HOUSE BILL REPORT
HB 1351

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to age requirements for accessing the early childhood education and assistance program.

Brief Description: Adjusting age requirements for accessing the early childhood education and assistance program.

Sponsors: Representatives Bernbaum, Eslick, Springer, Ormsby, Salahuddin, Parshley, Hill, Doglio, Hunt, Pollet, Cortes and Nance.

Brief History:
Committee Activity:
Early Learning & Human Services: 1/22/25, 1/31/25 [DPS].

Brief Summary of Substitute Bill

- Allows children who turn 3 after August 31 of the school year to enroll in the Early Childhood Education and Assistance Program (ECEAP), subject to available space and funding, when they otherwise meet all standard ECEAP eligibility criteria.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum, Dent, Goodman, Hill, Ortiz-Self, Penner and Taylor.

Staff: Omeara Harrington (786-7136).

Background:

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.

The Early Childhood Education and Assistance Program.
The Early Childhood Education and Assistance Program (ECEAP) is a no-cost preschool and family support program administered by the Department of Children, Youth, and Families (DCYF).

Standard Eligibility Criteria for the Early Childhood Education and Assistance Program.
Children are eligible for the ECEAP when they are between the ages of 3 and 5 and are from families with incomes at or below 110 percent of the federal poverty level (FPL), are eligible for special education due to disability, or meet other criteria under rules adopted by the department. Rules and program standards for the ECEAP require a child to have turned 3 by August 31 of the school year in order to enroll.

Beginning July 1, 2026, eligibility will expand to include any child who:
  • has a family with financial need;
  • is experiencing homelessness;
  • has participated in Early Head Start or a successor federal program, the Early Support for Infants and Toddlers program or received class C developmental services, the Birth to Three ECEAP, or the Early Childhood Intervention and Prevention Services program; or
  • is Indian as defined in DCYF rule and has a household income at or below 100 percent of the state median income (SMI).

"Family with financial need" means families with incomes at or below 36 percent of the SMI until the 2030-31 school year. Beginning in the 2030-31 school year, it includes families with incomes at or below 50 percent of the SMI.

Eligibility will again expand on August 1, 2030, to include children who are part of an assistance unit receiving basic food benefits under the Supplemental Nutrition Assistance Program or the Sate Food Assistance Program.

Starting in the 2026-27 school year, ECEAP will become an entitlement for eligible children meeting the standard eligibility criteria.

Additional Allowed Enrollment for the Early Childhood Education and Assistance Program.
The DCYF is authorized to enroll additional children in the ECEAP who do not meet standard eligibility criteria, as space is available, if their family income is:
  • above 110 percent of the FPL but no more than 130 percent of the FPL; or
  • above 130 percent of the FPL but no more than 200 percent of the FPL if the child meets at least one specified risk factor.

Beginning July 1, 2026, children may be allowed to enroll in ECEAP, subject to capacity, if their family income level is above 36 percent of the SMI, but at or below 50 percent of the SMI, and the child meets at least one specified risk factor.

The DCYF may also allow certain children to enroll in the ECEAP, as space is available, when they will turn age 3 during the school year and:
- have a family income below 200 percent of the FPL (or 50 percent of the SMI starting on July 1, 2026), or meet one or more risk factors as identified by the DCYF; and
- have participated in the Early Support for Infants and Toddlers program, the Early Head Start program or the Birth to Three ECEAP, or the Early Childhood Intervention Prevention Services program.

Children enrolled in the ECEAP under allowed enrollment criteria are not included in the upcoming entitlement.

Summary of Substitute Bill:

Subject to the availability of program space and funding, the Department of Children, Youth, and Families may allow 3-year-old children who turned 3 after August 31 of the school year to enroll in the Early Childhood Education and Assistance Program (ECEAP) when they meet all other standard eligibility criteria. Children enrolled under this authorization are not included in the population who will be entitled to ECEAP enrollment.

Eligibility statutes for the ECEAP are amended to reflect current rules and practice standards requiring a child to have turned 3 by August 31 of the school year in order to enroll in the program under standard enrollment criteria.

Substitute Bill Compared to Original Bill:

It is specified that children must be 3 years old to enroll in ECEAP under the allowed enrollment provision. Statutory language is aligned with current agency rules and practice standards for ECEAP that require children to be 3 years old by August 31 of the school year to enroll in ECEAP under standard criteria.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date of Substitute Bill: The bill contains multiple effective dates. Please see the bill.

Staff Summary of Public Testimony:

(In support) This bill is simple but solves a problem. Sometimes there are open slots in Early Childhood Education and Assistance Program (ECEAP) classrooms, and kids who

would qualify but for age cannot be included. Children sometimes just miss the age cutoff and have to wait until the next enrollment year to be served. The ECEAP is under-enrolled in some places and Transition to Kindergarten has had an effect on enrollment. When ECEAP slots go unused they have to be returned, and there are currently many 3-year-olds who would benefit from the program. These children would be enrolling in existing classrooms with slots that would otherwise go unfilled, providing on a better return on the investment already made. The bill will not require additional funding to be put toward the program, rather, it adds flexibility within the program. Even if the bill reduces reversions to the state it is still worthwhile, as this program serves some of the state's neediest students. The salary equivalent to qualify for the program is $11 per hour full time. The Washington State Institute for Public Policy performed a cost benefit analysis for the ECEAP that found that for every dollar invested in the program there is over a $4 return.

The ECEAP serves whole families, not just the child enrolled in the program. Many families need this two generation approach. It will also be of particular benefit to certain communities, like migrant farm worker families, who often do not meet the age cutoff. Lack of access to the program for families like these contributes to the challenges they also face. Additional benefits will be seen in rural areas with child care deserts. Enrolling children in these areas in preschool programs as soon as they turn 3 allows for provision of services when they are most needed, which fosters resilient communities.

(Opposed) None.

Persons Testifying: Representative Adam Bernbaum, prime sponsor; Katy Warren, WA St. Assn of Head Start and ECEAP; Cheryl Cobb, Opportunity Council Early Learning and Family Services; Stacie Marez, ESD 105 ECEAP; and Stephanie Smith, Learning to Grow.

Persons Signed In To Testify But Not Testifying: None.