

SSB 5752 - S AMD 213

By Senator C. Wilson

ADOPTED AS AMENDED 03/12/2025

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 43.216.556 and 2021 c 199 s 208 are each amended to
4 read as follows:

5 (1) Funding for the program of early learning established under
6 this chapter must be appropriated to the department. The department
7 shall distribute funding to approved early childhood education and
8 assistance program contractors on the basis of eligible children
9 enrolled.

10 (2) The program shall be implemented in phases, so that full
11 implementation is achieved in the ((2026-27)) 2030-31 school year.

12 (3) Funding shall continue to be phased in each year until full
13 statewide implementation of the early learning program is achieved in
14 the ((2026-27)) 2030-31 school year, at which time any eligible child
15 is entitled to be enrolled in the program. Entitlement under this
16 section is voluntary enrollment.

17 (4) School districts and approved community-based early learning
18 providers may contract with the department to provide services under
19 the program. The department shall collaborate with school districts,
20 community-based providers, and educational service districts to
21 promote an adequate supply of approved providers.

22 **Sec. 2.** RCW 43.216.505 and 2024 c 225 s 2 are each amended to
23 read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout RCW 43.216.500 through 43.216.559,
26 43.216.900, and 43.216.901.

27 (1) "Advisory committee" means the advisory committee under RCW
28 43.216.520.

29 (2) "Approved programs" means those state-supported education and
30 special assistance programs which are recognized by the department as
31 meeting the minimum program rules adopted by the department to

1 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and
2 43.216.901 and are designated as eligible for funding by the
3 department under RCW 43.216.530 and 43.216.540.

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

7 (4) "Eligible child" means a three to five-year old child who is
8 not age-eligible for kindergarten, is not a participant in a federal
9 or state program providing comprehensive services, and who:

10 (a) Has a family with an income at or below 50 percent of the
11 state median income adjusted for family size;

12 (b) Is experiencing homelessness;

13 (c) Has participated in early head start or a successor federal
14 program providing comprehensive services for children from birth
15 through two years of age, the early support for infants and toddlers
16 program or received class C developmental services, the birth to
17 three early childhood education and assistance program, or the early
18 childhood intervention and prevention services program;

19 (d) Is eligible for special education due to disability under RCW
20 28A.155.020;

21 ~~((Is a member of an assistance unit that is eligible for or
22 is receiving basic food benefits under the federal supplemental
23 nutrition assistance program or the state food assistance program;~~

24 ~~(f))~~ Is Indian as defined in rule by the department after
25 consultation and agreement with Washington state's federally
26 recognized tribes pursuant to RCW 43.216.5052 and is at or below 100
27 percent of the state median income adjusted for family size; or

28 ~~((g))~~ (f) Meets criteria under rules adopted by the department
29 if the number of such children equals not more than ten percent of
30 the total enrollment in the early childhood program. Preference for
31 enrollment in this group shall be given to children from families
32 with the lowest income, children in foster care, or to eligible
33 children from families with multiple needs.

34 (5) "Experiencing homelessness" means a child without a fixed,
35 regular, and adequate nighttime residence as described in the federal
36 McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119,
37 subchapter VI, part B) as it existed on January 1, 2021.

38 (6) "Family support services" means providing opportunities for
39 parents to:

- 1 (a) Actively participate in their child's early childhood
- 2 program;
- 3 (b) Increase their knowledge of child development and parenting
- 4 skills;
- 5 (c) Further their education and training;
- 6 (d) Increase their ability to use needed services in the
- 7 community;
- 8 (e) Increase their self-reliance; and
- 9 (f) Connect with culturally competent, disability positive
- 10 therapists and supports where appropriate.

11 **Sec. 3.** RCW 43.216.578 and 2024 c 225 s 5 are each amended to
12 read as follows:

13 (1) (~~Within resources available under the federal preschool~~
14 ~~development grant birth to five grant award received in December~~
15 ~~2018~~) Subject to the availability of amounts appropriated for this
16 specific purpose, the department shall develop a plan for phased
17 implementation of a birth to three early childhood education and
18 assistance program pilot project for eligible children under thirty-
19 six months old. Funds to implement the pilot project may include a
20 combination of federal, state, or private sources.

