

**E2SSB 5237** - CONF REPT  
By Conference Committee

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

3 "NEW SECTION. **Sec. 1.** SHORT TITLE. This act may be known and  
4 cited as the fair start for kids act.

5 NEW SECTION. **Sec. 2.** INTENT. (1) The legislature finds that  
6 high quality child care and early learning is critical to a child's  
7 success in school and life. The legislature recognizes that COVID-19  
8 has devastated the existing child care industry, making it unduly  
9 burdensome for families to find care. The legislature recognizes that  
10 without immediate action to support child care providers, and without  
11 expanded access to affordable child care, especially infant and  
12 school-age care, parents will not be able to return to work while  
13 children lose valuable learning opportunities. In order to bolster a  
14 full economic recovery, the legislature finds that every child  
15 deserves a fair start.

16 (2) The legislature finds that access to affordable child care  
17 increases economic growth and labor force participation. The  
18 legislature further finds that an affordable, accessible system of  
19 high quality child care is necessary to the health of Washington's  
20 economy because employers benefit when parents have safe, stable, and  
21 appropriate care for their children. The legislature recognizes that  
22 too many working parents are forced to reduce their hours, decline  
23 promotional opportunities, or leave the workforce completely due to a  
24 lack of affordable and appropriate child care. The legislature finds  
25 that a report commissioned by the department of commerce in 2019  
26 found that working parents in Washington forego \$14,000,000,000 each  
27 year directly due to child care scarcity. The legislature recognizes  
28 that this disproportionately impacts women in the workforce and that  
29 in September 2020 alone, 78,000 men left the workforce, compared to  
30 600,000 women.

1 (3) The legislature recognizes that quality child care can be a  
2 stabilizing factor for children experiencing homelessness, and is a  
3 proven protective factor against the impacts of trauma they may  
4 experience. Access to child care is also a necessary support for  
5 families with young children in resolving homelessness and securing  
6 employment.

7 (4) The legislature finds that the scarcity of child care,  
8 exacerbated by COVID-19, most significantly impacts families furthest  
9 from opportunity. The legislature recognizes that there are  
10 additional barriers to accessing this foundational support for  
11 immigrant communities and families whose first language is not  
12 English, families who have children with disabilities, rural  
13 communities, or other child care deserts. The legislature recognizes  
14 that high quality, inclusive child care and early learning programs  
15 have been shown to reduce the opportunity gap for low-income children  
16 and black, indigenous, and children of color while consistently  
17 improving outcomes for all children both inside and outside of the  
18 classroom.

19 (5) The legislature finds that without access to comprehensive,  
20 high quality prenatal to five services, children often enter  
21 kindergarten without the social-emotional, physical, cognitive, and  
22 language skills they need to be successful and fall behind their  
23 peers, facing compounding developmental challenges throughout their  
24 K-12 education. The legislature finds that cascading impacts of  
25 inaccessible child care and early learning programs create systemic  
26 barriers for children and their families that result in higher  
27 special education needs, greater likelihood of needing to repeat  
28 grades, increased child welfare and juvenile justice involvement,  
29 reduced high school graduation rates, limited postsecondary education  
30 attainment, and greater barriers to employment in adulthood.

31 (6) The legislature finds the vast majority of child care  
32 providers are small businesses and nonprofit organizations. In  
33 addition to adhering to federal, state, and local regulations to  
34 ensure healthy and safe environments for children, the legislature  
35 recognizes that child care providers must ensure their employees are  
36 adequately compensated and supported. However, the legislature  
37 acknowledges that the reduced staffing ratios for health and safety,  
38 additional cost of personal protective equipment and extra cleaning  
39 supplies, increased use of substitutes needed during COVID-19-related  
40 absences, and increased technology demands during school closures

1 from the pandemic are further straining the viability of the child  
2 care business model in Washington state.

3 (7) The legislature finds that the health and stability of the  
4 early learning workforce is pivotal to any expansion of child care in  
5 Washington state. The legislature recognizes that the child care  
6 workforce, predominantly comprised of women of color, is structurally  
7 afflicted by low wages, limited or no health care, and a severe lack  
8 of retirement benefits. The legislature further recognizes that the  
9 threat of COVID-19 compounds these underlying issues, forcing  
10 providers to navigate increased stress, anxiety, and behavioral  
11 issues all while risking their lives to care for children. The  
12 legislature recognizes that families, friends, and neighbors who  
13 provide care are a critical component of the child care system. The  
14 legislature finds that child care workers are essential and deserve  
15 to be compensated and benefited accordingly.

16 (8) Therefore, the legislature resolves to respond to the  
17 COVID-19 crisis by first stabilizing the child care industry and then  
18 expanding access to a comprehensive continuum of high quality early  
19 childhood development programs, including infant and school-age child  
20 care, preschool, parent and family supports, and prenatal to three  
21 services. The legislature recognizes this continuum as critical to  
22 meeting different families' needs and offering every child in  
23 Washington access to a fair start.

