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**SENATE BILL 5752**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators C. Wilson, Robinson, and Dhingra

Read first time 02/14/25. Referred to Committee on Ways & Means.

1 AN ACT Relating to modifying child care and early childhood  
2 development programs; amending RCW 43.216.556, 43.216.505,  
3 43.216.513, 43.216.579, 43.216.600, 43.216.772, 43.216.806,  
4 43.216.590, 43.216.090, 43.216.592, 43.216.587, 43.216.512, and  
5 43.216.775; reenacting and amending RCW 43.216.505 and 43.216.802;  
6 adding a new section to chapter 43.216 RCW; creating a new section;  
7 repealing RCW 43.216.578, 43.216.810, 43.216.812, and 43.216.804;  
8 providing effective dates; providing expiration dates; and declaring  
9 an emergency.

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

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

13 (1) Funding for the program of early learning established under  
14 this chapter must be appropriated to the department. The department  
15 shall distribute funding to approved early childhood education and  
16 assistance program contractors on the basis of eligible children  
17 enrolled.

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

20 (3) Funding shall continue to be phased in each year until full  
21 statewide implementation of the early learning program is achieved in

1 the ((2026-27)) 2030-31 school year, at which time any eligible child  
2 is entitled to be enrolled in the program. Entitlement under this  
3 section is voluntary enrollment.

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

9 **Sec. 2.** RCW 43.216.505 and 2021 c 199 s 204 are each reenacted  
10 and amended to read as follows:

11 Unless the context clearly requires otherwise, the definitions in  
12 this section apply throughout RCW 43.216.500 through 43.216.559,  
13 43.216.900, and 43.216.901.

14 (1) "Advisory committee" means the advisory committee under RCW  
15 43.216.520.

16 (2) "Approved programs" means those state-supported education and  
17 special assistance programs which are recognized by the department as  
18 meeting the minimum program rules adopted by the department to  
19 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and  
20 43.216.901 and are designated as eligible for funding by the  
21 department under RCW 43.216.530 and 43.216.540.

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

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

28 (a) Has a family with financial need;

29 (b) Is experiencing homelessness;

30 (c) Has participated in early head start or a successor federal  
31 program providing comprehensive services for children from birth  
32 through two years of age, the early support for infants and toddlers  
33 program or received class C developmental services, (~~the birth to~~  
34 ~~three early childhood education and assistance program,~~) or the  
35 early childhood intervention and prevention services program;

36 (d) Is eligible for special education due to disability under RCW  
37 28A.155.020;

38 (e) Is Indian as defined in rule by the department after  
39 consultation and agreement with Washington state's federally

1 recognized tribes pursuant to RCW 43.216.5052 and is at or below 100  
2 percent of the state median income adjusted for family size; or

3 (f) Meets criteria under rules adopted by the department if the  
4 number of such children equals not more than ten percent of the total  
5 enrollment in the early childhood program. Preference for enrollment  
6 in this group shall be given to children from families with the  
7 lowest income, children in foster care, or to eligible children from  
8 families with multiple needs.

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

13 (6) "Family support services" means providing opportunities for  
14 parents to:

15 (a) Actively participate in their child's early childhood  
16 program;

17 (b) Increase their knowledge of child development and parenting  
18 skills;

19 (c) Further their education and training;

20 (d) Increase their ability to use needed services in the  
21 community;

22 (e) Increase their self-reliance; and

23 (f) Connect with culturally competent, disability positive  
24 therapists and supports where appropriate.

25 (7) "Family with financial need" means families with incomes at  
26 or below 36 percent of the state median income adjusted for family  
27 size until the 2030-31 school year. Beginning in the 2030-31 school  
28 year, "family with financial need" means families with incomes at or  
29 below 50 percent of the state median income adjusted for family size.

30 **Sec. 3.** RCW 43.216.505 and 2024 c 225 s 2 are each amended to  
31 read as follows:

32 Unless the context clearly requires otherwise, the definitions in  
33 this section apply throughout RCW 43.216.500 through 43.216.559,  
34 43.216.900, and 43.216.901.

