

Chapter 170-100 WAC

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM

(Formerly chapter 365-170 WAC)

WAC

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WAC 170-100-010 Authority. These rules are adopted under the authority of chapter 28A.215 RCW.

[WSR 06-18-085, recodified as § 170-100-010, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-010, filed 6/16/06, effective 7/17/06. Statutory Authority: RCW 28A.34A.060. WSR 88-18-039 (Order 88-04), § 365-170-010, filed 8/31/88. Statutory Authority: RCW 43.63A.060. WSR 87-04-007 (Order 87-02), § 365-170-010, filed 1/23/87.]

WAC 170-100-020 Purpose. The early childhood education and assistance program (ECEAP) provides preschool education, family support, and health and nutrition services to low-income three- and four-year-old children to promote school success.

[WSR 06-18-085, recodified as § 170-100-020, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-020, filed 6/16/06, effective 7/17/06. Statutory Authority: RCW 43.63A.060. WSR 99-19-176, § 365-170-020, filed 9/22/99, effective 10/23/99; WSR 87-04-007 (Order 87-02), § 365-170-020, filed 1/23/87.]

WAC 170-100-030 Definitions. (1) "Contractor" means a public or private organization that contracts with the department of early learning to provide local early childhood education and assistance services.

(2) "Department" means the department of early learning.

(3) "Director" means the director of the department of early learning.

(4) "Eligible organization" means public or private organizations including, but not limited to, school districts, educational service districts, community and technical colleges, local governments, nonprofit organizations, and for-profit organizations provided that their proposed early childhood education and assistance program is free from religious instruction, activities, or symbolism.

[Statutory Authority: RCW 43.215.070, chapter 43.215 RCW. WSR 16-01-098, § 170-100-030, filed 12/16/15, effective 1/16/16. Statutory Authority: Chapter 43.215 RCW. WSR 07-20-034, § 170-100-030, filed 9/25/07, effective 10/26/07. WSR 06-18-085, recodified as § 170-100-030, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-030, filed 6/16/06, effective 7/17/06. Statutory Authority: RCW 43.63A.060. WSR 99-19-176, § 365-170-030, filed 9/22/99, effective 10/23/99. Statutory Authority: RCW 28A.34A.060. WSR 88-18-039 (Order

(12/16/15)

88-04), § 365-170-030, filed 8/31/88. Statutory Authority: RCW 43.63A.-060. WSR 87-04-007 (Order 87-02), § 365-170-030, filed 1/23/87.]

WAC 170-100-040 Process for allocating or awarding funds. (1) Eligible organizations may apply to become contractors for the early childhood education and assistance program.

(2) Funds shall be awarded on a competitive basis or allocated by the department, consistent with the amount allocated by the legislature.

(3) An applicant must use the application procedures established by the department.

(4) Successful applicants will be awarded a contract with the department. This contract must be signed by an official with authority to bind the recipient.

[Statutory Authority: RCW 43.215.070, chapter 43.215 RCW. WSR 16-01-098, § 170-100-040, filed 12/16/15, effective 1/16/16. WSR 06-18-085, recodified as § 170-100-040, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-060, filed 6/16/06, effective 7/17/06. Statutory Authority: RCW 28A.34A.060. WSR 88-18-039 (Order 88-04), § 365-170-060, filed 8/31/88. Statutory Authority: RCW 43.63A.060. WSR 87-04-007 (Order 87-02), § 365-170-060, filed 1/23/87.]

WAC 170-100-050 Use of funds. (1) Contracting agencies must provide comprehensive early education and family support services free of charge to enrolled families.

(2) Early childhood education and assistance program funds must be used as dollars of last resort for medical, dental, nutrition, and mental health services.

(3) Administrative costs funded under this program are limited to fifteen percent of the total award.

[WSR 06-18-085, recodified as § 170-100-050, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-070, filed 6/16/06, effective 7/17/06. Statutory Authority: RCW 43.63A.060. WSR 99-19-176, § 365-170-070, filed 9/22/99, effective 10/23/99. Statutory Authority: RCW 28A.34A.060. WSR 88-18-039 (Order 88-04), § 365-170-070, filed 8/31/88. Statutory Authority: RCW 43.63A.060. WSR 87-04-007 (Order 87-02), § 365-170-070, filed 1/23/87.]