24 (9) The legislature recognizes that the federal government has  
25 provided substantial additional funding through the coronavirus  
26 response and relief supplemental appropriations act, P.L. 116-260,  
27 division M., and the American rescue plan act of 2021. The purpose of  
28 the additional federal funding is to ensure access to affordable  
29 child care and stabilize and support child care providers affected by  
30 COVID-19. Therefore, it is the intent of the legislature to use the  
31 additional federal funding to supplement state funding in order to  
32 accelerate these investments.

33 (10) The legislature recognizes the strengths that multilingual,  
34 diverse early learning providers and caregivers contribute to early  
35 learning across the state. Therefore, the legislature intends to  
36 expand language access services to create an inclusive early learning  
37 system that specifically supports underserved providers.

38 (11) The legislature intends to expand eligibility for existing  
39 child care and preschool programs to increase access. The legislature  
40 recognizes that expansion must be accompanied by an investment to

1 make child care more affordable. Therefore, the legislature intends  
2 to eliminate copayments for low-income families and limit copayments  
3 for any family on subsidy to no more than seven percent of their  
4 income.

5 (12) The legislature further intends to stabilize, support, and  
6 grow the diverse early learning workforce by funding living wages and  
7 affordable health benefits while providing training, infant and early  
8 childhood mental health consultation, shared business services, and a  
9 variety of other supports that recognize the critical role that early  
10 learning providers serve for all Washington children.

11 (13) The legislature intends to accelerate Washington's economic  
12 recovery from the devastating impacts of COVID-19 by dramatically  
13 expanding access to affordable, high quality child care and  
14 preschool, in order to get parents back to work and provide every  
15 child with a fair start.

16 **PART I**

17 **INVESTING IN CHILD CARE AND EARLY LEARNING**

18 NEW SECTION. **Sec. 101.** FAIR START FOR KIDS ACCOUNT. (1) The  
19 fair start for kids account is created in the state treasury. Moneys  
20 in the account may be spent only after appropriation.

21 (2) Expenditures from the account may be used only for child care  
22 and early learning purposes.

23 NEW SECTION. **Sec. 102.** FAIR START FOR KIDS SPENDING GOALS AND  
24 STRATEGIES. (1) The spending goals and strategies for the fair start  
25 for kids account created under section 101 of this act include, but  
26 are not limited to:

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

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

35 (c) Increasing child care and early learning providers'  
36 compensation;

1 (d) Implementing the provisions of collective bargaining  
2 agreements for family child care providers negotiated pursuant to RCW  
3 41.56.028;

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

7 (f) Making child care affordable for families;

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

10 (h) Providing child care subsidies for families working to  
11 resolve homelessness;

12 (i) Providing professional development opportunities and  
13 supporting the substitute pool for child care and early learning  
14 providers;

15 (j) Delivering infant and early childhood mental health  
16 consultation services;

17 (k) Establishing prekindergarten through third grade systems  
18 coordinators at educational service districts;

19 (l) Supporting youth development programs serving children and  
20 youth ages birth through 12 including, but not limited to, expanded  
21 learning opportunities, mentoring, school-age child care, and  
22 wraparound supports or integrated student supports;

23 (m) Awarding grants and loans through the early learning  
24 facilities grant and loan program established under chapter 43.31  
25 RCW;

26 (n) Funding special designations in the working connections child  
27 care programs, early childhood education and assistance programs, and  
28 birth to three early childhood education and assistance programs  
29 including designations established in sections 302, 304, 305, and 404  
30 of this act;

31 (o) Supporting costs for transparent data collection and  
32 information technology systems operated by the department and  
33 department contractors, in particular, to ensure equitable systemic  
34 service provision and outcomes;

35 (p) Providing access to learning technology;

36 (q) Providing child care resource and referral services;

37 (r) Conducting quality rating and improvement system activities  
38 through the early achievers program;

39 (s) Expanding prenatal to three services and supports, including  
40 the birth to three early childhood education and assistance program

1 and the in-home parent skill-based programs established in RCW  
2 43.216.130;

3 (t) Building and delivering a family resource and referral  
4 linkage system;

5 (u) Allowing the exploration of options to provide regulatory  
6 relief and make licensing more affordable for child care providers;

7 (v) Administering comprehensive shared services hubs to allow the  
8 ongoing pooling and shared use of services by licensed or certified  
9 child care centers and family home providers;

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

13 (x) Providing incentives and supports for child care providers to  
14 become licensed;

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

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

23 (aa) Recognizing the benefits of the diverse workforce and  
24 facilitating communication in the three most commonly spoken  
25 languages by developing a language access plan that centers on equity  
26 and access for immigrants, multilingual providers, caregivers, and  
27 families.

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

32 **Sec. 103.** RCW 43.88.055 and 2020 c 218 s 2 are each amended to  
33 read as follows:

34 LEGISLATIVE BALANCED BUDGET REQUIREMENT. (1) The legislature must  
35 adopt a four-year balanced budget as follows:

36 (a) Beginning in the 2013-2015 fiscal biennium, the legislature  
37 shall enact a balanced omnibus operating appropriations bill that  
38 leaves, in total, a positive ending fund balance in the general fund  
39 and related funds.

1 (b) Beginning in the 2013-2015 fiscal biennium, the projected  
2 maintenance level of the omnibus appropriations bill enacted by the  
3 legislature shall not exceed the available fiscal resources for the  
4 next ensuing fiscal biennium.