35 (1) "Advisory committee" means the advisory committee under RCW  
36 43.216.520.

37 (2) "Approved programs" means those state-supported education and  
38 special assistance programs which are recognized by the department as  
39 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  
18 early childhood intervention and prevention services program;

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

21 (e) Is a member of an assistance unit that is eligible for or is  
22 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) Meets criteria under rules adopted by the department if the  
29 number of such children equals not more than ten percent of the total  
30 enrollment in the early childhood program. Preference for enrollment  
31 in this group shall be given to children from families with the  
32 lowest income, children in foster care, or to eligible children from  
33 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. 4.** RCW 43.216.513 and 2021 c 199 s 206 are each amended to  
12 read as follows:

13 (1) The department shall adopt rules that allow a child to enroll  
14 in the early childhood education and assistance program, as space is  
15 available and subject to the availability of amounts appropriated for  
16 this specific purpose, when the child is not eligible under RCW  
17 43.216.505 and the child turns three years old at any time during the  
18 school year when the child:

19 (a) Has a family income at or below 50 percent of the state  
20 median income or meets at least one risk factor criterion adopted by  
21 the department in rule; and

22 (b) Has received services from or participated in:

23 (i) The early head start or a successor federal program providing  
24 comprehensive services for children from birth through two years of  
25 age;

26 (ii) The early support for infants and toddlers program or  
27 received class C developmental services; or

28 ~~(iii) ((The birth to three early childhood education and  
29 assistance program; or~~

30 ~~(iv)))~~ The early childhood intervention and prevention services  
31 program.

32 (2) Children enrolled in the early childhood education and  
33 assistance program under this section are not eligible children as  
34 defined in RCW 43.216.505 and are not part of the state-funded  
35 entitlement required in RCW 43.216.556.

36 **Sec. 5.** RCW 43.216.579 and 2021 c 199 s 404 are each amended to  
37 read as follows:

1 (1) The legislature finds that our state suffers from an extreme  
2 shortage of infant child care, impacting the ability of parents to  
3 participate in the workforce. Further, parents returning to work  
4 after using paid family leave to care for a new child struggle to  
5 find readily available, high quality care during a time of critical  
6 growth and brain development for young children. Therefore, the  
7 legislature intends to incentivize the provision of high quality  
8 infant care.

9 (2) Beginning July 1, 2022, the department shall provide an  
10 infant rate enhancement for licensed or certified child care  
11 providers (~~(and birth to three early childhood education and~~  
12 ~~assistance program contractors)~~) who are:

13 (a) Accepting state subsidy;

14 (b) In good standing with the early achievers quality rating and  
15 improvement system; and

16 (c) Caring for a child between the ages of birth and 11 months.

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

18 **Sec. 6.** RCW 43.216.600 and 2021 c 199 s 311 are each amended to  
19 read as follows:

20 (1) Subject to the availability of amounts appropriated for this  
21 specific purpose, the department shall provide professional  
22 development supports to aid eligible providers in reaching the  
23 professional education and training standards adopted by the  
24 department. Professional development supports may include:

25 (a) Department-required trainings for child care providers  
26 conducted by department-approved trainers;

27 (b) Trainings for license-exempt family, friend, and neighbor  
28 child care providers conducted by department-approved trainers;

29 (c) Early achievers scholarships;

30 (d) Community-based training pathways and systems developed under  
31 RCW 43.216.755;

32 (e) Supporting a nonprofit organization that provides  
33 relationship-based professional development support to family,  
34 friend, and neighbor caregivers, child care centers, and licensed  
35 family home providers, and their work to help providers start their  
36 businesses; and

37 (f) Other professional development activities such as updating  
38 training content, data collection and reporting, trainer recruitment,  
39 retention, program monitoring, and trainings delivered by department-

1 approved trainers on topics such as small business management,  
2 antibias and antiracist training, providing care for children with  
3 developmental disabilities, social-emotional learning, implementing  
4 inclusionary practices in early learning environments, infant and  
5 toddler care, dual language program development, and providing  
6 trauma-informed care.

