addition, an employer's failure to pay the minimum wage set by this section constitutes an "unfair employment practice" enforceable through the provisions of SMC chapter 14.04.

PART III
ESTABLISHING CITY POLICY THAT NO FAMILY SHOULD
PAY MORE THAN 10% OF INCOME ON CHILD CARE.

NEW SECTION, Sec. 301.

- A. It shall be the policy of the City of Seattle that early childhood education should be affordable and that no family should have to pay more than ten percent (10%) of gross family income on early education and child care. This policy is intended to increase affordability of child care in conformance with federal and expert recommendations on affordability.
- B. The City shall, within twelve months of the effective date of this Ordinance, adopt goals, timelines, and milestones for implementing this affordability standard. In adopting these standards, the City shall consult with stakeholders, who at a minimum must include parents, communities of color, child advocates, low income advocates, and the provider organization.

PART IV
PROHIBITING VIOLENT FELONS FROM PROVIDING PROFESSIONAL CHILD CARE, EVEN IN
UNLICENSED FACILITIES.

NEW SECTION, Sec. 401.

- A. The People hereby declare that it is of paramount importance to protect the safety of all children in care - whether they are cared for in a licensed or unlicensed facility. Children in unlicensed care are placed at unacceptable dangers by a lack of safety regulations. This section extends one of the most basic protections of licensed care to children being cared for in unlicensed facilities.
- B. It shall be a gross misdemeanor for any violent felon to provide professional child care services, whether in a licensed or unlicensed facility.
- C. For the purpose of this section, "violent felon" means a person convicted of one or more of the following criminal felonies:
- (1) Child abuse or neglect, or both;
 - (2) Spousal abuse;
 - (3) A crime against a child, including child pornography;
 - (4) The following crimes involving violence: Rape, sexual assault, homicide, assault in the first degree, assault in the second degree, or assault in the third degree involving domestic violence;
 - (5) Any other crime that constitutes a disqualification from child care licensure under state law; or
 - (6) Any federal or out-of-state conviction for an offense equivalent to those enumerated in (1) through (5) of this subsection.
- D. For the purpose of this section, to "provide professional child care services" means to receive payment for providing child care for one or more children who are unrelated to the person providing the care.

PART V
REQUIRING ENHANCED TRAINING FOR CHILD CARE TEACHERS AND STAFF,
TO BE PROVIDED THROUGH A TRAINING PARTNERSHIP.

NEW SECTION, Section 501.

- A. Child care teachers and staff must obtain enhanced training and certification through the Professional Development Institute. The enhanced training requirements shall be set by the City Council in consultation with the City of Seattle Early Care and Education Workforce Board.
- B. The City, acting through the Mayor, shall cooperate with the provider organization to establish the Professional Development Institute, which shall be a training partnership jointly controlled and operated by the City of Seattle and the provider organization.
- C. The Professional Development Institute shall be charged with performing the following functions in the early learning and care system: (1) securing and leveraging resources for workforce development and training; and (2) delivering and/or coordinating delivery of: (a) enhanced training required under this Ordinance or by later enactment; (b) continuing education requirements; (c) new hire orientation, which shall be required for all new child care teachers and staff in child care facilities receiving public support; (d) apprenticeship and mentoring programs; (3) developing and maintaining an early learning and care substitute teachers pool; and (4) verifying that child care teachers and staff have satisfied applicable training and professional development requirements.
- D. The Professional Development Institute must ensure the efficient and effective use of city funds by leveraging state, federal and other funding, incentivizing employer participation, and subcontracting with existing professional development providers where appropriate. The City shall fund the Professional Development Institute to provide the services set forth in this section.
- E. The Professional Development Institute must verify that child care teachers and staff have met all applicable training and professional development requirements before such teacher or staff member may deliver services in the City's Universal Pre-Kindergarten Program.

NEW SECTION, Section 502.