5 (2) For purposes of this section:

6 (a) "Available fiscal resources" means the beginning general fund  
7 and related fund balances and any fiscal resources estimated for the  
8 general fund and related funds, adjusted for enacted legislation, and  
9 with forecasted revenues adjusted to the greater of (i) the official  
10 general fund and related funds revenue forecast for the ensuing  
11 biennium, or (ii) the official general fund and related funds  
12 forecast for the second fiscal year of the current fiscal biennium,  
13 increased by 4.5 percent for each fiscal year of the ensuing  
14 biennium;

15 (b) "Projected maintenance level" means estimated appropriations  
16 necessary to maintain the continuing costs of program and service  
17 levels either funded in that appropriations bill or mandated by other  
18 state or federal law, and the amount of any general fund moneys  
19 projected to be transferred to the budget stabilization account  
20 pursuant to Article VII, section 12 of the state Constitution;

21 (c) "Related funds," as used in this section, means the  
22 Washington opportunity pathways account, the workforce education  
23 investment account, the fair start for kids account, and the  
24 education legacy trust account.

25 (3) Subsection (1)(a) and (b) of this section does not apply to  
26 an appropriations bill that makes net reductions in general fund and  
27 related funds appropriations and is enacted between July 1st and  
28 February 15th of any fiscal year.

29 (4) Subsection (1)(b) of this section does not apply in a fiscal  
30 biennium in which money is appropriated from the budget stabilization  
31 account pursuant to Article VII, section 12(d)(ii) of the state  
32 Constitution.

33 **Sec. 104.** RCW 43.216.075 and 2020 c 262 s 4 are each amended to  
34 read as follows:

35 INVESTMENT ACCOUNTABILITY AND OVERSIGHT. (1) The early learning  
36 advisory council is established to advise the department on statewide  
37 early learning issues that contribute to the ongoing efforts of  
38 building a comprehensive system of quality early learning programs  
39 and services for Washington's young children and families.

1 (2) The council shall work in conjunction with the department to  
2 ((assist)):

3 (a) Assist in policy development and implementation that ((assist  
4 the department in promoting)) promotes alignment of private and  
5 public sector actions, objectives, and resources, ((ensuring)) with  
6 the overall goal of promoting school readiness for all children;

7 (b) Provide recommendations annually to the governor and the  
8 legislature, beginning August 31, 2022, regarding the phased  
9 implementation of strategies and priorities identified in section 102  
10 of this act;

11 (c) Maintain a focus on racial equity and inclusion in order to  
12 dismantle systemic racism at its core and contribute to statewide  
13 efforts to break the cycle of intergenerational poverty;

14 (d) Maintain a focus on inclusionary practices for children with  
15 disabilities;

16 (e) Partner with nonprofit organizations to collect and analyze  
17 data and measure progress; and

18 (f) Assist the department in monitoring and ensuring that the  
19 investments funded by the fair start for kids account created in  
20 section 101 of this act are designed to support the following  
21 objectives:

22 (i) Advance racial equity and strengthen families by recognizing  
23 and responding to the growing diversity of our state's population;

24 (ii) Promote access to affordable, high quality child care and  
25 early learning opportunities for all families, paying particular  
26 attention to the needs of rural and other underserved communities;

27 (iii) Promote kindergarten readiness by enhancing child  
28 development, including development of social-emotional skills, and  
29 eliminating exclusionary admissions practices and disproportionate  
30 removals in child care and early learning programs; and

31 (iv) Contribute to efforts to strengthen and grow our state's  
32 economy by supporting working parents as well as stabilizing and  
33 supporting the child care and early learning workforce.

34 (3) In collaboration with the council, the department shall  
35 consult with its advisory groups and other interested stakeholders  
36 and shall submit a biennial report to the governor and legislature  
37 describing how the investments funded by the fair start for kids act  
38 have impacted the policy objectives stated in subsection (2)(f) of  
39 this section. The first report under this section is due September  
40 15, 2023. The council shall include diverse, statewide representation



1 from public, nonprofit, and for-profit entities. Its membership shall  
2 include critical partners in service delivery and reflect regional,  
3 racial, and cultural diversity to adequately represent the ~~((needs))~~  
4 interests of all children and families in the state.

5 (4) Councilmembers shall serve two-year terms. However, to  
6 stagger the terms of the council, the initial appointments for twelve  
7 of the members shall be for one year. Once the initial one-year to  
8 two-year terms expire, all subsequent terms shall be for two years,  
9 with the terms expiring on June 30th of the applicable year. The  
10 terms shall be staggered in such a way that, where possible, the  
11 terms of members representing a specific group do not expire  
12 simultaneously.

