

HOUSE BILL REPORT

HB 1451

As Reported by House Committee On:
Children, Youth & Families

Title: An act relating to the entitlement date and definition for the early childhood education and assistance program.

Brief Description: Concerning the entitlement date and definition for the early childhood education and assistance program.

Sponsors: Representatives Sullivan, Lekanoff and Thai; by request of Office of Financial Management.

Brief History:

Committee Activity:

Children, Youth & Families: 2/8/21, 2/15/21 [DPS].

Brief Summary of Substitute Bill

- Delays the Early Childhood Education and Assistance Program (ECEAP) entitlement from the 2022-23 school year to the 2026-27 school year.
- Expands the definition of "eligible child" for the ECEAP enrollment to include a child who is experiencing homelessness and a child who is Indian, which will be defined in rule by the Department of Children, Youth, and Families (DCYF).
- Requires the DCYF to adopt rules outlining the requirements related to educational activities and comprehensive services required to meet the ECEAP entitlement requirement by January 1, 2023.

HOUSE COMMITTEE ON CHILDREN, YOUTH & FAMILIES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by 9 members: Representatives Senn, Chair; Harris-Talley, Vice Chair; Rule, Vice Chair; Callan, Eslick, Goodman, Ortiz-Self, Wicks and Young.

Minority Report: Do not pass. Signed by 3 members: Representatives Chase, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Klippert.

Minority Report: Without recommendation. Signed by 1 member: Representative Dent, Ranking Minority Member.

Staff: Lena Brodsky (786-7192).

Background:

The Early Childhood Education and Assistance Program.

The Early Childhood Education and Assistance Program (ECEAP) is the state's voluntary preschool program. In the 2022-23 school year, the ECEAP will become an entitlement for eligible children. The term "eligible child" means a child who:

- has a family income at or below 110 percent of the federal poverty level (FPL), which is \$24,156 for a family of three;
- is eligible for special education preschool due to disability; and
- may include children who are eligible under rules adopted by the Department of Children, Youth, and Families (DCYF) if the number of such children equals not more than 10 percent of the total enrollment.

The DCYF rules allow children who do not meet the definition of "eligible child" to enroll in the ECEAP, as space is available, if the family income is:

- above 110 percent of the FPL but less than 130 percent of the FPL; or
- above 130 percent of the FPL but less than 200 percent of the FPL if the child meets at least one of the specified risk factors.

Summary of Substitute Bill:

The ECEAP entitlement is delayed from the 2022-23 school year to the 2026-27 school year.

The term "eligible child" for purposes of the ECEAP is expanded to include a child who is experiencing homelessness. The term "experiencing homelessness" is defined as a child without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C., Chapter 119, Subchapter VI, Part B) as it existed on January 1, 2021.

The term "eligible child" is also specified to include a child who is Indian, as defined in rule by the DCYF after consultation and agreement with the state's federally recognized tribes,

and at or below 110 percent of the FPL.

By January 1, 2023, the DCYF must adopt rules outlining the requirements related to educational activities and comprehensive services required to meet the ECEAP entitlement requirement. The ECEAP entitlement is specified to be voluntary enrollment in a full-day program.

The definition of "full-day program" is changed to mean an ECEAP program that offers early learning education for a minimum of 1,000 instructional hours per year. The term "instructional hours" is defined as hours children are provided the opportunity to engage in educational activities planned by and under the direction of staff in approved programs, inclusive of intermissions for class changes, recess, and teacher/parent-guardian conferences that are planned and scheduled by the approved program for the purpose of discussing students' educational needs or progress, and time spent for meals or rest.

Substitute Bill Compared to Original Bill:

The requirement for the DCYF, by September 1, 2022, to submit a report to the Governor and the Legislature with an implementation plan to meet the ECEAP entitlement is removed.

The term "eligible child" for purposes of the ECEAP is expanded to include a child who is experiencing homelessness, and "eligible child" is specified to include a child who is Indian, as defined in rule by the DCYF, and at or below 110 percent of the FPL.

Appropriation: None.

Fiscal Note: Requested on February 3, 2021.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 1, relating to definitions under RCW 43.216.010, which takes effect September 1, 2026.

Staff Summary of Public Testimony:

(In support) If the ECEAP becomes an entitlement, there needs to be a plan in place, specifically around special education. There was strong support for the original bill because it had that plan and certain elements in that plan which targeted the logistics of implementation. There is concern that the substitute bill removes that plan.

Many providers want to be inclusive. Providers and school districts will embrace inclusion if it is better understood how to make it happen. Assistance is needed with logistics such as braiding funds and modifying programs. When the ECEAP moves into the entitlement

services, all children who qualify for special education will be eligible for entitlement, and this bill, with the implementation plan, would help ensure program providers and the school districts are prepared for that shift. There is concern that removing the plan requirement will delay implementation. There is support to not delay the ECEAP entitlement for children who are eligible for special education preschool due to disability.

By defining entitlement as a full-day slot, access is expanded to full-day programs for families who could benefit most from high quality care.

(Opposed) None.

(Other) The delay of the ECEAP entitlement in this bill matches the delay of entitlement in House Bill 1213. To successfully expand the ECEAP services for families, there needs to be an increase in the ECEAP rates and expanded eligibility for the ECEAP that mirrors the free and reduced lunch eligibility. There is also support for including children who are homeless and tribal children as categorically eligible for the ECEAP.

Persons Testifying: (In support) Adrienne Stuart, Washington State Developmental Disabilities Council; Ramona Hattendorf, The Arc of King County; and Allison Krutsinger, Department of Children, Youth, and Families.

(Other) Melissa Johnson, Washington State Association of Head Start and Early Childhood Education and Assistance Program.

Persons Signed In To Testify But Not Testifying: None.