

2SHB 1213 - H AMD 439

By Representative Dent

NOT ADOPTED 03/09/2021

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "Sec. 1. RCW 43.216.556 and 2019 c 408 s 3 are each amended to
5 read as follows:

6 (1) Funding for the program of early learning established under
7 this chapter must be appropriated to the department. The department
8 shall distribute funding to approved early childhood education and
9 assistance program contractors on the basis of eligible children
10 enrolled.

11 (2) The program shall be implemented in phases, so that full
12 implementation is achieved in the ((2022-23)) 2026-27 school year.

13 (3) Funding shall continue to be phased in each year such that
14 the legislature funds at least an additional 1,000 ECEAP slots each
15 year until full statewide implementation of the early learning
16 program is achieved in the ((2022-23)) 2026-27 school year, at which
17 time any eligible child is entitled to be enrolled in the program.
18 Entitlement under this section is voluntary enrollment. The
19 legislature must consider the increased demand for school day and
20 working day slots when funding new ECEAP slots.

21 (4) School districts and approved community-based early learning
22 providers may contract with the department to provide services under
23 the program. The department shall collaborate with school districts,
24 community-based providers, and educational service districts to
25 promote an adequate supply of approved providers.

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27

1 **Sec. 2.** RCW 43.216.749 and 2019 c 368 s 7 are each amended to
2 read as follows:

3 CHILD CARE SUBSIDY RATES.

4 (1) ~~((By January 1, 2025, the department of children, youth, and~~
5 ~~families must))~~ It is the intent of the legislature to systemically
6 increase child care subsidy rates over time until rates are equal to
7 the full cost of providing high quality child care.

8 (2) By July 1, 2021, child care subsidy base rates must achieve
9 the 85th percentile of market for licensed or certified child care
10 providers.

11 (3)(a) The department shall build upon the work of the child
12 care collaborative task force to develop and implement a child care
13 cost estimate model and use the completed child care cost model
14 ~~((developed under RCW 43.330.527 to determine child care subsidy~~
15 ~~rates.~~

16 ~~(2) This section expires January 30, 2025))~~ to recommend subsidy
17 rates at levels that are sufficient to compensate licensed or
18 certified child care providers for the full costs of providing high
19 quality child care. The department shall consider adjusting rates to
20 reflect cost-of-living factors at the zip code level, grouped by
21 categories such as rural, suburban, or urban.

22 (b) The department shall build upon the work of the child care
23 collaborative task force to evaluate options to support access to
24 affordable health care insurance coverage for licensed or certified
25 child care providers.

26 (c) Nothing in this chapter shall be deemed to interfere with,
27 impede, or in any way diminish the right of employees to bargain
28 collectively with their employers through representatives of their
29 choosing in order to establish wages or other conditions of work in
30 excess of the applicable minimum under the provisions of this chapter.

31
32 NEW SECTION. **Sec. 3.** EARLY CHILDHOOD EDUCATION AND ASSISTANCE
33 PROGRAM RATES. (1) Beginning in the 2021-22 school year, rates must
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1 be set at a level at least ten percent higher than the rates
2 established in section 225, chapter 415, Laws of 2019.

3 (2) It is the intent of the legislature that rate increases
4 shall be informed by the department's 2020 early childhood education
5 and assistance program rate study.

6 (3) This section expires June 30, 2027.

7

8 NEW SECTION. **Sec. 4.** TRAUMA-INFORMED CARE SUPPORTS. (1) By
9 July 1, 2022, the department shall provide supports to aid eligible
10 providers in providing trauma-informed care. Trauma-informed care
11 supports may include:

12 (a) Additional compensation for staff who have an infant and
13 early childhood mental health or other child development specialty
14 credential;

15 (b) Trauma-informed professional development and training;

16 (c) The purchase of screening tools and assessment materials;

17 (d) Supportive services for children with complex needs that are
18 offered as fee-for-service within local communities; or

19 (e) Other related expenses.

20 (2) The department must adopt rules to implement this section.