13 (5) The council shall consist of members essential to  
14 coordinating services statewide prenatal through age ~~((five))~~ 12, as  
15 follows:

16 (a) In addition to being staffed and supported by the department,  
17 the governor shall appoint one representative from each of the  
18 following: The department of commerce and the department of health~~((7~~  
19 ~~the student achievement council, and the state board for community~~  
20 ~~and technical colleges))~~;

21 (b) One representative from the student achievement council, to  
22 be appointed by the student achievement council;

23 (c) The military spouse liaison created within the department of  
24 veterans affairs under RCW 43.60A.245;

25 (d) One representative from the state board for community and  
26 technical colleges, to be appointed by the state board for community  
27 and technical colleges;

28 (e) One representative from the office of the superintendent of  
29 public instruction, to be appointed by the superintendent of public  
30 instruction;

31 ~~((c) The governor shall appoint leaders in early childhood~~  
32 ~~education to represent critical service delivery and support sectors,~~  
33 ~~with at least one individual representing each of the following:~~

34 ~~(i) The head start state collaboration office director or the~~  
35 ~~director's designee;~~

36 ~~(ii) A representative of a head start, early head start, or~~  
37 ~~migrant/seasonal head start program;~~

38 ~~(iii) A representative of a local education agency;~~

1 ~~(iv) A representative of the state agency responsible for~~  
2 ~~programs under section 619 or part C of the federal individuals with~~  
3 ~~disabilities education act;~~

4 ~~(v) A representative of the early childhood education and~~  
5 ~~assistance program;~~

6 ~~(vi) A representative of licensed family day care providers;~~

7 ~~(vii) A representative of child day care centers; and~~

8 ~~(viii) A representative from the home visiting advisory committee~~  
9 ~~established in RCW 43.216.130;~~

10 ~~(d))~~ (f) Two members of the house of representatives, one from  
11 each caucus, to be appointed by the speaker of the house of  
12 representatives and two members of the senate, one from each caucus,  
13 to be appointed by the majority leader in the senate and the minority  
14 leader in the senate;

15 ~~((e))~~ (g) Two parents, one of whom serves on the department's  
16 parent advisory group, to be appointed by the ~~((governor))~~ parent  
17 advisory group;

18 ~~((f))~~ (h) One representative of the private-public partnership  
19 created in RCW 43.216.065, to be appointed by the partnership board;

20 ~~((g))~~ (i) One representative from the developmental  
21 disabilities community representing children and families involved in  
22 part C of the federal individuals with disabilities education act and  
23 one representative from the developmental disabilities community  
24 representing children and families involved in part B of the federal  
25 individuals with disabilities education act;

26 ~~((h))~~ (j) Two representatives from early learning regional  
27 coalitions;

28 ~~((i) Representatives))~~ (k) Up to five representatives of  
29 underserved communities who have a special expertise or interest in  
30 high quality early learning, one to be appointed by each of the  
31 following commissions:

32 (i) The Washington state commission on Asian Pacific American  
33 affairs established under chapter 43.117 RCW;

34 (ii) The Washington state commission on African American affairs  
35 established under chapter 43.113 RCW; ~~((and))~~

36 (iii) The Washington state commission on Hispanic affairs  
37 established under chapter 43.115 RCW;

38 (iv) The Washington state women's commission established under  
39 chapter 43.119 RCW; and

1 (v) The Washington state office of equity established under  
2 chapter 43.06D RCW;

3 ~~((j))~~ (l) Two representatives designated by sovereign tribal  
4 governments, one of whom must be a representative of a tribal early  
5 childhood education assistance program or head start program;

6 ~~((k))~~ (m) One representative from the Washington federation of  
7 independent schools;

8 ~~((l))~~ (n) One representative from the Washington library  
9 association; ~~(and~~

10 ~~(m))~~ (o) One representative from a statewide advocacy coalition  
11 of organizations that focuses on early learning;

12 (p) One representative from an association representing statewide  
13 business interests, to be appointed by the association and one  
14 representative from a regional business coalition;

15 (q) One representative of an advocacy organization for immigrants  
16 and refugees;

17 (r) One representative of an organization advocating for expanded  
18 learning opportunities and school-age child care programs;

19 (s) One representative from the largest union representing child  
20 care providers;

21 (t) A representative of a head start, early head start, or  
22 migrant and seasonal head start program, to be appointed by the head  
23 start collaboration office;

24 (u) A representative of educational service districts, to be  
25 appointed by a statewide association of educational service district  
26 board members;

27 (v) A provider responsible for programs under section 619 of the  
28 federal individuals with disabilities education act, to be appointed  
29 by the superintendent of public instruction;

30 (w) A representative of the state agency responsible for part C  
31 of the federal individuals with disabilities education act, to be  
32 appointed by the department;

33 (x) A representative of the early childhood education and  
34 assistance program, to be appointed by an association representing  
35 early childhood education and assistance programs;

36 (y) A representative of licensed family home providers, to be  
37 appointed by the largest union representing child care providers;

38 (z) A representative of child care centers, to be appointed by an  
39 association representing child care centers;

1 (aa) A representative from the home visiting advisory committee  
2 established in RCW 43.216.130, to be appointed by the committee;

3 (bb) An infant or early childhood mental health expert, to be  
4 appointed by the Barnard center for infant and early childhood mental  
5 health at the University of Washington;

6 (cc) A family, friend, and neighbor caregiver, to be appointed by  
7 the largest union representing child care providers;

8 (dd) A representative from prenatal to three services;

9 (ee) A pediatrician, to be appointed by the state chapter of the  
10 American academy of pediatrics; and

11 (ff) A representative of the statewide child care resource and  
12 referral organization, to be appointed by the statewide child care  
13 resource and referral organization.