WAC 170-100-060 Comprehensive service delivery.

(1) Contractors must conduct a community assessment, and must plan and deliver the following comprehensive services to enrolled children:

(a) Early childhood education;

(b) Family support;

(c) Parent involvement including options for participation in their child's classroom, program policy decisions, service delivery system development, and parent education and training; and

(d) Health screening, information, and referral, including medical, dental, nutrition, and mental health.

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(2) Contractors must comply with the early childhood education and assistance program contract, performance standards, and policy memos in the delivery of all services.

(3) Contractors may request exceptions to rules, performance standards, or policies. Contractors must receive written approval from the department before implementing exceptions.

[06-18-085, recodified as § 170-100-060, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-07005, filed 6/16/06, effective 7/17/06.]

WAC 170-100-070 Nondiscrimination. Contractors must not deny service to, or discriminate against, any person who meets the eligibility criteria for the early childhood education and assistance program on the basis of gender, race, color, religion, age, national origin, citizenship, ancestry, physical or mental disability, family configuration, sexual orientation, culture, or public assistance recipient status.

[WSR 06-18-085, recodified as § 170-100-070, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-07010, filed 6/16/06, effective 7/17/06.]

WAC 170-100-080 Eligibility for services. (1) Children are eligible for ECEAP if they are at least three years old, but not yet five years old, by August 31st of the school year, and one of the following:

(a) Returning to the same ECEAP contractor from the previous school year.

(b) Qualified by their school district for special education services under RCW 28A.155.020. All children on a school district individualized education program (IEP) meet this requirement.

(c) Receiving child protective services under RCW 26.44.020(3) or family assessment response services under RCW 26.44.260.

(d) From a family with income at or below one hundred ten percent of the federal poverty guidelines established by the U.S. Department of Health and Human Services.

(e) From a family with income that exceeds one hundred ten percent federal poverty level and is impacted by specific developmental or environmental risk factors that are linked by research to school performance.

(f) Ninety percent of enrolled families statewide must qualify by income or IEP. DEL establishes over-income limits for each contractor annually.

(2) Children who are eligible for ECEAP are not automatically enrolled in ECEAP. They must still be prioritized.

(3) Eligible, enrolled children are allowed to remain in ECEAP until kindergarten, without reverification.

(4) Children may not be simultaneously enrolled in both ECEAP and Head Start.

(5) Children served by school district special education may be simultaneously enrolled in ECEAP.

(6) Contractors must systematically review all applications of eligible children and prioritize them to determine which children to enroll in the available ECEAP slots. Contractors must prioritize children who are:

(a) Four years old by August 31st of the school year.

(b) From families at the lowest federal poverty levels, as published annually by the U.S. Department of Health and Human Services.

(c) Homeless, as defined by the federal McKinney-Vento Homeless Assistance Act.

(d) Receiving child protective services under RCW 26.44.020(3) or family assessment response services under RCW 26.44.260.

(e) From families with multiple needs.

(7) Contractors must use either the standard or customized priority point system built into the early learning management system (ELMS). Contractors may customize the environmental risk factor section of the priority points built into ELMS to best meet the needs of families in their community.

[Statutory Authority: RCW 43.215.060, 43.215.070 and chapter 43.215 RCW. WSR 14-14-055, § 170-100-080, filed 6/26/14, effective 7/27/14. Statutory Authority: RCW 43.215.020, 43.215.070, and 2010 c 231. WSR 10-20-059, § 170-100-080, filed 9/27/10, effective 10/28/10. WSR 06-18-085, recodified as § 170-100-080, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-080, filed 6/16/06, effective 7/17/06. Statutory Authority: RCW 43.63A.060. WSR 99-19-176, § 365-170-080, filed 9/22/99, effective 10/23/99. Statutory Authority: RCW 28A.34A.060. WSR 88-18-039 (Order 88-04), § 365-170-080, filed 8/31/88. Statutory Authority: RCW 43.63A.060. WSR 87-04-007 (Order 87-02), § 365-170-080, filed 1/23/87.]

