H-3638.1

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**HOUSE BILL 2659**

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

**By** Representatives Goodman, Kagi, Lovick, Kilduff, Appleton, Valdez, Ortiz-Self, Wylie, Hudgins, Senn, McBride, Doglio, Pettigrew, and Frame

AN ACT Relating to expanding eligibility for the early childhood education and assistance program; amending RCW 43.216.505, 43.216.556, and 43.88C.010; and providing an effective date.

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

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

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

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

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

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

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

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

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

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

(c) Further their education and training;

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

(e) Increase their self-reliance.

**Sec.**  RCW 43.216.556 and 2017 3rd sp.s. c 22 s 1 are each amended to read as follows:

(1) Funding for the program of early learning established under this chapter must be appropriated to the department. Allocations must be made on the basis of eligible children enrolled with eligible providers.

(2) The program shall be implemented in phases, so that full implementation is achieved in the ((~~2022-23~~)) 2028-29 school year.

(3) For the initial phase of the early learning program in school years 2011-12 and 2012-13, the legislature shall appropriate funding to the department for implementation of the program in an amount not less than the 2009-2011 enacted budget for the early childhood education and assistance program. The appropriation shall be sufficient to fund an equivalent number of slots as funded in the 2009-2011 enacted budget.

(4) Beginning in the 2013-14 school year, additional funding for the program must be phased in beginning in school districts providing all-day kindergarten programs under RCW 28A.150.315.

(5)(a) Beginning in the 2019-20 school year, funding for the program must be phased in based on the forecasted caseload of children eligible and projected to participate prepared under chapter 43.88C RCW and according to the following schedule:

(i) No less than forty percent of the caseload in the 2019-2021 biennium;

(ii) No less than fifty percent of the caseload in the 2021-2023 biennium;

(iii) No less than sixty-five percent of the caseload in the 2023-2025 biennium;

(iv) No less than eighty percent of the caseload in the 2025-2027 biennium; and

(v) No less than one hundred percent of the caseload in the 2027-2029 biennium.

(b) The department shall prioritize eligible children for enrollment according to a system of risk factors and priority points adopted by the department in rule. The priority system must include the populations identified in RCW 43.216.505(4) and consideration of the following risk factors:

(i) Child welfare system involvement;

(ii) Developmental delay or disability;

(iii) Domestic violence;

(iv) English as a second language;

(v) Expulsion from an early learning setting;

(vi) Homelessness;

(vii) A parent who is or has been incarcerated; and

(viii) A parent with a substance abuse or mental health treatment need.

(6) Funding shall continue to be phased in each year until full statewide implementation of the early learning program is achieved in the ((~~2022-23~~)) 2028-29 school year, at which time any eligible child shall be entitled to be enrolled in the program.

((~~(6)~~)) (7) School districts and approved community‑based early learning providers may contract with the department to provide services under the program. The department shall collaborate with school districts, community‑based providers, and educational service districts to promote an adequate supply of approved providers.

**Sec.**  RCW 43.88C.010 and 2015 c 128 s 2 are each amended to read as follows:

(1) The caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ a caseload forecast supervisor to supervise the preparation of all caseload forecasts. As used in this chapter, "supervisor" means the caseload forecast supervisor.

(3) Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official caseload forecast may request, and the supervisor shall provide, an alternative forecast based on assumptions specified by the member.

(6) Members of the caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) "Caseload," as used in this chapter, means:

(a) The number of persons expected to meet entitlement requirements and require the services of public assistance programs, state correctional institutions, state correctional noninstitutional supervision, state institutions for juvenile offenders, the common school system, long-term care, medical assistance, foster care, and adoption support;

(b) The number of students who are eligible for the Washington college bound scholarship program and are expected to attend an institution of higher education as defined in RCW 28B.92.030;

(c) The number of children who are eligible, as defined in RCW ((~~43.215.405~~)) 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

(8) The caseload forecast council shall forecast the temporary assistance for needy families and the working connections child care programs as a courtesy.

(9) The caseload forecast council shall forecast youth participating in the extended foster care program pursuant to RCW 74.13.031 separately from other children who are residing in foster care and who are under eighteen years of age.

(10) Unless the context clearly requires otherwise, the definitions provided in RCW 43.88.020 apply to this chapter.

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

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