7 (2) For the purposes of this section, "eligible provider" means:

8 (a) An owner of a licensed or certified child care center, licensed  
9 or certified outdoor nature-based care, or licensed family home  
10 provider accepting state subsidy; (b) an employee of a licensed or  
11 certified child care center, licensed or certified outdoor nature-  
12 based care, or a licensed family home provider; (c) a contractor or  
13 provider of the early childhood education and assistance program (~~or~~  
14 ~~birth to three early childhood education and assistance program~~); or  
15 (d) an early achievers coach.

16 **Sec. 7.** RCW 43.216.772 and 2021 c 199 s 102 are each amended to  
17 read as follows:

18 (1) The spending goals and strategies for the fair start for kids  
19 account created under RCW 43.216.770 include, but are not limited to:

20 (a) Increasing child care subsidy rates, with the goal of moving  
21 toward the full cost of providing high quality child care;

22 (b) Expanding health care coverage through state sponsorship of  
23 child care workers on the Washington health benefit exchange and  
24 providing consumer assistance through navigators, as well as any  
25 other expansions of access to affordable health care for staff in  
26 child care centers, family home providers, outdoor nature-based care,  
27 and early childhood education and assistance program staff;

28 (c) Increasing child care and early learning providers'  
29 compensation;

30 (d) Implementing the provisions of collective bargaining  
31 agreements for family child care providers negotiated pursuant to RCW  
32 41.56.028;

33 (e) Supporting and expanding access to the early childhood  
34 education and assistance program to reach state-funded entitlement  
35 required in RCW 43.216.556;

36 (f) Making child care affordable for families;

37 (g) Providing resources and supports for family, friend, and  
38 neighbor caregivers that better reflect the full cost of care;

- 1 (h) Providing child care subsidies for families working to  
2 resolve homelessness;
- 3 (i) Providing professional development opportunities and  
4 supporting the substitute pool for child care and early learning  
5 providers;
- 6 (j) Delivering infant and early childhood mental health  
7 consultation services;
- 8 (k) Establishing prekindergarten through third grade systems  
9 coordinators at educational service districts;
- 10 (l) Supporting youth development programs serving children and  
11 youth ages birth through 12 including, but not limited to, expanded  
12 learning opportunities, mentoring, school-age child care, and  
13 wraparound supports or integrated student supports;
- 14 (m) Awarding grants and loans through the early learning  
15 facilities grant and loan program established under chapter 43.31  
16 RCW;
- 17 (n) Funding special designations in the working connections child  
18 care programs(~~(r)~~) and early childhood education and assistance  
19 programs(~~(, and birth to three early childhood education and~~  
20 ~~assistance programs)~~) including designations established in RCW  
21 43.216.579, 43.216.585, 43.216.590, and 43.216.592;
- 22 (o) Supporting costs for transparent data collection and  
23 information technology systems operated by the department and  
24 department contractors, in particular, to ensure equitable systemic  
25 service provision and outcomes;
- 26 (p) Providing access to learning technology;
- 27 (q) Providing child care resource and referral services;
- 28 (r) Conducting quality rating and improvement system activities  
29 through the early achievers program;
- 30 (s) Expanding prenatal to three services and supports, including  
31 (~~the birth to three early childhood education and assistance program~~  
32 ~~and~~) the in-home parent skill-based programs established in RCW  
33 43.216.130;
- 34 (t) Building and delivering a family resource and referral  
35 linkage system;
- 36 (u) Allowing the exploration of options to provide regulatory  
37 relief and make licensing more affordable for child care providers;
- 38 (v) Administering comprehensive shared services hubs to allow the  
39 ongoing pooling and shared use of services by licensed or certified  
40 child care centers and family home providers;



1 (w) Training department staff to ensure consistent and equitable  
2 application of child care licensing and quality standards across the  
3 state including antibias and antiracist training;

4 (x) Providing incentives and supports for child care providers to  
5 become licensed;