WAC 170-100-090 Staff qualifications. (1) Contractors must provide adequate staff to comply with all ECEAP performance standards.

(2) Contractors must ensure that all ECEAP staff who have access to children comply with the background check procedures in RCW 43.215.215.

(3) All persons serving in the role of ECEAP lead teacher must meet one of the following qualifications:

(a) An associate or higher degree with the equivalent of thirty college quarter credits of early childhood education. These thirty credits may be included in the degree or in addition to the degree; or

(b) A valid Washington state teaching certificate with an endorsement in early childhood education (pre-K - grade 3) or early childhood special education.

(4) All persons serving in the role of ECEAP assistant teacher must meet one of the following qualifications:

(a) Employment as an early childhood education and assistance program assistant teacher in the same agency before July 1, 1999;

(b) The equivalent of twelve college quarter credits in early childhood education;

(c) Initial or higher Washington state early childhood education certificate; or

(d) A current Child Development Associate (CDA) credential awarded by the Council for Early Childhood Professional Recognition.

(5) All persons serving in the role of ECEAP family support staff must meet one of the following qualifications:

(a) Employment as an early childhood education and assistance program family support staff in the same agency before July 1, 1999;

(b) An associate's or higher degree with the equivalent of thirty college quarter credits of adult education, human development, human services, family support, social work, early childhood education, child development, psychology, or another field directly related to their job responsibilities.

These thirty credits may be included in the degree or in addition to the degree; or

(c) A degree, credential or certificate from a comprehensive and competency-based program that increases knowledge and skills in providing direct family support services to families.

(6) All persons serving in the role of ECEAP health advocate must meet one of the following qualifications:

(a) Employment as an early childhood education and assistance program family support aide or health aide in the same agency before July 1, 2014; or

(b) The equivalent of twelve college quarter credits in family support, public health, health education, nursing, or another field directly related to their job responsibilities.

(7) The early childhood education and assistance program health consultant must meet one of the following qualifications:

(a) Licensed in Washington state as a registered nurse (R.N.) or physician (M.D., N.D., D.O.); or

(b) A bachelor's or higher degree in public health, nursing, health education, health sciences, medicine, or related field.

(8) The early childhood education and assistance program nutrition consultant must meet one of the following qualifications:

(a) Registered dietitian (RD) credentialed through the Commission on Dietetic Registration (CDR), the credentialing agency for the Academy of Nutrition and Dietetics (formerly the American Dietetic Association); or

(b) Washington state certified nutritionist under chapter 18.138 RCW.

(9) The early childhood education and assistance program mental health consultant must meet one of the following qualifications:

(a) Licensed by the Washington state department of health as a mental health counselor, marriage and family therapist, social worker, psychologist, psychiatrist, or psychiatric nurse;

(b) Approved by the Washington state department of health as an agency affiliated or certified counselor, with a master's degree in counseling, social work or related field; or

(c) Credentialed by the Washington state office of the superintendent of public instruction as a school counselor, social worker, or psychologist.

(10) Contractors must hire and employ staff who meet the qualifications for their position.

(a) If the best candidate for the position is not fully qualified, the contractor must ensure the newly hired staff person is on a professional development plan (PDP) to fully meet the qualifications of their role within five years from the date of hire.

(b) Contractors must monitor progress on all PDPs and ensure staff make adequate yearly progress to meet the required qualifications.

(11) Equivalent degrees and certificates from other states and countries are accepted for ECEAP staff qualifications.

[Statutory Authority: RCW 43.215.070 and chapter 43.215 RCW. WSR 15-24-040, § 170-100-090, filed 11/20/15, effective 1/1/16. Statutory Authority: RCW 43.215.060, 43.215.070 and chapter 43.215 RCW. WSR 14-14-055, § 170-100-090, filed 6/26/14, effective 7/27/14. WSR 06-18-085, recodified as § 170-100-090, filed 9/5/06, effective 9/5/06. Statutory Authority: Chapter 28A.215 RCW. WSR 06-13-046, § 365-170-095, filed 6/16/06, effective

7/17/06. Statutory Authority: RCW 43.63A.060. WSR 99-19-176, § 365-170-095, filed 9/22/99, effective 10/23/99.]