21 (2) The department may adopt rules to implement the pilot project
22 and may waive or adapt early childhood education and assistance
23 program requirements when necessary to allow for the operation of the
24 birth to three early childhood education and assistance program. The
25 department shall consider early head start rules and regulations when
26 developing the provider and family eligibility requirements and
27 program requirements. Any deviations from early head start standards,
28 rules, or regulations must be identified and explained by the
29 department in its annual report under subsection (6) of this section.

30 (3) (a) Upon securing adequate funds to begin implementation, the
31 pilot project programs must be delivered through child care centers
32 and family home providers who meet minimum licensing standards and
33 are enrolled in the early achievers program.

34 (b) The department must determine minimum early achievers ratings
35 scores for programs participating in the pilot project.

36 (4) When selecting pilot project locations for service delivery,
37 the department may allow each pilot project location to have up to
38 three classrooms per location. When selecting and approving pilot
39 project locations, the department shall attempt to select a

1 combination of rural, urban, and suburban locations. The department
2 shall prioritize locations with programs currently operating early
3 head start, head start, or the early childhood education and
4 assistance program.

5 ~~(5) ((Until November 1, 2024, to be eligible for the birth to~~
6 ~~three early childhood education and assistance program, a child's~~
7 ~~family income must be at or below one hundred thirty percent of the~~
8 ~~federal poverty level and the child must be under thirty-six months~~
9 ~~old. Beginning November 1, 2024, to)) (a) To be eligible for the~~
10 birth to three early childhood education and assistance program, a
11 child must be under 36 months old and either:

12 ~~((a)) (i) From a family with a household income at or below 130~~
13 percent of the federal poverty level; or

14 ~~((b)) (ii) A member of an assistance unit that is eligible for~~
15 or is receiving basic food benefits under the federal supplemental
16 nutrition assistance program or the state food assistance program.

17 (b) Enrollment of children in the birth to three early childhood
18 education and assistance program is as space is available and subject
19 to the availability of amounts appropriated for this specific
20 purpose.

21 (6) Beginning November 1, 2020, and each November 1st thereafter
22 during pilot project activity, the department shall submit an annual
23 report to the governor and legislature that includes a status update
24 that describes the planning work completed, the status of funds
25 secured, and any implementation activities of the pilot project.
26 Implementation activity reports must include a description of the
27 participating programs and number of children and families served.

28 **Sec. 4.** RCW 43.216.578 and 2024 c 225 s 6 are each amended to
29 read as follows:

30 (1) Subject to the availability of amounts appropriated for this
31 specific purpose, the department shall administer a birth to three
32 early childhood education and assistance program for eligible
33 children under thirty-six months old. Funds to implement the program
34 may include a combination of federal, state, or private sources.

35 (2) The department may adopt rules to implement the program and
36 may waive or adapt early childhood education and assistance program
37 requirements when necessary to allow for the operation of the birth
38 to three early childhood education and assistance program. The
39 department shall consider early head start rules and regulations when

1 developing the provider and family eligibility requirements and
2 program requirements.

3 (3) (a) The birth to three early childhood education and
4 assistance program must be delivered through child care centers and
5 family home providers who meet minimum licensing standards and are
6 enrolled in the early achievers program.

7 (b) The department must determine minimum early achievers ratings
8 scores for participating contractors.

9 (4) (a) To be eligible for the birth to three early childhood
10 education and assistance program, a child must be under 36 months old
11 and either:

12 ~~((a))~~ (i) From a family with a household income at or below 50
13 percent of the state median income; or

14 ~~((b))~~ (ii) A member of an assistance unit that is eligible for
15 or is receiving basic food benefits under the federal supplemental
16 nutrition assistance program or the state food assistance program.

17 (b) Enrollment of children in the birth to three early childhood
18 education and assistance program is as space is available and subject
19 to the availability of amounts appropriated for this specific
20 purpose.