21 (3) For the purposes of this section, "eligible provider" means:

22 (a) An employee or owner of a licensed or certified child care

23 center accepting state subsidy; (b) an employee or owner of a

24 licensed family home provider accepting state subsidy; (c) a

25 contractor or provider of the early childhood education and

26 assistance program or birth to three early childhood education and

27 assistance program; (d) a license-exempt child care program; or (e)

28 an early achievers coach.

29

30 NEW SECTION. **Sec. 5.** INFANT AND EARLY CHILDHOOD MENTAL HEALTH

31 CONSULTATION. (1) The department shall administer or contract for

32 infant and early childhood mental health consultation services to

33 child care providers and early learning providers participating in

34 the early achievers program.

1 (2) Infant and early childhood mental health consultation
2 services must be delivered in coordination with the consultants
3 provided under RCW 43.216.090.

4 (3) The department shall provide, or contract with an entity to
5 provide, reflective supervision and professional development for
6 infant and early childhood mental health consultants to meet
7 national competency standards.

8 (4) As capacity allows, the department may provide access to
9 infant and early childhood mental health consultation services to
10 caregivers and licensed or certified, military, and tribal early
11 learning providers, license-exempt family, friend, and neighbor care
12 providers, and families with children expelled or at risk of
13 expulsion from child care.

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15 **Sec. 6.** RCW 43.216.090 and 2019 c 360 s 7 are each amended to
16 read as follows:

17 INFANT AND EARLY CHILDHOOD MENTAL HEALTH CONSULTATION.

18 ~~((The))~~ By July 1, 2021, the department of children, youth, and
19 families must have or contract for one infant and early childhood
20 mental health consultation coordinator and must enter into a
21 contractual agreement with an organization providing coaching
22 services to early achievers program participants to hire ~~((one))~~ at
23 least 12 qualified infant and early childhood mental health
24 consultants ~~((for each of the six department-designated regions))~~.
25 The department shall determine, in collaboration with child care
26 aware of Washington, where the additional consultants should be
27 sited based on factors such as the total provider numbers overlaid
28 with indicators of highest need. The infant and early childhood
29 mental health consultants must support early achievers program
30 coaches and child care providers by providing resources,
31 information, and guidance regarding challenging behavior and
32 expulsions and may travel to assist providers in serving families
33 and children with severe behavioral needs. ~~((In coordination with~~
34 ~~the contractor, the department of children, youth, and families must~~

1 ~~report on the services provided and the outcomes of the consultant~~
2 ~~activities to the governor and the appropriate policy and fiscal~~
3 ~~committees of the legislature by June 30, 2021.)~~)

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5 NEW SECTION. **Sec. 7.** EARLY THERAPEUTIC AND PREVENTATIVE
6 SERVICES. (1) Subject to the availability of amounts appropriated
7 for this specific purpose, the department shall administer early
8 therapeutic and preventative services and programs, such as the
9 early childhood intervention and prevention services program, and
10 other related services for children who are:

11 (a) Between the ages of birth and five years; and

12 (b) Referred by a child welfare worker, a department of social
13 and health services social worker, a primary care physician, a
14 behavioral health provider, or a public health nurse due to: (i)
15 Risk of child abuse or neglect; (ii) exposure to complex trauma; or
16 (iii) significant developmental delays.

17 (2) Subject to the availability of amounts appropriated for this
18 specific purpose, the department shall make all reasonable efforts
19 to deliver early therapeutic and preventative services and programs
20 statewide. These services and programs must focus first on children
21 and families furthest from opportunity as defined by income and be
22 delivered by programs that emphasize greater racial equity.

23

24 **Sec. 8.** RCW 43.216.655 and 2019 c 369 s 7 are each amended to
25 read as follows:

26 (1) The education data center established in RCW 43.41.400 must
27 collect longitudinal, student-level data on all children attending
28 an early childhood education and assistance program. Upon completion
29 of an electronic time and attendance record system, the education
30 data center must collect longitudinal, student-level data on all
31 children attending a working connections child care program. Data
32 collected should capture at a minimum the following characteristics:

33 (a) Daily program attendance;

34 (b) Identification of classroom and teacher;

1 (c) Early achievers program quality level rating;
2 (d) Program hours;
3 (e) Program duration;
4 (f) Developmental results from the Washington kindergarten
5 inventory of developing skills in RCW 28A.655.080; and

6 (g) To the extent data is available, the distinct ethnic
7 categories within racial subgroups of children and providers that
8 align with categories recognized by the education data center.