6 (y) Studying and evaluating options to incentivize business  
7 participation in child care and early learning systems;

8 (z) Providing start-up grants to eligible organizations as  
9 described in RCW 43.31.575 who provide or commit to providing the  
10 early childhood education and assistance program or working  
11 connections child care. Start-up grants must be used for one-time  
12 start-up costs associated with the start-up of a new child care or  
13 early childhood education and assistance program site; and

14 (aa) Recognizing the benefits of the diverse workforce and  
15 facilitating communication in the three most commonly spoken  
16 languages by developing a language access plan that centers on equity  
17 and access for immigrants, multilingual providers, caregivers, and  
18 families.

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

23 **Sec. 8.** RCW 43.216.802 and 2024 c 225 s 1 and 2024 c 67 s 2 are  
24 each reenacted and amended to read as follows:

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

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

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

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

1 (3) Beginning July 1, (~~2025~~) 2029, a family is eligible for  
2 working connections child care when the household's annual income is  
3 above 60 percent and at or below 75 percent of the state median  
4 income adjusted for family size and:

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

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

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

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

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

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

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

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

36 (8) The income eligibility requirements in subsections (2)  
37 through (4) of this section do not apply to households eligible for  
38 the working connections child care program under RCW 43.216.808(~~7~~  
39 ~~43.216.810, 43.216.812,~~) and 43.216.814.

1        NEW SECTION.    **Sec. 9.**    A new section is added to chapter 43.216  
2    RCW to read as follows:

3        (1) Beginning July 1, 2025, the department must calculate a  
4    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

21        (2) The department may adjust the copayment schedule to comply  
22    with federal law.

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

24        (4) This section does not apply to households eligible for the  
25    working connections child care program under RCW 43.216.808 and  
26    43.216.814.

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

34        (2) The changes related to the copayment schedule in section 9 of  
35    this act only apply to new applications and reapplications for a  
36    working connections child care subsidy. Consumers authorized for a

1 working connections child care subsidy as of July 1, 2025 must not  
2 have their copayments adjusted until reapplication.

3 (3) This section expires July 1, 2027.

4 **Sec. 11.** RCW 43.216.806 and 2024 c 282 s 4 are each amended to  
5 read as follows:

6 (1)(a) Subject to the availability of amounts appropriated for  
7 this specific purpose, the department may not require an applicant or  
8 consumer to meet work requirements as a condition of receiving  
9 working connections child care benefits when the applicant or  
10 consumer is (~~in a state registered apprenticeship program or is~~) a  
11 full-time student of a community, technical, or tribal college and is  
12 enrolled in:

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

15 (ii) An associate degree program.

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

19 (c) Subject to the availability of amounts appropriated for this  
20 specific purpose, the department may extend the provisions of this  
21 subsection to full-time students who are enrolled in a bachelor's  
22 degree program or applied baccalaureate degree program.

23 (2) The department must consider an applicant or consumer's  
24 participation in (~~the birth to three early childhood education and  
25 assistance program or~~) the early head start program as an approved  
26 activity when determining eligibility for working connections child  
27 care benefits.

28 **Sec. 12.** RCW 43.216.590 and 2021 c 199 s 304 are each amended to  
29 read as follows:

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

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

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

- 1 (c) The purchase of screening tools and assessment materials;  
2 (d) Supportive services for children with complex needs that are  
3 offered as fee-for-service within local communities; or  
4 (e) Other related expenses.

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

6 (3) For the purposes of this section, "eligible provider" means:

- 7 (a) An employee or owner of a licensed or certified child care center  
8 or outdoor nature-based care accepting state subsidy; (b) an employee  
9 or owner of a licensed family home provider accepting state subsidy;  
10 (c) a contractor or provider of the early childhood education and  
11 assistance program (~~(or birth to three early childhood education and~~  
12 ~~assistance program)~~); (d) a license-exempt child care program; or (e)  
13 an early achievers coach.

