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**SUBSTITUTE HOUSE BILL 2764**

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

**By** House Higher Education (originally sponsored by Representatives Pollet, Griffey, Senn, Reeves, Kloba, Stanford, Kagi, Stonier, Appleton, Goodman, Gregerson, Kilduff, Doglio, Peterson, Tharinger, Frame, Slatter, and Stambaugh)

AN ACT Relating to improving access and completion for students at public institutions of higher education, especially at community and technical colleges, by removing restrictions on subsidized child care; amending RCW 43.215.135, 43.216.135, and 43.216.135; adding a new section to chapter 28B.50 RCW; creating a new section; providing effective dates; and providing expiration dates.

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

NEW SECTION. **Sec.**  (1) The legislature recognizes the following:

(a) In Washington, over four thousand six hundred community and technical college (CTC) students, which represents twenty-three percent of all CTC students in the state, are parents of dependent children. Student parents represent more than one-quarter of CTC students in Washington who receive financial aid. Financial assistance; however, does not sufficiently cover many student parents' college expenses.

(b) Caregiving demands affect student parents' ability to devote the time needed to succeed in school. Nearly three-quarters of women community college students living with dependents report spending over twenty hours per week caring for dependents. Many of these students report that care demands are likely to lead them to drop out: Forty-three percent of women and thirty-seven percent of men at two-year institutions who live with children say they are likely or very likely to withdraw from college to care for dependents.

(c) In addition, child care costs represent a large financial burden for parents who are in college. The annual cost of full-time, center-based infant care averages over thirteen thousand dollars in Washington, which would amount to half of the median state income for single parents. Given the financial pressures experienced by student parents, both married and single, assistance with paying for quality child care services could dramatically improve their ability to make ends meet and complete their higher education programs.

(d) Research suggests that child care helps parents persist in and complete higher education programs. A study at Monroe Community College in New York found that Monroe students with children under the age of six who used the campus child care center were more likely to return to school the following year than their counterparts who did not use the center: Sixty-eight percent compared with fifty-one percent. Parents who used child care were also nearly three times more likely to graduate or go on to pursue a bachelor of arts degree within three years of enrollment: Forty-one percent compared with only fifteen percent.

(e) Work requirements imposed on student parents as a condition for receiving child care assistance can have negative consequences for parents in education or job training. Students working more than fifteen hours per week achieve significantly lower college attainment compared with those who work fewer hours. Nationally, fifty-eight percent of community college student parents who work fifteen or more hours per week leave school without earning a credential within six years of enrollment, compared with forty-eight percent who work less than fifteen hours per week.

(2) The legislature also recognizes that school districts across Washington report that it is becoming increasingly difficult to find K–12 certificated teachers not only in areas that have experienced shortages for many years, but also teachers with elementary education and early childhood endorsements. In 2016, legislation passed to help address the issue of teacher shortage by, among other things, providing one-time funding for a recruitment campaign and grants and scholarships for new teachers. The legislature recognizes that reducing the teacher shortage is necessary to be able to provide basic education to Washington students.

(3) Therefore, the legislature intends to:

(a) Improve access and completion rates of student parents enrolled in community and technical colleges by reducing existing restrictions to subsidized child care; and

(b) Address the teacher shortage in the state by allowing students receiving working connections child care program benefits to pursue certificates and degrees in teaching, paraeducation, and early childhood education, without losing their working connections child care program benefits.

**Sec.**  RCW 43.215.135 and 2015 3rd sp.s. c 7 s 6 are each amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months beginning July 1, 2016, unless an earlier date is provided in the omnibus appropriations act.

