

WSR 22-10-040
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES

[Filed April 27, 2022, 2:08 p.m.]

Subject of Possible Rule Making: Early childhood education and assistance program (ECEAP) enrollment, early ECEAP entry, eligibility for three- to five-year-old children who are not age eligible for kindergarten, and eligibility for children from birth to three years of age.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.216.525.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to implement section 204, chapter 199, Laws of 2021 (eligibility for three- to-five-year old children who are not age eligible for kindergarten), section 205, chapter 199, Laws of 2021 (early ECEAP entry), section 206, chapter 199, Laws of 2021 (enrollment), and section 403, chapter 199, Laws of 2021 (eligibility for birth to three ECEAP). Specifically:

To implement section 204, rules will reclassify current risk factors used to determine priority enrollment on a space available basis to expanded eligibility criteria:

- Children whose families are experiencing homelessness; and
- Prior participation in:
 - o Early head start or certain successor federal programs,
 - o The early support for infants or toddlers program or received developmental class C services,
 - o Birth to three early ECEAP; or
 - o The early childhood intervention and prevention services program.

Rules will also update family income eligible consistent with section 204.

To implement section 205, rules will change the family income criteria to 50 percent of the state median income (SMI) instead of 200 percent of the federal poverty level, and expand early ECEAP entry to allow children who have participated in ECLIPSE.

To implement section 206, rules will allow children to enroll in ECEAP when the child is not otherwise eligible, as space is available, if:

- The family income level is above 36 percent of SMI, but at or below 50 percent of SMI; and
- The child meets at least one of the specified risk factors identified in chapter 110-425 WAC.

To implement section 403, rules will authorize ECEAP for children from birth to three years old if their family's income is at or below 50 percent of the SMI.

Process for Developing New Rule: Collaborative, to include consultation with the early learning advisory committee during rule development and soliciting comments from ECEAP contractors.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nicole Lor, Olympia, Washington, phone 360-338-5162, email eceap@dcyf.wa.gov, website <https://www.dcyf.wa.gov/practice/policy->

laws-rules/rule-making, <https://www.dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online>.

April 27, 2022
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