14 (6) The council shall be cochaired by two members, to be elected  
15 by the council for two-year terms and not more than one cochair may  
16 represent a state agency.

17 (7) At the direction of the cochairs, the council may convene  
18 advisory groups, such as a parent caucus, to evaluate specific issues  
19 and report related findings and recommendations to the full council.

20 (8) The council shall appoint two members and stakeholders with  
21 expertise in early learning to sit on the technical working group  
22 created in section 2, chapter 234, Laws of 2010.

23 ~~((+8))~~ (9) Each member of the (~~board~~) council shall be  
24 compensated in accordance with RCW 43.03.240 and reimbursed for  
25 travel expenses incurred in carrying out the duties of the (~~board~~)  
26 council in accordance with RCW 43.03.050 and 43.03.060.

27 ~~((+9))~~ (10)(a) The council shall convene an early achievers  
28 review subcommittee to provide feedback and guidance on strategies to  
29 improve the quality of instruction and environment for early learning  
30 and provide input and recommendations on the implementation and  
31 refinement of the early achievers program. The subcommittee shall at  
32 a minimum provide feedback and guidance to the department and the  
33 council on the following:

34 (i) Adequacy of data collection procedures;

35 (ii) Coaching and technical assistance standards;

36 (iii) Progress in reducing barriers to participation for low-  
37 income providers and providers from diverse cultural backgrounds,  
38 including a review of the early achievers program's rating tools,  
39 quality standard areas, and components, and how they are applied;

1 (iv) Strategies in response to data on the effectiveness of early  
2 achievers program standards in relation to providers and children  
3 from diverse cultural backgrounds;

4 (v) Status of the life circumstance exemption protocols; ~~((and))~~

5 (vi) Analysis of early achievers program data trends; and

6 (vii) Other relevant early learning data including progress in  
7 servicing students with disabilities ages birth to five and least  
8 restrictive environment data.

9 (b) The subcommittee must include consideration of cultural  
10 linguistic responsiveness when analyzing the areas for review  
11 required by (a) of this subsection.

12 (c) The subcommittee shall include representatives from child  
13 care centers, family child care, the early childhood education and  
14 assistance program, contractors for early achievers program technical  
15 assistance and coaching, tribal governments, the organization  
16 responsible for conducting early achievers program ratings, and  
17 parents of children participating in early learning programs,  
18 including working connections child care and early childhood  
19 education and assistance programs. The subcommittee shall include  
20 representatives from diverse cultural and linguistic backgrounds.

21 ~~((+10))~~ (11) (a) The council shall convene a temporary licensing  
22 subcommittee to provide feedback and recommendations on improvement  
23 to the statewide licensing process.

24 (b) Members of the subcommittee must include two representatives  
25 of the department, two child care providers, and two parents of  
26 children in child care. One child care provider and one parent  
27 representative must reside east of the crest of the Cascade mountains  
28 and one child care provider and one parent representative must reside  
29 west of the crest of the Cascade mountains.

30 (c) The subcommittee shall:

31 (i) Examine strategies to increase the number of licensed child  
32 care providers in the state, including meeting with prospective  
33 licensees to explain the licensure requirements and inspect and  
34 provide feedback on the physical space that is contemplated for  
35 licensure;

36 (ii) Develop model policies for licensed child care providers to  
37 implement licensing standards including, but not limited to,  
38 completing the child care and early learning licensing guidebook, to  
39 be made available to support providers with compliance; and

1 (iii) Develop recommendations regarding incentives and financial  
2 supports to help prospective providers navigate the licensing  
3 process.

4 (d) The subcommittee shall provide feedback and recommendations  
5 to the department of children, youth, and families pursuant to this  
6 subsection (11) by December 1, 2022.

7 (12) The department shall provide staff support to the council.

8 **Sec. 105.** RCW 83.100.230 and 2019 c 415 s 990 are each amended  
9 to read as follows:

10 The education legacy trust account is created in the state  
11 treasury. Money in the account may be spent only after appropriation.  
12 Expenditures from the account may be used only for support of the  
13 common schools, and for expanding access to higher education through  
14 funding for new enrollments and financial aid, early learning and  
15 child care programs, and other educational improvement efforts.  
16 (~~During the 2015-2017, 2017-2019, and 2019-2021 fiscal biennia~~  
17 ~~appropriations from the account may be made for support of early~~  
18 ~~learning programs. It is the intent of the legislature that this~~  
19 ~~policy will be continued in subsequent fiscal biennia.))~~

20 NEW SECTION. **Sec. 106.** INFLATIONARY ADJUSTMENTS. Beginning July  
21 1, 2023, and subject to the availability of amounts appropriated for  
22 this specific purpose, rates paid under sections 302, 305, and 404 of  
23 this act and RCW 43.216.578 must be adjusted every two years  
24 according to an inflationary increase. The inflationary increase must  
25 be calculated by applying the rate of the increase in the  
26 inflationary adjustment index to the rates established in sections  
27 302, 305, and 404 of this act and RCW 43.216.578. Any funded  
28 inflationary increase must be included in the rate used to determine  
29 inflationary increases in subsequent years. For the purposes of this  
30 section, "inflationary adjustment index" means the implicit price  
31 deflator averaged for each fiscal year, using the official current  
32 base rate, compiled by the bureau of economic analysis, United States  
33 department of commerce.