14 **Sec. 13.** RCW 43.216.090 and 2021 c 199 s 309 are each amended to  
15 read as follows:

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

21 (2) (~~Beginning July 1, 2021~~) Subject to the availability of  
22 amounts appropriated for this specific purpose, the department (~~(of~~  
23 ~~children, youth, and families)~~) must have or contract for one infant  
24 and early childhood mental health consultation coordinator and must  
25 enter into a contractual agreement with an organization providing  
26 coaching services to early achievers program participants to hire at  
27 least 12 qualified infant and early childhood mental health  
28 consultants. The department shall determine, in collaboration with  
29 the statewide child care resource and referral network, where the  
30 additional consultants should be sited based on factors such as the  
31 total provider numbers overlaid with indicators of highest need. The  
32 infant and early childhood mental health consultants must support  
33 early achievers program coaches and child care providers by providing  
34 resources, information, and guidance regarding challenging behavior  
35 and expulsions and may travel to assist providers in serving families  
36 and children with severe behavioral needs.

37 (3) The department shall provide, or contract with an entity to  
38 provide, reflective supervision and professional development for

1 infant and early childhood mental health consultants to meet national  
2 competency standards.

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

9 **Sec. 14.** RCW 43.216.592 and 2021 c 199 s 305 are each amended to  
10 read as follows:

11 (1) (~~Beginning July 1, 2022~~) Subject to the availability of  
12 amounts appropriated for this specific purpose, the department shall  
13 establish a dual language designation and provide subsidy rate  
14 enhancements or site-specific grants for licensed or certified child  
15 care providers who are accepting state subsidy(~~(?)~~) or early  
16 childhood education and assistance program contractors(~~(; or birth to~~  
17 ~~three early childhood education and assistance program contractors)~~).  
18 It is the intent of the legislature to allow uses of rate  
19 enhancements or site-specific grants to include increased wages for  
20 individual staff who provide bilingual instruction, professional  
21 development training, the purchase of dual language and culturally  
22 appropriate curricula and accompanying training programs,  
23 instructional materials, or other related expenses.

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

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

28 **Sec. 15.** RCW 43.216.587 and 2021 c 199 s 303 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 two complex needs  
32 funds to promote inclusive, least restrictive environments and to  
33 support contractors and providers serving children who have  
34 developmental delays, disabilities, behavioral needs, or other unique  
35 needs. The department shall work collaboratively with the office of  
36 the superintendent of public instruction and providers to best serve  
37 children. One fund must support early childhood education and  
38 assistance program contractors and providers (~~(and birth to three~~

1 ~~early childhood education and assistance program contractors and~~  
2 ~~providers)), and one fund must support licensed or certified child~~  
3 ~~care providers and license-exempt child care programs.~~

4 (2) Support may include staffing, programming, therapeutic  
5 services, and equipment or technology support. Additional support may  
6 include activities to assist families with children expelled or at  
7 risk of expulsion from child care, and to help families transition in  
8 and out of child care.

9 **Sec. 16.** RCW 43.216.512 and 2024 c 225 s 3 are each amended to  
10 read as follows:

11 (1) The department shall adopt rules that allow the enrollment of  
12 children who meet one or more of the following criteria in the early  
13 childhood education and assistance program, as space is available if  
14 the number of such children equals not more than twenty-five percent  
15 of total statewide enrollment:

16 (a) The child's family income is above one hundred ten percent  
17 but less than or equal to one hundred thirty percent of the federal  
18 poverty level;

19 (b) The child's family income is above one hundred thirty percent  
20 but less than or equal to two hundred percent of the federal poverty  
21 level if the child meets at least one of the risk factor criterion  
22 described in subsection (2) of this section; or

23 (c) Beginning November 1, 2024, the child is not eligible under  
24 RCW 43.216.505 and is a member of an assistance unit that is eligible  
25 for or is receiving basic food benefits under the federal  
26 supplemental nutrition assistance program or the state food  
27 assistance program.

