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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)

READ FIRST TIME 02/02/18.

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

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

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

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

17 (b) Caregiving demands affect student parents' ability to devote  
18 the time needed to succeed in school. Nearly three-quarters of women  
19 community college students living with dependents report spending  
20 over twenty hours per week caring for dependents. Many of these  
21 students report that care demands are likely to lead them to drop

1 out: Forty-three percent of women and thirty-seven percent of men at  
2 two-year institutions who live with children say they are likely or  
3 very likely to withdraw from college to care for dependents.

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

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

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

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

1 (3) Therefore, the legislature intends to:

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

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

10 **Sec. 2.** RCW 43.215.135 and 2015 3rd sp.s. c 7 s 6 are each  
11 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

14 (6) If a child care provider serving nonschool-age children and  
15 receiving state subsidy payments has successfully completed all level  
16 2 activities and is waiting to be rated by the deadline provided in  
17 this section, the provider may continue to receive a state subsidy  
18 pending the successful completion of the level 3 rating activity.

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

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

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

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

1 are placed on a waitlist for working connections child care benefits;  
2 and

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (6) If a child care provider serving nonschool-age children and  
13 receiving state subsidy payments has successfully completed all level  
14 2 activities and is waiting to be rated by the deadline provided in  
15 this section, the provider may continue to receive a state subsidy  
16 pending the successful completion of the level 3 rating activity.

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

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

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

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

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

6 **Sec. 4.** RCW 43.216.135 and 2017 3rd sp.s. c 9 s 2 are each  
7 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

10 (6) If a child care provider serving nonschool-age children and  
11 receiving state subsidy payments has successfully completed all level  
12 2 activities and is waiting to be rated by the deadline provided in  
13 this section, the provider may continue to receive a state subsidy  
14 pending the successful completion of the level 3 rating activity.

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

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

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

24 (a) In the last six months have:

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

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

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

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

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

34 (10) Children who are eligible for working connections child care  
35 pursuant to subsection (9) of this section do not have to keep  
36 receiving services through the department of social and health  
37 services to maintain twelve-month authorization. The department of  
38 social and health services' involvement with the family referred for  
39 working connections child care ends when the family's child



1 protective services, child welfare services, or family assessment  
2 response case is closed.

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

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

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

26 NEW SECTION. Sec. 5. A new section is added to chapter 28B.50  
27 RCW to read as follows:

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

34 NEW SECTION. Sec. 6. Section 2 of this act expires July 1,  
35 2018.

36 NEW SECTION. Sec. 7. Section 3 of this act takes effect July 1,  
37 2018.

1        NEW SECTION.    **Sec. 8.**    Section 3 of this act expires December 1,  
2    2018.

3        NEW SECTION.    **Sec. 9.**    Section 4 of this act takes effect  
4    December 1, 2018.

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