- A. The City of Seattle Early Care and Education Workforce Board shall be created to recommend policy and investment priorities regarding workforce development and training for child care teacher, and staff and to oversee the Professional Development Institute. The City shall convene and support the Board to serve the functions set forth in this section.
- B. The Mayor and the provider organization shall each appoint fifty percent of the members of the Board and may make new appointments at will. In making the appointments, the City and the provider organization shall seek to appoint persons who have a demonstrated commitment to early education and care, who reflect the ethnic, racial, and economic diversity of the City's children, and who reflect the interests of stakeholders, including parents, communities of color, child advocates, and low income communities.
- C. The Early Care and Education Workforce Board will recommend and oversee expenditures from the Small Business Early Childhood Resource Fund, which is hereby created to help small child care providers and not for profit child care providers meet and maintain standards set by the Board or otherwise required under law. The City Council shall determine the level of necessary appropriation for this purpose.

NEW SECTION, Section 503.

- A. Successful implementation of a quality early education and care system including Universal Pre-Kindergarten will require significant recruitment and training of child care teachers and staff. It is the intent of the voters to give child care teachers and staff a role in shaping and implementing workforce development and training programs and to increase coordination within and among these programs.
- B. The City shall hire a single provider organization to facilitate communications between the City and child care teachers and staff, facilitate the expression of child care teachers and staff's interests in workforce development and training programs, and to perform other roles as set forth in this Ordinance. The City shall allow child care teachers and staff to assist in the selection of the provider organization as follows: If an organization demonstrates by written or electronic means that it has support of over 30% of child care teachers and staff, and it is the only organization to demonstrate such support, the City shall select and hire it as the provider organization. If more than one organization makes this showing, the City shall hire the organization that has shown the most support. To qualify as the provider organization, an entity must meet the following criteria or be a project of one or more entities meeting such criteria: (a) has existed for more than five years; (b) has successfully negotiated an agreement with the state or city or government agency on behalf of child care teachers and staff, which has increased wages and benefits; (c) is not dominated by advocates for employer or government interests and (d) gives child care teachers and staff the rights to be members of the organization and to participate in the democratic control of the organization.

PART VI
DEFINITIONS.

NEW SECTION, Sec. 601.

- The definitions in this section apply throughout this act unless the context clearly requires otherwise.
- A. "Child care teachers and staff" includes all employees of a child care facility in Seattle who work on-site, including on-site supervisors and/or site proprietors providing family child care.
- B. "Child care facility" includes (1) licensed family child care homes, (2) licensed child care centers, (3) school-age programs, and (4) other facilities participating in the Seattle Universal Pre-Kindergarten Program.
- C. "City" means the City of Seattle, including its departments and agencies.
- D. "Provider organization" means the entity hired by the City under Section 503(B) of this Ordinance to serve the roles set forth in this Ordinance.
- E. "Small child care provider" means an entity that employs 100 or fewer full time equivalents, as defined and calculated under the City of Seattle Paid Sick Time and Safe Time Ordinance, and operates a child care facility within the City of Seattle.
- F. "Universal Pre-Kindergarten Program" means a City-wide pre-school program funded by the City of Seattle, including any program implementing the City's "preschool for all" initiative.

PART VII
MISCELLANEOUS.

NEW SECTION, Sec. 701.

- A. The provisions of this ordinance may not be waived by agreement between an individual employee and an employer. All of the provisions of this ordinance may be superseded by a collective bargaining agreement entered into pursuant to the National Labor Relations Act, 29 U.S.C. Sec. 151 et. seq, but only if the agreement explicitly states in clear and unambiguous terms that specific provisions of this ordinance are to be superseded.
- B. The facilitative processes authorized by this Ordinance do not constitute collective bargaining pursuant to RCW 41.56.030(4) or under the National Labor Relations Act, 29 U.S.C. Sec 151 et seq, nor in any way impact the rights of employers and employees under that Act. This measure must be interpreted to be consistent with the National Labor Relations Act and not to limit or intrude, in any way, upon the rights of employers or employees under federal labor law.
- C. Nothing in this act creates or modifies: (a) The parents' or legal guardians' right to choose and terminate the services of any child care provider that provides care for their child or children or (b) the child care facility's right to choose, direct, and terminate the services of any child care teacher or staff.
- D. Nothing in this ordinance shall require any individual or child care facility to make any payment to or associate with the provider organization. Nothing in this ordinance shall infringe on any person's rights to communicate with the City on matters of interest through all legal means.
- E. The City is directed to engage stakeholders in negotiated rulemaking in implementing this ordinance.

