

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6419**

65th Legislature  
2018 Regular Session

Passed by the Senate March 6, 2018  
Yeas 48 Nays 1

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**President of the Senate**

Passed by the House March 1, 2018  
Yeas 70 Nays 28

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6419** as passed by Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6419**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

**State of Washington                      65th Legislature                      2018 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Rolfes, Zeiger, Billig, Wellman, Conway, Darneille, Kuderer, Palumbo, and Walsh)

READ FIRST TIME 02/02/18.

1            AN ACT Relating to promoting access to the Washington early  
2 childhood education and assistance program; amending RCW 43.216.555;  
3 adding new sections to chapter 43.216 RCW; creating a new section;  
4 and providing an effective date.

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

6            NEW SECTION.        **Sec. 1.**        The legislature finds that research  
7 continues to demonstrate the efficacy of the state's early childhood  
8 education and assistance program, known as ECEAP. Studies in  
9 Washington and from other states show that ECEAP prepares children  
10 for kindergarten success and has significant positive impacts on  
11 third, fourth, and fifth grade test scores. The legislature also  
12 finds that in some areas of the state, expanding ECEAP has proven  
13 challenging because there are too few eligible children to form an  
14 ECEAP classroom. The result is that children who are income eligible  
15 and the furthest from opportunity remain unserved. The legislature  
16 finds further that in other ECEAP classrooms, funded seats remain  
17 empty because providers do not have sufficient flexibility to serve  
18 families in need who are slightly over income but often have similar  
19 risk factors. The legislature intends, therefore, to provide more  
20 flexibility in determining eligibility for ECEAP in order to maximize

1 the state's investment and assure that program funding is deployed to  
2 serve the greatest number of children and families.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.216  
4 RCW to read as follows:

5 (1) The department shall adopt rules that allow the inclusion of  
6 children in the early childhood education and assistance program  
7 whose family income is above one hundred ten percent of the federal  
8 poverty level if the number of such children equals not more than  
9 twenty-five percent of total statewide enrollment.

10 (2) Children included in the early childhood education and  
11 assistance program under this section must be homeless or impacted by  
12 specific developmental or environmental risk factors that are linked  
13 by research to school performance. "Homeless" means without a fixed,  
14 regular, and adequate nighttime residence as set forth in the federal  
15 McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987,  
16 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title  
17 III, September 7, 1974, 88 Stat. 1129.

18 (3) Children included in the early childhood education and  
19 assistance program under this section are not to be considered  
20 eligible children as defined in RCW 43.216.505 and are not considered  
21 to be part of the state-funded entitlement required in RCW  
22 43.216.556.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.216  
24 RCW to read as follows:

25 (1) The department shall prioritize children for enrollment in  
26 the early childhood education and assistance program who are eligible  
27 pursuant to RCW 43.216.505.

28 (2) As space is available, children may be included in the early  
29 childhood education and assistance program pursuant to section 2 of  
30 this act. Priority within this group must be given to children who  
31 are experiencing homelessness, child welfare system involvement, or a  
32 developmental delay or disability that does not meet the eligibility  
33 criteria for special education adopted under RCW 28A.155.020.

34 **Sec. 4.** RCW 43.216.555 and 2015 3rd sp.s. c 7 s 11 are each  
35 amended to read as follows:

36 (1) Beginning September 1, 2011, an early learning program to  
37 provide voluntary preschool opportunities for children three and four

1 years of age shall be implemented according to the funding and  
2 implementation plan in RCW ((43.215.456)) 43.216.556. The program  
3 must offer a comprehensive program of early childhood education and  
4 family support, including parental involvement and health  
5 information, screening, and referral services, based on family need.  
6 Participation in the program is voluntary. On a space available  
7 basis, the program may allow enrollment of children who are not  
8 otherwise eligible by assessing a fee.

9 (2) The program shall be implemented by utilizing the program  
10 standards and eligibility criteria in the early childhood education  
11 and assistance program in RCW ((43.215.400)) 43.216.500 through  
12 ((43.215.450)) 43.216.550.

13 (3)(a) Beginning in the 2015-16 school year, the program  
14 implementation in this section shall prioritize early childhood  
15 education and assistance programs located in low-income neighborhoods  
16 within high-need geographical areas.

17 (b) Following the priority in (a) of this subsection, preference  
18 shall be given to programs meeting at least one of the following  
19 characteristics:

20 (i) Programs offering an extended day program for early care and  
21 education;

22 (ii) Programs offering services to children diagnosed with a  
23 special need; or

24 (iii) Programs offering services to children involved in the  
25 child welfare system.

26 (4) The ((director)) secretary shall adopt rules for the  
27 following program components, as appropriate and necessary during the  
28 phased implementation of the program, consistent with early achievers  
29 program standards established in RCW ((43.215.100)) 43.216.085:

30 (a) Minimum program standards;

31 (b) Approval of program providers; and

32 (c) Accountability and adherence to performance standards.

33 (5) The department has administrative responsibility for:

34 (a) Approving and contracting with providers according to rules  
35 developed by the ((director)) secretary under this section;

36 (b) In partnership with school districts, monitoring program  
37 quality and assuring the program is responsive to the needs of  
38 eligible children;

39 (c) Assuring that program providers work cooperatively with  
40 school districts to coordinate the transition from preschool to

1 kindergarten so that children and their families are well-prepared  
2 and supported; and

3 (d) Providing technical assistance to contracted providers.

4 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2018.

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