34 **PART II**

35 **EXPANDING ACCESS TO CHILD CARE AND EARLY LEARNING PROGRAMS**

1 NEW SECTION. **Sec. 201.** WORKING CONNECTIONS CHILD CARE PROGRAM  
2 ELIGIBILITY AND COPAYMENT. (1) It is the intent of the legislature to  
3 increase working families' access to affordable, high quality child  
4 care and to support the expansion of the workforce to support  
5 businesses and the statewide economy.

6 (2) Beginning October 1, 2021, a family is eligible for working  
7 connections child care when the household's annual income is at or  
8 below 60 percent of the state median income adjusted for family size  
9 and:

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

13 (b) The household meets all other program eligibility  
14 requirements.

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

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

22 (b) The household meets all other program eligibility  
23 requirements.

24 (4) Beginning July 1, 2027, and subject to the availability of  
25 amounts appropriated for this specific purpose, a family is eligible  
26 for working connections child care when the household's annual income  
27 is above 75 percent of the state median income and is at or below 85  
28 percent of the state median income adjusted for family size and:

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

32 (b) The household meets all other program eligibility  
33 requirements.

34 (5) (a) Beginning July 1, 2021, through June 30, 2023, the  
35 department must calculate a monthly copayment according to the  
36 following schedule:

37 If the household's income is:	Then the household's maximum monthly copayment is:
38 At or below 20 percent of the state median income	Waived to the extent allowable under federal law; 39 otherwise, a maximum of \$15

1	Above 20 percent and at or below 36 percent of the state median income	\$65
2		
3	Above 36 percent and at or below 50 percent of the state median income	\$115 until December 31, 2021, and \$90 beginning January 1, 2022
4		
5	Above 50 percent and at or below 60 percent of the state median income	\$115
6		

7 (b) Beginning July 1, 2023, the department must calculate a  
8 monthly copayment according to the following schedule:

9	If the household's income is:	Then the household's maximum monthly copayment is:
10	At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
11		
12	Above 20 percent and at or below 36 percent of the state median income	\$65
13		
14	Above 36 percent and at or below 50 percent of the state median income	\$90
15		
16	Above 50 percent and at or below 60 percent of the state median income	\$165
17		

18 (c) Beginning July 1, 2025, the department must calculate a  
19 maximum monthly copayment of \$215 for households with incomes above  
20 60 percent and at or below 75 percent of the state median income.

21 (d) Subject to the availability of amounts appropriated for this  
22 specific purpose, the department shall adopt a copayment model for  
23 households with annual incomes above 75 percent of the state median  
24 income and at or below 85 percent of the state median income. The  
25 model must calculate a copayment for each household that is no  
26 greater than seven percent of the household's countable income within  
27 this income range.

28 (e) The department may adjust the copayment schedule to comply  
29 with federal law.

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

32 **Sec. 202.** RCW 43.216.136 and 2020 c 279 s 2 are each amended to  
33 read as follows:

34 WORKING CONNECTIONS CHILD CARE FOR STUDENT PARENTS. (1) The  
35 department shall establish and implement policies in the working  
36 connections child care program to promote stability and quality of



1 care for children from low-income households. These policies shall  
2 focus on supporting school readiness for young learners. Policies for  
3 the expenditure of funds constituting the working connections child  
4 care program must be consistent with the outcome measures established  
5 by the department and the standards established in this section  
6 intended to promote stability, quality, and continuity of early care  
7 and education programming.

8 (2) As recommended by P.L. 113-186, authorizations for the  
9 working connections child care subsidy are effective for twelve  
10 months beginning July 1, 2016(~~(, unless an earlier date is provided~~  
11 ~~in the omnibus appropriations act)~~).

12 (a) A household's 12-month authorization begins on the date that  
13 child care is expected to begin.

14 (b) If a newly eligible household does not begin care within 12  
15 months of being determined eligible by the department, the household  
16 must reapply in order to qualify for subsidy.

17 (3) (a) The department shall establish and implement policies in  
18 the working connections child care program to allow eligibility for  
19 families with children who:

20 (i) In the last six months have:

21 (A) Received child protective services as defined and used by  
22 chapters 26.44 and 74.13 RCW;

23 (B) Received child welfare services as defined and used by  
24 chapter 74.13 RCW; or

25 (C) Received services through a family assessment response as  
26 defined and used by chapter 26.44 RCW;

27 (ii) Have been referred for child care as part of the family's  
28 case management as defined by RCW 74.13.020; and

29 (iii) Are residing with a biological parent or guardian.

30 (b) ~~((Children))~~ Families who are eligible for working  
31 connections child care pursuant to this subsection do not have to  
32 keep receiving services identified in this subsection to maintain  
33 twelve-month authorization.