21 **Sec. 5.** RCW 43.216.802 and 2024 c 225 s 1 and 2024 c 67 s 2 are
22 each reenacted and amended to read as follows:

23 (1) It is the intent of the legislature to increase working
24 families' access to affordable, high quality child care and to
25 support the expansion of the workforce to support businesses and the
26 statewide economy.

27 (2) A family is eligible for working connections child care when
28 the household's annual income is at or below 60 percent of the state
29 median income adjusted for family size and:

30 (a) The child receiving care is: (i) Less than 13 years of age;
31 or (ii) less than 19 years of age and has a verified special need
32 according to department rule or is under court supervision; and

33 (b) The household meets all other program eligibility
34 requirements established in this chapter or in rule by the department
35 as authorized by RCW 43.216.055 or 43.216.065 or any other authority
36 granted by this chapter.

37 (3) Beginning July 1, ~~((2025))~~ 2029, a family is eligible for
38 working connections child care when the household's annual income is

1 above 60 percent and at or below 75 percent of the state median
2 income adjusted for family size and:

3 (a) The child receiving care is: (i) Less than 13 years of age;
4 or (ii) less than 19 years of age and has a verified special need
5 according to department rule or is under court supervision; and

6 (b) The household meets all other program eligibility
7 requirements established in this chapter or in rule by the department
8 as authorized by RCW 43.216.055 or 43.216.065 or any other authority
9 granted by this chapter.

10 (4) Beginning July 1, (~~(2027)~~) 2031, and subject to the
11 availability of amounts appropriated for this specific purpose, a
12 family is eligible for working connections child care when the
13 household's annual income is above 75 percent of the state median
14 income and is at or below 85 percent of the state median income
15 adjusted for family size and:

16 (a) The child receiving care is: (i) Less than 13 years of age;
17 or (ii) less than 19 years of age and has a verified special need
18 according to department rule or is under court supervision; and

19 (b) The household meets all other program eligibility
20 requirements established in this chapter or in rule by the department
21 as authorized by RCW 43.216.055 or 43.216.065 or any other authority
22 granted by this chapter.

23 (5) Beginning November 1, 2024, when an applicant or consumer is
24 a member of an assistance unit that is eligible for or receiving
25 basic food benefits under the federal supplemental nutrition
26 assistance program or the state food assistance program the
27 department must determine that the household income eligibility
28 requirements in this section are met.

29 (6) The department must adopt rules to implement this section,
30 including an income phase-out eligibility period.

31 (7) The department may not consider the citizenship status of an
32 applicant or consumer's child when determining eligibility for
33 working connections child care benefits.

34 (8) The income eligibility requirements in subsections (2)
35 through (4) of this section do not apply to households eligible for
36 the working connections child care program under RCW 43.216.808(~~(7~~
37 ~~43.216.810, 43.216.812,~~)) and 43.216.814.

38 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.216
39 RCW to read as follows:

(1) Beginning October 1, 2025, through September 30, 2026, the department must calculate a monthly copayment according to the following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	\$0
Above 20 percent and at or below 36 percent of the state median income	\$100
Above 36 percent and at or below 50 percent of the state median income	\$160
Above 50 percent and at or below 60 percent of the state median income	\$255
Above 60 percent of the state median income	\$310

(2) Beginning October 1, 2026, the department must calculate a monthly copayment according to the following schedule:

If the household's income is:	Then the household's base monthly copayment is:	Each additional child in that household is:
Below 25 percent of the state median income	\$0	\$0
At or above 25 percent and below 35 percent of the state median income	25 percent of the state median income for a household of two, multiplied by five percent	+20 percent of the base monthly copayment for each additional child
At or above 35 percent and below 45 percent of the state median income	35 percent of the state median income for a household of two, multiplied by 5.5 percent	+20 percent of the base monthly copayment for each additional child
At or above 45 percent and below 55 percent of the state median income	45 percent of the state median income for a household of two, multiplied by six percent	+20 percent of the base monthly copayment for each additional child
At or above 55 percent of the state median income	55 percent of the state median income for a household of two, multiplied by 6.5 percent	+20 percent of the base monthly copayment for each additional child

(3) The department may adjust the copayment schedule to comply with federal law.

