

WSR 23-02-068  
PERMANENT RULES  
DEPARTMENT OF

**CHILDREN, YOUTH, AND FAMILIES**

[Filed January 4, 2023, 9:33 a.m., effective February 4, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Making amendments to WAC 110-15-0210 to implement section 305 (chapter 199, Laws of 2021) by establishing a dual language designation and providing for subsidy rate enhancements or site-specific grants for licensed or certified child care providers and early childhood education and assistance program (ECEAP) or birth-to-three ECEAP contractors who are given the dual language designation.

Citation of Rules Affected by this Order: Amending WAC 110-15-0210.

Statutory Authority for Adoption: RCW 43.216.592.

Adopted under notice filed as WSR 22-22-099 on November 2, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 4, 2023.

Brenda Villarreal  
Rules Coordinator

**OTS-3877.5**

AMENDATORY SECTION (Amending WSR 19-12-058, filed 5/31/19, effective 7/1/19)

**WAC 110-15-0210 Tiered reimbursement ((and)) quality improvement awards, and dual language enhancements.** (1) Providers receiving payment under the WCCC program will receive a tiered reimbursement as outlined in the (("))*Early Achievers Operating Guidelines*, available on DCYF's website.(("))

(2) Quality improvement awards, as described by chapter 43.216 RCW, are reserved for early achievers participating providers offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy for licensed family homes and at least five percent of nonschool age children receiving subsidy for licensed centers.

(a) Qualifying state subsidy programs include working connections child care (WCCC), seasonal child care (SCC), DCYF child welfare child care programs, homeless child care program (HCCP), ECLIPSE and medic-

aid child care programs. Other qualifying programs may include those supported by municipalities, colleges or universities, local school districts, or federally recognized tribal organizations.

(i) Participants providing (~~(homeless child care program)~~) HCCP, ECLIPSE, or medicaid services must present DCYF with information indicating that services were provided under these programs.

(ii) Participants providing subsidized child care supported by municipalities, colleges or universities, local school districts, or federally recognized tribal organizations must present DCYF with information indicating that services were provided under these programs.

(b) Percent subsidy calculations are derived from a monthly average of the number of children receiving qualifying subsidy divided by the monthly average licensed capacity of a specific provider over a (~~(twelve-month)~~) 12-month period.

(i) The (~~(twelve-month)~~) 12-month period utilized for the above calculation will include the (~~(twelve)~~) 12 months prior to the formal release of a facility's early achievers rating.

(ii) Facilities must have provided care at least one day in a given month for that month to be utilized in the above calculation.

(3) Eligible providers may receive a dual language enhancement.

(a) For purposes of this subsection, "eligible providers" means providers who:

(i) Accept WCCC, SCC, or CWCC payments;

(ii) Are enrolled in the early achievers program; and

(iii) Meet the requirements for the dual language designation standard described in the *Early Achievers Operating Guidelines*, available on DCYF's website.

(b) Dual language enhancements must be spent on professional development training, the purchase of dual language and culturally appropriate curricula and accompanying training programs, instructional materials, increased wages for individual staff who provide bilingual instruction, or other related expenses.

[Statutory Authority: RCW 43.216.055 and 43.216.065. WSR 19-12-058, § 110-15-0210, filed 5/31/19, effective 7/1/19. WSR 18-14-078, recodified as § 110-15-0210, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.070 and chapter 43.215 RCW. WSR 16-19-107, § 170-290-0210, filed 9/21/16, effective 10/22/16. Statutory Authority: RCW 43.215.060, 43.215.070, and chapter 43.215 RCW. WSR 13-21-113, § 170-290-0210, filed 10/22/13, effective 11/22/13.]