34 (4) (a) Beginning ~~((August 1, 2020))~~ July 1, 2021, and subject to  
35 the availability of amounts appropriated for this specific purpose,  
36 the department may not require an applicant or consumer to meet work  
37 requirements as a condition of receiving working connections child  
38 care benefits when the applicant or consumer is(~~(÷~~

39 ~~(i) A single parent;~~

1       ~~(ii) A) a~~ full-time student of a community, technical, or tribal  
2 college ~~((+))~~ and ~~((-iii) Pursuing))~~ is enrolled in: (i) A vocational  
3 education program that leads to a degree or certificate in a specific  
4 occupation (, not to result in a bachelor's or advanced degree));

5       (ii) An associate degree program; or

6       (iii) A registered apprenticeship program.

7       (b) An applicant or consumer is a full-time student for the  
8 purposes of this subsection if he or she meets the college's  
9 definition of a full-time student. ~~((The student must maintain~~  
10 ~~passing grades and be in good standing pursuant to college attendance~~  
11 ~~requirements.))~~

12       (c) Nothing in this subsection is intended to change how  
13 applicants or consumers are prioritized when applicants or consumers  
14 are placed on a waitlist for working connections child care benefits.

15       (d) Subject to the availability of amounts appropriated for this  
16 specific purpose, the department may extend the provisions of this  
17 subsection (4) to full-time students who are enrolled in a bachelor's  
18 degree program or applied baccalaureate degree program.

19       (5) (a) The department must extend the homeless grace period, as  
20 adopted in department rule as of January 1, 2020, from a four-month  
21 grace period to a twelve-month grace period.

22       (b) For the purposes of this section, "homeless" means being  
23 without a fixed, regular, and adequate nighttime residence as  
24 described in the federal McKinney-Vento homeless assistance act (42  
25 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

26       (6) For purposes of this section, "authorization" means a  
27 transaction created by the department that allows a child care  
28 provider to claim payment for care. The department may adjust an  
29 authorization based on a household's eligibility status.

30       NEW SECTION. Sec. 203. EARLY CHILDHOOD EDUCATION AND ASSISTANCE  
31 PROGRAM INTENT. (1) The legislature finds that eligibility guidelines  
32 for the national school lunch program require free meals for children  
33 with household incomes at or below 130 percent of the federal poverty  
34 level and that this income level is approximately equivalent to 36  
35 percent of the state median income for a household of three. The  
36 legislature further finds that eligibility guidelines require  
37 reduced-price meals for children with household incomes at or below  
38 185 percent of the federal poverty level and that this income level

1 is approximately equivalent to 50 percent of the state median income  
2 for a household of three.

3 (2) Therefore, the legislature intends to raise the maximum  
4 family income for children entitled to enroll in the early childhood  
5 education and assistance program to 36 percent of the state median  
6 income beginning July 1, 2026. Beginning in the 2030-31 school year,  
7 the legislature intends to raise the maximum family income for  
8 children entitled to enroll in this program to 50 percent of the  
9 state median income. It is the intent of the legislature to  
10 standardize income eligibility levels for assistance programs in  
11 order to help families and social workers better understand the  
12 benefits for which families qualify and to simplify and align state  
13 systems wherever feasible.

14 (3) The legislature further intends to support educational  
15 service districts to help school districts partner with early  
16 childhood education and assistance program contractors and providers  
17 to expand access.

18 **Sec. 204.** RCW 43.216.505 and 2021 c 67 s 1 are each amended to  
19 read as follows:

20 Unless the context clearly requires otherwise, the definitions in  
21 this section apply throughout RCW 43.216.500 through 43.216.559,  
22 43.216.900, and 43.216.901.

23 (1) "Advisory committee" means the advisory committee under RCW  
24 43.216.520.

25 (2) "Approved programs" means those state-supported education and  
26 special assistance programs which are recognized by the department as  
27 meeting the minimum program rules adopted by the department to  
28 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and  
29 43.216.901 and are designated as eligible for funding by the  
30 department under RCW 43.216.530 and 43.216.540.

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

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

37 (a) ~~Has a family ((income at or below one hundred ten percent of~~  
38 ~~the federal poverty level, as published annually by the federal~~  
39 ~~department of health and human services)) with financial need;~~

1 (b) Is experiencing homelessness;

2 (c) Has participated in early head start or a successor federal  
3 program providing comprehensive services for children from birth  
4 through two years of age, the early support for infants and toddlers  
5 program or received class C developmental services, the birth to  
6 three early childhood education and assistance program, or the early  
7 childhood intervention and prevention services program;

8 (d) Is eligible for special education due to disability under RCW  
9 28A.155.020; (~~or~~

10 ~~(e))~~ (e) Is Indian as defined in rule by the department after  
11 consultation and agreement with Washington state's federally  
12 recognized tribes pursuant to section 207 of this act and is at or  
13 below 100 percent of the state median income adjusted for family  
14 size; or

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

21 (5) "Family support services" means providing opportunities for  
22 parents to:

23 (a) Actively participate in their child's early childhood  
24 program;

25 (b) Increase their knowledge of child development and parenting  
26 skills;

27 (c) Further their education and training;

28 (d) Increase their ability to use needed services in the  
29 community;

30 (e) Increase their self-reliance; and

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

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

38 (7) "Family with financial need" means families with incomes at  
39 or below 36 percent of the state median income adjusted for family  
40 size until the 2030-31 school year. Beginning in the 2030-31 school

1 year, "family with financial need" means families with incomes at or  
2 below 50 percent of the state median income adjusted for family size.