(4) The department must adopt rules to implement this section.

1 (5) This section does not apply to households eligible for the
2 working connections child care program under RCW 43.216.808 and
3 43.216.814.

4 NEW SECTION. **Sec. 7.** (1) In accordance with RCW 43.216.800,
5 authorizations for a working connections child care subsidy are
6 effective for 12 months and any changes related to eligibility in
7 this act only apply to new applications and reapplications. The
8 changes related to eligibility in this act do not apply to consumers
9 who were authorized for a working connections child care subsidy
10 before July 1, 2025 until the next reapplication.

11 (2) The changes related to the copayment schedule in section 9 of
12 this act only apply to new applications and reapplications for a
13 working connections child care subsidy. Consumers authorized for a
14 working connections child care subsidy as of October 1, 2025, must
15 not have their copayments adjusted by the schedule in section 9(1) of
16 this act until reapplication. Consumers authorized for a working
17 connections child care subsidy as of October 1, 2026, must not have
18 their copayments adjusted by the schedule in section 9(2) of this act
19 until reapplication.

20 (3) This section expires December 31, 2027.

21 **Sec. 8.** RCW 43.216.806 and 2024 c 282 s 4 are each amended to
22 read as follows:

23 (1)(a) Subject to the availability of amounts appropriated for
24 this specific purpose, the department may not require an applicant or
25 consumer to meet work requirements as a condition of receiving
26 working connections child care benefits when the applicant or
27 consumer is (~~in a state registered apprenticeship program or is~~) a
28 full-time student of a community, technical, or tribal college and is
29 enrolled in:

30 (i) A vocational education program that leads to a degree or
31 certificate in a specific occupation; or

32 (ii) An associate degree program.

33 (b) An applicant or consumer is a full-time student for the
34 purposes of this subsection if the applicant or consumer meets the
35 college's definition of a full-time student.

36 (c) Subject to the availability of amounts appropriated for this
37 specific purpose, the department may extend the provisions of this

1 subsection to full-time students who are enrolled in a bachelor's
2 degree program or applied baccalaureate degree program.

3 (2) The department must consider an applicant or consumer's
4 participation in the birth to three early childhood education and
5 assistance program or the early head start program as an approved
6 activity when determining eligibility for working connections child
7 care benefits.

8 **Sec. 9.** RCW 43.216.590 and 2021 c 199 s 304 are each amended to
9 read as follows:

10 (1) (~~Beginning July 1, 2022~~) Subject to the availability of
11 amounts appropriated for this specific purpose, the department shall
12 provide supports to aid eligible providers in providing trauma-
13 informed care. Trauma-informed care supports may be used by eligible
14 providers for the following purposes:

15 (a) Additional compensation for individual staff who have an
16 infant and early childhood mental health or other child development
17 specialty credential;

18 (b) Trauma-informed professional development and training;

19 (c) The purchase of screening tools and assessment materials;

20 (d) Supportive services for children with complex needs that are
21 offered as fee-for-service within local communities; or

22 (e) Other related expenses.

23 (2) This section does not interfere with, impede, or in any way
24 diminish the right of family child care providers to bargain
25 collectively with the state through the exclusive bargaining
26 representatives as provided for under RCW 41.56.028.

27 (3) The department must adopt rules to implement this section.

28 (~~(3)~~) (4) For the purposes of this section, "eligible provider"
29 means: (a) An employee or owner of a licensed or certified child care
30 center or outdoor nature-based care accepting state subsidy; (b) an
31 employee or owner of a licensed family home provider accepting state
32 subsidy; (c) a contractor or provider of the early childhood
33 education and assistance program or birth to three early childhood
34 education and assistance program; (d) a license-exempt child care
35 program; or (e) an early achievers coach.

36 **Sec. 10.** RCW 43.216.090 and 2021 c 199 s 309 are each amended to
37 read as follows:

1 (1) (~~The~~) Subject to the availability of amounts appropriated
2 for this specific purpose, the department shall administer or
3 contract for infant and early childhood mental health consultation
4 services to child care providers and early learning providers
5 participating in the early achievers program.