(3) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

(4) Effective July 1, 2016, a new child care provider serving nonschool-age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

(9) By January 1, 2019, the department shall:

(a) In consultation with the state board for community and technical colleges and the student achievement council, revise any rules that require applicants or consumers who are full-time students and who are not WorkFirst participants to work at least an average of twenty or more hours per week, or at least an average of sixteen hours or more per week in a federal or state work-study program, as a condition of receiving working connections child care program benefits. An applicant or consumer is participating in a higher education program full-time if he or she meets the educational institution's definition of full-time student. The rules applicable to full-time students enrolled in community or technical or tribal colleges must be revised to eliminate the work requirement as a condition of receiving working connections child care program benefits. Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a waitlist for working connections child care benefits; and

(b) Revise any rules regarding the types of certificate and degree programs that applicants and consumers may pursue while receiving working connections child care program benefits, to include certificates and degrees in paraeducation and early childhood education.

**Sec.**  RCW 43.216.135 and 2015 3rd sp.s. c 7 s 6 are each amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months beginning July 1, 2016, unless an earlier date is provided in the omnibus appropriations act.

(3) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

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(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

(4) Effective July 1, 2016, a new child care provider serving nonschool-age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

(9) By January 1, 2019, the department shall:

(a) In consultation with the state board for community and technical colleges and the student achievement council, revise any rules that require applicants or consumers who are full-time students and who are not WorkFirst participants to work at least an average of twenty or more hours per week, or at least an average of sixteen hours or more per week in a federal or state work-study program, as a condition of receiving working connections child care program benefits. An applicant or consumer is participating in a higher education program full-time if he or she meets the educational institution's definition of full-time student. The rules applicable to full-time students enrolled in community or technical or tribal colleges must be revised to eliminate the work requirement as a condition of receiving working connections child care program benefits. Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a waitlist for working connections child care benefits; and

(b) Revise any rules regarding the types of certificate and degree programs that applicants and consumers may pursue while receiving working connections child care program benefits, to include certificates and degrees in paraeducation and early childhood education.

**Sec.**  RCW 43.216.135 and 2017 3rd sp.s. c 9 s 2 are each amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months beginning July 1, 2016, unless an earlier date is provided in the omnibus appropriations act.

(3) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

(4) Effective July 1, 2016, a new child care provider serving nonschool-age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

(9) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(a) In the last six months have:

(i) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(ii) Received child welfare services as defined and used by chapter 74.13 RCW; or

(iii) Received services through a family assessment response as defined and used by chapter 26.44 RCW;

(b) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020; and

(c) Are residing with a biological parent or guardian.

(10) Children who are eligible for working connections child care pursuant to subsection (9) of this section do not have to keep receiving services through the department of social and health services to maintain twelve-month authorization. The department of social and health services' involvement with the family referred for working connections child care ends when the family's child protective services, child welfare services, or family assessment response case is closed.

(11) By January 1, 2019, the department shall:

(a) In consultation with the state board for community and technical colleges and the student achievement council, revise any rules that require applicants or consumers who are full-time students and who are not WorkFirst participants to work at least an average of twenty or more hours per week, or at least an average of sixteen hours or more per week in a federal or state work-study program, as a condition of receiving working connections child care program benefits. An applicant or consumer is participating in a higher education program full-time if he or she meets the educational institution's definition of full-time student. The rules applicable to full-time students enrolled in community or technical or tribal colleges must be revised to eliminate the work requirement as a condition of receiving working connections child care program benefits. Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a waitlist for working connections child care benefits; and

(b) Revise any rules regarding the types of certificate and degree programs that applicants and consumers may pursue while receiving working connections child care program benefits, to include certificates and degrees in paraeducation and early childhood education.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.50 RCW to read as follows:

Nothing in sections 2 through 4 of this act requires a community or technical college to expand any of its existing child care facilities. Any additional child care services provided by a community or technical college as a result of sections 2 through 4 of this act must be provided within existing resources and existing facilities.

NEW SECTION. **Sec.**  Section 2 of this act expires July 1, 2018.

NEW SECTION. **Sec.**  Section 3 of this act takes effect July 1, 2018.

NEW SECTION. **Sec.**  Section 3 of this act expires December 1, 2018.

NEW SECTION. **Sec.**  Section 4 of this act takes effect December 1, 2018.

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