9 (2) The department shall provide early learning providers
10 student-level data collected pursuant to this section that are
11 specific to the early learning provider's program. Upon completion
12 of an electronic time and attendance record system identified in
13 subsection (1) of this section, the department shall provide child
14 care providers student-level data that are specific to the child
15 care provider's program.

16 (3) The department shall review available research and best
17 practices literature on cultural competency in early learning
18 settings. The department shall review the K-12 components for
19 cultural competency developed by the professional educator standards
20 board and identify components appropriate for early learning
21 professional development.

22 (4)(a) The Washington state institute for public policy shall
23 conduct a longitudinal analysis examining relationships between the
24 early achievers program quality ratings levels and outcomes for
25 children participating in subsidized early care and education
26 programs.

27 (b) The institute shall submit the first report to the
28 appropriate committees of the legislature and the early learning
29 advisory council by December 31, 2019. The institute shall submit
30 subsequent reports annually to the appropriate committees of the
31 legislature and the early learning advisory council by December
32 31st, with the final report due December 31, 2022. The final report
33 shall include a cost-benefit analysis.

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1 (5) By December 31, 2021, and subject to the availability of
2 amounts appropriated for this specific purpose, the Washington state
3 institute for public policy shall update the outcome evaluation of
4 the early childhood education and assistance program required by
5 chapter 16, Laws of 2013 and report to the governor and the
6 legislature on the outcomes of program participants. The evaluation
7 must include the demographics of program participants including
8 race, ethnicity, and socioeconomic status. The evaluation must
9 examine short and long-term impacts on program participants,
10 including high school graduation rates for up to two cohorts. When
11 conducting the evaluation, the institute must consider, to the
12 extent that data is available, the education levels and
13 demographics, including race, ethnicity, and socioeconomic status,
14 of early childhood education and assistance program staff and the
15 effects of full-day programming and half-day programming on outcomes.

16 (6)(a) The Washington state institute for public policy shall
17 conduct a study comparing child care licensing regulations nationwide.
18 In conducting the study, the institute shall review and compare the
19 structure of child care licensing regulations and outcomes in other
20 states, including, but not limited to:

- 21 (i) Child care costs;
- 22 (ii) Availability of child care;
- 23 (iii) Regulations on child care providers; and
- 24 (iv) Safety and health outcomes for children in child care
25 settings, to the extent possible.

26 (b) The institute shall submit a report on its findings to the
27 appropriate committees of the legislature by December 31, 2021.

28 (c) Subsection (6) of this section will expire June 30, 2022."

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30 Correct the title.

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- EFFECT:** Strikes all sections and provides the following:
- (1) Delays the entitlement date for the Early Childhood Education and Assistance Program (ECEAP) from the 2022-23 school year to the 2026-27 school year. Requires the legislature to add 1,000 additional ECEAP slots each year until the state reaches entitlement, and requires consideration of the high demand for school day and working day slots when determining what type of slots to add.
 - (2) Increases child care subsidy base rates to the 85th percentile of market beginning July 1, 2021. Directs the Department of Children, Youth, and Families to build upon the work of the child care collaborative task force to develop and implement a child care cost estimate model.
 - (3) Increases rates for ECEAP by 10 percent beginning in the 2021-22 school year.
 - (4) Requires the Department to provide supports to aid eligible providers in providing trauma-informed care.
 - (5) Requires the Department to administer or contract to administer mental health consultation services to child care and early learning providers in the Early Achievers program. By July 1, 2021, requires the Department to have one infant and early childhood mental health coordinator and to enter into a contract with an organization providing coaching services to hire at least 12 consultants.
 - (6) Subject to appropriations, requires the Department to administer early therapeutic and preventative services and programs for children between birth and age 5 who are referred due to risk of child abuse or neglect, exposure to complex trauma, or significant developmental delays.
 - (7) Requires the Washington State Institute for Public Policy to conduct a nationwide study comparing child care licensing regulations and submit a report on its findings to the Legislature by December 31, 2021.

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