6 (2) (~~Beginning July 1, 2021~~) Subject to the availability of
7 amounts appropriated for this specific purpose, the department (~~of~~
8 ~~children, youth, and families~~) must have or contract for one infant
9 and early childhood mental health consultation coordinator and must
10 enter into a contractual agreement with an organization providing
11 coaching services to early achievers program participants to hire at
12 least 12 qualified infant and early childhood mental health
13 consultants. The department shall determine, in collaboration with
14 the statewide child care resource and referral network, where the
15 additional consultants should be sited based on factors such as the
16 total provider numbers overlaid with indicators of highest need. The
17 infant and early childhood mental health consultants must support
18 early achievers program coaches and child care providers by providing
19 resources, information, and guidance regarding challenging behavior
20 and expulsions and may travel to assist providers in serving families
21 and children with severe behavioral needs.

22 (3) The department shall provide, or contract with an entity to
23 provide, reflective supervision and professional development for
24 infant and early childhood mental health consultants to meet national
25 competency standards.

26 (4) As capacity allows, the department may provide access to
27 infant and early childhood mental health consultation services to
28 caregivers and licensed or certified, military, and tribal early
29 learning providers, license-exempt family, friend, and neighbor care
30 providers, and families with children expelled or at risk of
31 expulsion from child care.

32 **Sec. 11.** RCW 43.216.592 and 2021 c 199 s 305 are each amended to
33 read as follows:

34 (1) (~~Beginning July 1, 2022~~) Subject to the availability of
35 amounts appropriated for this specific purpose, the department shall
36 establish a dual language designation and provide subsidy rate
37 enhancements or site-specific grants for licensed or certified child
38 care providers who are accepting state subsidy(~~s~~) or early
39 childhood education and assistance program contractors; or birth to

1 three early childhood education and assistance program contractors.
2 It is the intent of the legislature to allow uses of rate
3 enhancements or site-specific grants to include increased wages for
4 individual staff who provide bilingual instruction, professional
5 development training, the purchase of dual language and culturally
6 appropriate curricula and accompanying training programs,
7 instructional materials, or other related expenses.

8 (2) The department must consult with a culturally and
9 linguistically diverse stakeholder advisory group to develop criteria
10 for the dual language designation.

11 (3) This section does not interfere with, impede, or in any way
12 diminish the right of family child care providers to bargain
13 collectively with the state through the exclusive bargaining
14 representatives as provided for under RCW 41.56.028.

15 (4) The department must adopt rules to implement this section.

16 **Sec. 12.** RCW 43.216.512 and 2024 c 225 s 4 are each amended to
17 read as follows:

18 (1) The department shall adopt rules that allow the enrollment of
19 children in the early childhood education and assistance program, as
20 space is available, if the number of such children equals not more
21 than 25 percent of total statewide enrollment, when the child is not
22 eligible under RCW 43.216.505 and(~~+~~

23 ~~(a) Has~~) has a family income level above 36 percent of the state
24 median income but at or below 50 percent of the state median income
25 adjusted for family size and the child meets at least one of the risk
26 factor criterion described in subsection (2) of this section(~~+~~~~or~~

27 ~~(b) Is a member of an assistance unit that is eligible for or is~~
28 ~~receiving basic food benefits under the federal supplemental~~
29 ~~nutrition assistance program or the state food assistance program)).~~

30 (2) Children enrolled in the early childhood education and
31 assistance program pursuant to this section must be prioritized for
32 available funded slots according to a prioritization system adopted
33 in rule by the department that considers risk factors that have a
34 disproportionate effect on kindergarten readiness and school
35 performance, including:

36 (a) Family income as a percent of the state median income;

37 (b) Child welfare system involvement;

38 (c) (~~Eligible for services under part C of the federal~~
39 ~~individuals with disabilities education act but not eligible for~~

1 ~~services under part B of the federal individuals with disabilities~~
2 ~~education act;~~

3 ~~(d))~~ Domestic violence;

4 ~~((e))~~ (d) English as a second language;

5 ~~((f))~~ (e) Expulsion from an early learning setting;

6 ~~((g))~~ (f) A parent who is incarcerated;

7 ~~((h))~~ (g) A parent with a behavioral health treatment need; and

8 ~~((i))~~ (h) Other risk factors determined by the department to be
9 linked by research to school performance.