28 (2) Children enrolled in the early childhood education and  
29 assistance program pursuant to subsection (1)(b) of this section must  
30 be prioritized for available funded slots according to a  
31 prioritization system adopted in rule by the department that  
32 considers risk factors that have a disproportionate effect on  
33 kindergarten readiness and school performance, including:

34 (a) Family income as a percent of the federal poverty level;

35 (b) Homelessness;

36 (c) Child welfare system involvement;

37 (d) Developmental delay or disability that does not meet the  
38 eligibility criteria for special education described in RCW  
39 28A.155.020;

- 1 (e) Domestic violence;
- 2 (f) English as a second language;
- 3 (g) Expulsion from an early learning setting;
- 4 (h) A parent who is incarcerated;
- 5 (i) A parent with a substance use disorder or mental health
- 6 treatment need; and
- 7 (j) Other risk factors determined by the department to be linked
- 8 by research to school performance.

9 (3) The department shall adopt rules that allow a child to enroll  
10 in the early childhood education and assistance program, as space is  
11 available, when the child is not eligible under RCW 43.216.505 and  
12 the child turns three years old at any time during the school year  
13 when the child:

14 (a) Has a family income at or below two hundred percent of the  
15 federal poverty level or meets at least one risk factor criterion  
16 adopted by the department in rule; and

17 (b) Has received services from or participated in:

18 (i) The early support for infants and toddlers program; or

19 (ii) The early head start or a successor federal program  
20 providing comprehensive services for children from birth through two  
21 years of age (~~;~~ ~~or~~

22 ~~(iii) The birth to three early childhood education and assistance~~  
23 ~~program, if such a program is established)).~~

24 (4) Children enrolled in the early childhood education and  
25 assistance program under this section are not considered eligible  
26 children as defined in RCW 43.216.505 and are not considered to be  
27 part of the state-funded entitlement required in RCW 43.216.556.

28 **Sec. 17.** RCW 43.216.775 and 2024 c 282 s 3 are each amended to  
29 read as follows:

30 (1) Rates paid under RCW 43.216.592 must be adjusted every two  
31 years according to an inflationary increase. The inflationary  
32 increase must be calculated by applying the rate of the increase in  
33 the inflationary adjustment index to the rates established pursuant  
34 to RCW 43.216.592.

35 (2) Subject to the availability of amounts appropriated for this  
36 specific purpose, rates paid under RCW 43.216.579(~~(7)~~) and  
37 43.216.585(~~(7) and 43.216.578~~) must be adjusted every two years  
38 according to an inflationary increase. The inflationary increase must  
39 be calculated by applying the rate of the increase in the



1 inflationary adjustment index to the rates established pursuant to  
2 RCW 43.216.579(~~(r)~~) and 43.216.585(~~(r) and 43.216.578~~)).

3 (3) Inflationary increases under subsection (1) of this section  
4 and any funded inflationary increase under subsection (2) of this  
5 section must be included in the rate used to determine inflationary  
6 increases in subsequent years.

7 (4) For the purposes of this section, "inflationary adjustment  
8 index" means the implicit price deflator averaged for each fiscal  
9 year, using the official current base rate, compiled by the bureau of  
10 economic analysis, United States department of commerce.

11 NEW SECTION. **Sec. 18.** The following acts or parts of acts are  
12 each repealed:

13 (1) RCW 43.216.578 (Birth to three early childhood education and  
14 assistance program) and 2024 c 225 s 6, 2024 c 225 s 5, 2021 c 199 s  
15 403, & 2019 c 408 s 8;

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

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

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

21 NEW SECTION. **Sec. 19.** Except for sections 2 through 4 of this  
22 act, this act is necessary for the immediate preservation of the  
23 public peace, health, or safety, or support of the state government  
24 and its existing public institutions, and takes effect July 1, 2025.

25 NEW SECTION. **Sec. 20.** (1) Section 2 of this act expires August  
26 1, 2030.

27 (2) Section 16 of this act expires July 1, 2026.

28 NEW SECTION. **Sec. 21.** (1) Sections 2 and 4 of this act take  
29 effect July 1, 2026.

30 (2) Section 3 of this act takes effect August 1, 2030.

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