NEW SECTION, Sec. 702.

The requirements contained in this act constitute ministerial, mandatory, and nondiscretionary duties, the performance of which can be judicially compelled in an action brought by any party with standing. Should a person be required to bring suit to enforce this ordinance, and the City is found to be in violation, the City shall be responsible for reimbursement of the costs of such enforcement action, including reasonable attorneys' fees and costs.

NEW SECTION, Sec. 703.

If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. Should any provision relating to the selection or role of the provider organization be held invalid by a court of law, the City must utilize an alternative selection method if necessary and ensure the fulfillment of all valid functions.

NEW SECTION, Sec. 704.

The subject of this initiative is "early learning and child care."

Initiative Sponsor Information:

Name
Address: XXXX
Contact Phone Numbers:
XXX-XXXX
Email: XX@XXXX.com
Web: WWW.XXXXXX.org

Early Learning and Child Care Version 3

AN ACT Relating to early learning and child care

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SEATTLE:

PART I

INTENT.

NEW SECTION: Sec. 101.

It is the intent of the People of Seattle to increase the quality, affordability, and safety of the City's early education and child care system through: (a) establishing a \$15 minimum wage for child care teachers and staff, with support for small businesses; (b) establishing city policy that families should pay no more than ten percent of family income on child care; (c) prohibiting violent felons from being child care teachers and staff, even in a non-licensed facility; (d) requiring enhanced training for child care teachers and staff, to be provided through a training partnership between the City and workers, and (e) giving child care teachers and staff a formal role in establishing work force standards for their profession.

PART II

ESTABLISHING A \$15 MINIMUM WAGE FOR CHILD CARE TEACHERS AND STAFF, WITH SUPPORT FOR SMALL BUSINESS.

NEW SECTION: Sec. 201.

- A. All child care teachers and staff in the City of Seattle shall be entitled to a minimum wage of not less than fifteen dollars (\$15.00) per hour worked within the geographic boundaries in the City.
- B. Beginning on January 1, 2015, the minimum wage for child care teachers and staff shall be an hourly rate of \$15.00. Beginning on January 1, 2016, and each year thereafter, this minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the greater Seattle-Tacoma-Bremerton metropolitan area.
- C. The minimum wage for child care teachers and staff employed by small child care providers shall phase in over a three year period in order to afford such small businesses time to adjust. For a transition period beginning February 1, 2015 and ending December 31, 2015, the minimum wage for child care teachers and staff employed by a small child care provider shall be an hourly rate of \$11.00. Beginning January 1, 2016, the minimum wage for such employees shall increase to \$12.50. Beginning January 1, 2017, the minimum wage for such employees shall increase to \$14.00. Beginning January 1, 2018, the minimum wage for such employees shall be the regular minimum wage established pursuant to Section 201(b) of this Ordinance.

D. Should there be a conflict between the minimum wage adopted in this Ordinance and a minimum wage adopted by the City Council or another initiative, childcare teachers and staff shall be entitled to the highest applicable minimum wage.

E. The minimum wage enacted in this section shall be enforceable through all mechanisms in City or State law for enforcing a City or State minimum wage, as currently existing or as may be enacted. In addition, an employer's failure to pay the minimum wage set by this section constitutes an "unfair employment practice" enforceable through the provisions of SMC chapter 14.04.

PART III

ESTABLISHING CITY POLICY THAT NO FAMILY SHOULD PAY MORE THAN 10% OF INCOME ON CHILD CARE.

NEW SECTION: Sec. 301.

A. It shall be the policy of the City of Seattle that early childhood education should be affordable and that no family should have to pay more than ten percent (10%) of gross family income on early education and child care. This policy is intended to increase affordability of child care in conformance with federal and expert recommendations on affordability.

B. The City shall, within twelve months of the effective date of this Ordinance, adopt goals, timelines, and milestones for implementing this affordability standard. In adopting these standards, the City shall consult with stakeholders, who at a minimum must include parents, communities of color, child advocates, low income advocates, and the provider organization.