10 (3) Children enrolled in the early childhood education and
11 assistance program under this section are not considered eligible
12 children as defined in RCW 43.216.505 and are not considered to be
13 part of the state-funded entitlement required in RCW 43.216.556.

14 (4) This section expires August 1, 2030.

15 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
16 each repealed:

17 (1) RCW 43.216.810 (Expanded eligibility—Registered
18 apprenticeships) and 2024 c 67 s 6;

19 (2) RCW 43.216.812 (Expanded eligibility—Child care employees)
20 and 2024 c 282 s 2, 2024 c 67 s 7, & 2023 c 222 s 2; and

21 (3) RCW 43.216.804 (Copayments) and 2024 c 67 s 3.

22 NEW SECTION. **Sec. 14.** Except for sections 2 and 4 of this act,
23 this act is necessary for the immediate preservation of the public
24 peace, health, or safety, or support of the state government and its
25 existing public institutions, and takes effect July 1, 2025.

26 NEW SECTION. **Sec. 15.** Section 3 of this act expires July 1,
27 2026.

28 NEW SECTION. **Sec. 16.** (1) Section 4 of this act takes effect
29 July 1, 2026.

30 (2) Section 2 of this act takes effect August 1, 2030.

31 **Sec. 17.** 2021 c 199 s 604 (uncodified) is amended to read as
32 follows:

33 (1) Sections 204 and 205 of this act take effect July 1, 2025.

34 (2) Sections ((204 through)) 206 and 403 of this act take effect
35 July 1, 2026.

1 **Sec. 18.** 2024 c 225 s 7 (uncodified) is amended to read as
2 follows:

- 3 (1) Section 2 of this act takes effect August 1, 2030.
4 (~~Sections 4 and~~) (2) Section 4 of this act takes effect July 1,
5 2025.
6 (3) Section 6 of this act (~~take~~) takes effect July 1, 2026.

7 **Sec. 19.** 2024 c 225 s 8 (uncodified) is amended to read as
8 follows:

- 9 (1) Section 3 of this act expires July 1, 2025.
10 (~~Sections 3 and~~) (2) Section 5 of this act (~~expire~~) expires
11 July 1, 2026."

SSB 5752 - S AMD 213
By Senator C. Wilson

ADOPTED AS AMENDED 03/12/2025

12 On page 1, line 2 of the title, after "programs;" strike the
13 remainder of the title and insert "amending RCW 43.216.556,
14 43.216.505, 43.216.578, 43.216.578, 43.216.806, 43.216.590,
15 43.216.090, 43.216.592, and 43.216.512; amending 2021 c 199 s 604
16 (uncodified); amending 2024 c 225 ss 7 and 8 (uncodified); reenacting
17 and amending RCW 43.216.802; adding a new section to chapter 43.216
18 RCW; creating a new section; repealing RCW 43.216.810, 43.216.812,
19 and 43.216.804; providing effective dates; providing expiration
20 dates; and declaring an emergency."

EFFECT: (1) Makes the expanded definition of eligible child for the Early Childhood Education and Assistance Program (ECEAP) take effect July 1, 2025, instead of July 1, 2026.

(2) Aligns expanded enrollment provisions with the definition of eligible child for ECEAP including an effective date of July 1, 2025, instead of July 1, 2026.

(3) Removes a child who is a member of an assistance unit that is eligible for or is receiving basic food benefits from the definition of eligible child for ECEAP.

(4) Removes the repeal of Birth to Three ECEAP and makes this program subject to appropriations and enrollment as space is available.

(5) Applies the \$310 monthly copayment for the Working Connections Child Care program to households with incomes "above 60

percent of the state median income" instead of incomes "above 60 percent and at or below 65 percent of the state median income."

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