
SENATE BILL 5820

State of Washington

66th Legislature

2019 Regular Session

By Senators Nguyen, Randall, Hasegawa, Keiser, Hunt, Kuderer, and Wilson, C.

Read first time 02/04/19. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to increasing eligibility for child care and
2 early learning programs for homeless and other vulnerable children;
3 and amending RCW 43.216.505 and 43.216.135.

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

5 **Sec. 1.** RCW 43.216.505 and 2017 3rd sp.s. c 6 s 210 are each
6 amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout RCW 43.216.500 through 43.216.559,
9 43.216.900, and 43.216.901.

10 (1) "Advisory committee" means the advisory committee under RCW
11 43.216.520.

12 (2) "Approved programs" means those state-supported education and
13 special assistance programs which are recognized by the department as
14 meeting the minimum program rules adopted by the department to
15 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and
16 43.216.901 and are designated as eligible for funding by the
17 department under RCW 43.216.530 and 43.216.540.

18 (3) "Comprehensive" means an assistance program that focuses on
19 the needs of the child and includes education, health, and family
20 support services.

1 (4) "Eligible child" means a child not eligible for kindergarten
2 whose family income is at or below one hundred ten percent of the
3 federal poverty level, as published annually by the federal
4 department of health and human services, and includes a child whose
5 family is eligible for public assistance, and who is not a
6 participant in a federal or state program providing comprehensive
7 services; a child eligible for special education due to disability
8 under RCW 28A.155.020; a child who is homeless; and may include
9 children who are eligible under rules adopted by the department if
10 the number of such children equals not more than ten percent of the
11 total enrollment in the early childhood program. Priority for
12 enrollment shall be given to children from families with the lowest
13 income, children in foster care, or to eligible children from
14 families with multiple needs.

15 (5) "Family support services" means providing opportunities for
16 parents to:

17 (a) Actively participate in their child's early childhood
18 program;

19 (b) Increase their knowledge of child development and parenting
20 skills;

21 (c) Further their education and training;

22 (d) Increase their ability to use needed services in the
23 community;

24 (e) Increase their self-reliance.

25 (6) For purposes of this section, "homeless" means without a
26 fixed, regular, and adequate nighttime residence as set forth in the
27 federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22,
28 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415,
29 Title III, September 7, 1974, 88 Stat. 1129.

30 **Sec. 2.** RCW 43.216.135 and 2018 c 52 s 6 are each amended to
31 read as follows:

32 (1) The department shall establish and implement policies in the
33 working connections child care program to promote stability and
34 quality of care for children from low-income households. These
35 policies shall focus on supporting school readiness for young
36 learners. Policies for the expenditure of funds constituting the
37 working connections child care program must be consistent with the
38 outcome measures established by the department and the standards

1 established in this section intended to promote stability, quality,
2 and continuity of early care and education programming.

3 (2) As recommended by Public Law 113-186, authorizations for the
4 working connections child care subsidy shall be effective for twelve
5 months beginning July 1, 2016, unless an earlier date is provided in
6 the omnibus appropriations act.

7 (3) Existing child care providers serving nonschool-age children
8 and receiving state subsidy payments must complete the following
9 requirements to be eligible for a state subsidy under this section:

10 (a) Enroll in the early achievers program by August 1, 2016;

11 (b) Complete level 2 activities in the early achievers program by
12 August 1, 2017; and

13 (c) Rate at a level 3 or higher in the early achievers program by
14 December 31, 2019. If a child care provider rates below a level 3 by
15 December 31, 2019, the provider must complete remedial activities
16 with the department, and rate at a level 3 or higher no later than
17 June 30, 2020.

18 (4) Effective July 1, 2016, a new child care provider serving
19 nonschool-age children and receiving state subsidy payments must
20 complete the following activities to be eligible to receive a state
21 subsidy under this section:

22 (a) Enroll in the early achievers program within thirty days of
23 receiving the initial state subsidy payment;

24 (b) Complete level 2 activities in the early achievers program
25 within twelve months of enrollment; and

26 (c) Rate at a level 3 or higher in the early achievers program
27 within thirty months of enrollment. If a child care provider rates
28 below a level 3 within thirty months from enrollment into the early
29 achievers program, the provider must complete remedial activities
30 with the department, and rate at a level 3 or higher within six
31 months of beginning remedial activities.

32 (5) If a child care provider does not rate at a level 3 or higher
33 following the remedial period, the provider is no longer eligible to
34 receive state subsidy under this section.

35 (6) If a child care provider serving nonschool-age children and
36 receiving state subsidy payments has successfully completed all level
37 2 activities and is waiting to be rated by the deadline provided in
38 this section, the provider may continue to receive a state subsidy
39 pending the successful completion of the level 3 rating activity.

1 (7) The department shall implement tiered reimbursement for early
2 achievers program participants in the working connections child care
3 program rating at level 3, 4, or 5.

4 (8) The department shall account for a child care copayment
5 collected by the provider from the family for each contracted slot
6 and establish the copayment fee by rule.

7 (9)(a) The department shall establish and implement policies in
8 the working connections child care program to allow eligibility for
9 families with children who:

10 (i) In the last six months have:

11 (A) Received child protective services as defined and used by
12 chapters 26.44 and 74.13 RCW;

13 (B) Received child welfare services as defined and used by
14 chapter 74.13 RCW; or

15 (C) Received services through a family assessment response as
16 defined and used by chapter 26.44 RCW;

17 (ii) Have been referred for child care as part of the family's
18 case management as defined by RCW 74.13.020; and

19 (iii) Are residing with a biological parent or guardian.

20 (b) Children who are eligible for working connections child care
21 pursuant to this subsection do not have to keep receiving services
22 identified in this subsection to maintain twelve-month authorization.
23 The department of social and health services' involvement with the
24 family referred for working connections child care ends when the
25 family's child protective services, child welfare services, or family
26 assessment response case is closed.

27 (10)(a) The department shall designate homeless children as a
28 vulnerable population pursuant to 45 C.F.R. Sec. 98.20 as it existed
29 on January 1, 2019, to allow eligibility and twelve-month
30 authorizations for working connections child care subsidies for
31 homeless children.

32 (b) For purposes of this subsection, "homeless" means without a
33 fixed, regular, and adequate nighttime residence as set forth in the
34 federal McKinney-Vento homeless assistance act, P.L. 100-77, July 22,
35 1987, 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415,
36 Title III, September 7, 1974, 88 Stat. 1129.

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