PART IV

PROHIBITING VIOLENT FELONS FROM PROVIDING PROFESSIONAL CHILD CARE, EVEN IN UNLICENSED FACILITIES.

NEW SECTION: Sec. 401.

A. The People hereby declare that it is of paramount importance to protect the safety of *all children* in care – whether they are cared for in a licensed or unlicensed facility. Children in unlicensed care are placed at unacceptable dangers by a lack of safety regulations. This section extends one of the most basic protections of licensed care to children being cared for in unlicensed facilities.

B. It shall be a gross misdemeanor for any violent felon to provide professional child care services, whether in a licensed or unlicensed facility.

C. For the purpose of this section, "violent felon" means a person convicted of one or more of the following criminal felonies:

Early Learning and Child Care Version 3

- (1) Child abuse or neglect, or both;
 - (2) Spousal abuse;
 - (3) A crime against a child, including child pornography;
 - (4) The following crimes involving violence: Rape, sexual assault, homicide, assault in the first degree, assault in the second degree, or assault in the third degree involving domestic violence;
 - (5) Any other crime that constitutes a disqualification from child care licensure under state law; or
 - (6) Any federal or out-of-state conviction for an offense equivalent to those enumerated in (1) through (5) of this subsection.
- D. For the purpose of this section, to “provide professional child care services” means to receive payment for providing child care for one or more children who are unrelated to the person providing the care.

PART V

REQUIRING ENHANCED TRAINING FOR CHILD CARE TEACHERS AND STAFF, TO BE PROVIDED THROUGH A TRAINING PARTNERSHIP.

NEW SECTION. Section 501.

- A. Child care teachers and staff must obtain enhanced training and certification through the Professional Development Institute. The enhanced training requirements shall be set by the City Council in consultation with the City of Seattle Early Care and Education Workforce Board.
- B. The City, acting through the Mayor, shall cooperate with the provider organization to establish the Professional Development Institute, which shall be a training partnership jointly controlled and operated by the City of Seattle and the provider organization.
- C. The Professional Development Institute shall be charged with performing the following functions in the early learning and care system: (1) securing and leveraging resources for workforce development and training; and (2) delivering and/or coordinating delivery of: (a) enhanced training required under this Ordinance or by later enactment; (b) continuing education requirements; (c) new hire orientation, which shall be required for all new child care teachers and staff in child care facilities receiving public support; (d) apprenticeship and mentoring programs; (3) developing and maintaining an early learning and care substitute teachers pool; and (4) verifying that child care teachers and staff have satisfied applicable training and professional development requirements.

Early Learning and Child Care Version 3

D. The Professional Development Institute must ensure the efficient and effective use of city funds by leveraging state, federal and other funding, incentivizing employer participation, and subcontracting with existing professional development providers where appropriate. The City shall fund the Professional Development Institute to provide the services set forth in this section.

E. The Professional Development Institute must verify that child care teachers and staff have met all applicable training and professional development requirements before such teacher or staff member may deliver services in the City's Universal Pre-Kindergarten Program.

NEW SECTION. Section 502.

A. The City of Seattle Early Care and Education Workforce Board shall be created to recommend policy and investment priorities regarding workforce development and training for child care teachers and staff and to oversee the Professional Development Institute. The City shall convene and support the Board to serve the functions set forth in this section.

B. The Mayor and the provider organization shall each appoint fifty percent of the members of the Board and may make new appointments at will. In making the appointments, the City and the provider organization shall seek to appoint persons who have a demonstrated commitment to early education and care, who reflect the ethnic, racial, and economic diversity of the City's children, and who reflect the interests of stakeholders, including parents, communities of color, child advocates, and low income communities.

C. The Early Care and Education Workforce Board will recommend and oversee expenditures from the Small Business Early Childhood Resource Fund, which is hereby created to help small child care providers and not for profit child care providers meet and maintain standards set by the Board or otherwise required under law. The City Council shall determine the level of necessary appropriation for this purpose.

NEW SECTION. Section 503.

A. Successful implementation of a high quality early education and care system including Universal Pre-Kindergarten will require significant recruitment and training of child care teachers and staff. It is the intent of the voters to give child care teachers and staff a role in shaping and implementing workforce development and training programs and to increase coordination within and among these programs.

B. The City shall hire a single provider organization to facilitate communications between the City and child care teachers and staff, facilitate the expression of child care teachers and staff's interests in workforce development and training programs, and to perform other roles as set forth in this Ordinance. The City shall allow child care teachers and staff to assist in the selection of the provider organization as follows: If an organization demonstrates by written or electronic means that it has support of over 30% of child care teachers and staff, and it is the only organization to demonstrate such

support, the City shall select and hire it as the provider organization. If more than one organization makes this showing, the City shall hire the organization that has shown the most support. To qualify as the provider organization, an entity must meet the following criteria or be a project of one or more entities meeting such criteria: (a) has existed for more than five years; (b) has successfully negotiated an agreement with the state or city or government agency on behalf of child care teachers and staff, which has increased wages and benefits; (c) is not dominated by advocates for employer or government interests; and (d) gives child care teachers and staff the rights to be members of the organization and to participate in the democratic control of the organization.

PART VI

DEFINITIONS.

NEW SECTION. Sec. 601.

The definitions in this section apply throughout this act unless the context clearly requires otherwise.

A. "Child care teachers and staff" includes all employees of a child care facility in Seattle who work on-site, including on-site supervisors and/or sole proprietors providing family child care.

B. "Child care facility" includes (1) licensed family child care homes, (2) licensed child care centers, (3) school-age programs, and (4) other facilities participating in the Seattle Universal Pre-Kindergarten Program.

C. "City" means the City of Seattle, including its departments and agencies.

D. "Provider organization" means the entity hired by the City under Section 503(B) of this Ordinance to serve the roles set forth in this Ordinance.

E. "Small child care provider" means an entity that employs 250 or fewer full time equivalents, as defined and calculated under the City of Seattle Paid Sick Time and Safe Time Ordinance, and operates a child care facility within the City of Seattle.

F. "Universal Pre-Kindergarten Program" means a City-wide pre-school program funded by the City of Seattle, including any program implementing the City's "preschool for all" initiative.

G. Definitions set forth under section 12A.28.200 of the Seattle Municipal Code apply throughout this chapter unless otherwise stated.

PART VII

MISCELLANEOUS.

NEW SECTION. Sec. 701.

Early Learning and Child Care Version 3

A. The provisions of this ordinance may not be waived by agreement between an individual employee and an employer. All of the provisions of this ordinance may be superseded by a collective bargaining agreement entered into pursuant to the National Labor Relations Act, 29 U.S.C. Sec. 151 et. seq, but only if the agreement explicitly states in clear and unambiguous terms that specific provisions of this ordinance are to be superseded.

B. The facilitative processes authorized by this Ordinance do not constitute collective bargaining pursuant to RCW 41.56.030(4) or under the National Labor Relations Act, 29 U.S.C. Sec 151 et seq., nor in any way impact the rights of employers and employees under that Act. This measure must be interpreted to be consistent with the National Labor Relations Act and not to limit or intrude, in any way, upon the rights of employers or employees under federal labor law.

C. Nothing in this act creates or modifies: (a) The parents' or legal guardians' right to choose and terminate the services of any child care provider that provides care for their child or children or (b) the child care facility's right to choose, direct, and terminate the services of any child care teacher or staff.

D. Nothing in this ordinance shall require any individual or child care facility to make any payment to or associate with the provider organization. Nothing in this ordinance shall infringe on any person's rights to communicate with the City on matters of interest through all legal means.

E. The City is directed to engage stakeholders in negotiated rulemaking in implementing this ordinance.

NEW SECTION. Sec. 702.

The requirements contained in this act constitute ministerial, mandatory, and nondiscretionary duties, the performance of which can be judicially compelled in an action brought by any party with standing. Should a person be required to bring suit to enforce this ordinance, and the City is found to be in violation, the City shall be responsible for reimbursement of the costs of such enforcement action, including reasonable attorneys' fees and costs.

NEW SECTION. Sec. 703.

If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. Should any provision relating to the selection or role of the provider organization be held invalid by a court of law, the City must utilize an alternative selection method if necessary and ensure the fulfillment of all valid functions.

NEW SECTION. Sec. 704.

The subject of this initiative is "early learning and child care."

2014 MAR 18 PM 2:02

CITY CLERK

MEMORANDUM

TO: Monica Martinez Simmons, City Clerk
FROM: Jeff Slayton, Assistant City Attorney
SUBJECT: Ballot Title for Initiative 107 (Clerk File 313661)
DATE: March 18, 2014

Via e-mail and hand-delivered

In response to your March 12, 2014 memorandum regarding proposed Initiative Measure 107, this office has established the following ballot title:

**THE CITY OF SEATTLE
INITIATIVE MEASURE NUMBER 107**

The City of Seattle Initiative Measure Number 107 concerns public support and regulation of early learning and child care.

If enacted, the measure would establish a \$15 minimum wage for childcare workers (phased in over three years for employers with under 250 employees); seek to reduce childcare costs to 10% or less of family income; prohibit violent felons from providing professional childcare; require enhanced training and certification through a training institute; create a workforce board and establish a fund to help providers meet standards; and hire an organization to facilitate communication between the City and childcare workers.

Should this measure be enacted into law?

Yes

No

Please file this title with King County Elections. If you have any questions, please contact me at 233-2154.

**City of Seattle
Legislative Department
Office of the City Clerk**



Monica Martinez Simmons, City Clerk

Certified Mail
#7011115000147890508

March 18, 2014

Mr. Knoll Lowney
2317 E. John St.
Seattle, WA 98122

Subject: *Initiative Measure No. 107*

Dear Mr. Lowney:

The subject initiative measure filed with my office on March 11, 2014, designated Initiative Measure No. 107, has been reviewed and approved as to form with the noted edits and filed as Clerk File No. 313661. The ballot title has been prepared by the City Attorney's Office in accordance with SMC 2.08.020 and reads as follows:

**THE CITY OF SEATTLE
INITIATIVE MEASURE NUMBER 107**

The City of Seattle Initiative Measure Number 107 concerns public support and regulation of early learning and child care.

If enacted, the measure would establish a \$15 minimum wage for childcare workers (phased in over three years for employers with under 250 employees); seek to reduce childcare costs to 10% or less of family income; prohibit violent felons from providing professional childcare; require enhanced training and certification through a training institute; create a workforce board and establish a fund to help providers meet standards; and hire an organization to facilitate communication between the City and childcare workers.

Should this measure be enacted into law?

Yes

No

[End of Title]

600 4th Avenue, Floor 3, PO Box 94728, Seattle, Washington 98124-4728
(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025

email: clerk@seattle.gov

Accommodations for people with disabilities provided upon request. An equal opportunity employer

**City of Seattle
Legislative Department
Office of the City Clerk**



Monica Martinez Simmons, City Clerk

Certified Mail #70111150000147890515

March 18, 2014

Sherill Huff, Director
King County Elections
919 Southwest Grady Way
Renton, WA 98057-2906

Subject: Initiative Measure No. 107

Dear Ms. Huff:

Please be advised that the proposed subject initiative petition was filed as Clerk File No. 313661 on Tuesday, March 11, 2014. This initiative petition has been designated Initiative Measure No. 107 and concerns public support and regulation of early learning and child care.

The Seattle City Attorney's Office has provided the following ballot title:

**THE CITY OF SEATTLE
INITIATIVE MEASURE NUMBER 107**

The City of Seattle Initiative Measure Number 107 concerns public support and regulation of early learning and child care.

If enacted, the measure would establish a \$15 minimum wage for childcare workers (phased in over three years for employers with under 250 employees); seek to reduce childcare costs to 10% or less of family income; prohibit violent felons from providing professional childcare; require enhanced training and certification through a training institute; create a workforce board and establish a fund to help providers meet standards; and hire an organization to facilitate communication between the City and childcare workers.

Should this measure be enacted into law?

Yes

No

[End of Title]

600 4th Avenue Floor 3, PO Box 94728, Seattle, Washington 98124-4728
(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025
email: clerk@seattle.gov

Accommodations for people with disabilities provided upon request. An equal opportunity employer