3 **Sec. 205.** RCW 43.216.512 and 2019 c 409 s 2 are each amended to  
4 read as follows:

5 EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM EXPANDED  
6 ENROLLMENT. (1) The department shall adopt rules that allow the  
7 enrollment of children in the early childhood education and  
8 assistance program, as space is available, if the number of such  
9 children equals not more than ((~~twenty-five~~) 25 percent of total  
10 statewide enrollment, when the child is not eligible under RCW  
11 43.216.505 and whose family income level is((÷

12 (a) Above one hundred ten percent but less than or equal to one  
13 hundred thirty percent of the federal poverty level; or

14 (b) Above one hundred thirty percent but less than or equal to  
15 two hundred percent of the federal poverty level if)) above 36  
16 percent of the state median income but at or below 50 percent of the  
17 state median income adjusted for family size and the child meets at  
18 least one of the risk factor criterion described in subsection (2) of  
19 this section.

20 (2) Children enrolled in the early childhood education and  
21 assistance program pursuant to ((~~subsection (1)(b) of~~)) this section  
22 must be prioritized for available funded slots according to a  
23 prioritization system adopted in rule by the department that  
24 considers risk factors that have a disproportionate effect on  
25 kindergarten readiness and school performance, including:

26 (a) Family income as a percent of the ((~~federal poverty level~~))  
27 state median income;

28 (b) ((~~Homelessness;~~

29 ~~(c)~~) Child welfare system involvement;

30 ((~~(d) Developmental delay or disability that does not meet the~~  
31 eligibility criteria for special education described in RCW  
32 28A.155.020)) (c) Eligible for services under part C of the federal  
33 individuals with disabilities education act but not eligible for  
34 services under part B of the federal individuals with disabilities  
35 education act;

36 ((~~(e)~~)) (d) Domestic violence;

37 ((~~(f)~~)) (e) English as a second language;

38 ((~~(g)~~)) (f) Expulsion from an early learning setting;

39 ((~~(h)~~)) (g) A parent who is incarcerated;

1       ~~((i))~~ (h) A parent with a ~~((substance use disorder or mental))~~  
2 behavioral health treatment need; and

3       ~~((j))~~ (i) Other risk factors determined by the department to be  
4 linked by research to school performance.

5       (3) ~~((The department shall adopt rules that allow a child to~~  
6 ~~enroll in the early childhood education and assistance program, as~~  
7 ~~space is available, when the child is not eligible under RCW~~  
8 ~~43.216.505 and the child turns three years old at any time during the~~  
9 ~~school year when the child:~~

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

13       ~~(b) Has received services from or participated in:~~

14       ~~(i) The early support for infants and toddlers program;~~

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

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

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

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

25       NEW SECTION. Sec. 206. EARLY CHILDHOOD EDUCATION AND ASSISTANCE  
26 PROGRAM EARLY ENTRY. (1) The department shall adopt rules that allow  
27 a child to enroll in the early childhood education and assistance  
28 program, as space is available and subject to the availability of  
29 amounts appropriated for this specific purpose, when the child is not  
30 eligible under RCW 43.216.505 and the child turns three years old at  
31 any time during the school year when the child:

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

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

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

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

3 (iii) The birth to three early childhood education and assistance  
4 program; or

5 (iv) The early childhood intervention and prevention services  
6 program.

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

11 NEW SECTION. **Sec. 207.** INDIAN CHILD DEFINITION. (1) The  
12 department must consult, and obtain the advice and consent of, the  
13 governing bodies of the state's federally recognized tribes in  
14 developing an agreed-upon definition of the term "Indian" for the  
15 purposes of RCW 43.216.505 and, by July 1, 2024, must adopt the  
16 definition in rule.

17 (2) This section expires December 1, 2030.

18 **Sec. 208.** RCW 43.216.556 and 2019 c 408 s 3 are each amended to  
19 read as follows:

20 (1) Funding for the program of early learning established under  
21 this chapter must be appropriated to the department. The department  
22 shall distribute funding to approved early childhood education and  
23 assistance program contractors on the basis of eligible children  
24 enrolled.

25 (2) The program shall be implemented in phases, so that full  
26 implementation is achieved in the ((2022-23)) 2026-27 school year.

27 (3) Funding shall continue to be phased in each year until full  
28 statewide implementation of the early learning program is achieved in  
29 the ((2022-23)) 2026-27 school year, at which time any eligible child  
30 is entitled to be enrolled in the program. Entitlement under this  
31 section is voluntary enrollment.

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

37 **PART III**

1                   **SUPPORTING CHILD CARE AND EARLY LEARNING PROVIDERS**

2           **Sec. 301.** RCW 43.216.749 and 2019 c 368 s 7 are each amended to  
3 read as follows:

4           CHILD CARE SUBSIDY RATES. (1) ~~((By January 1, 2025, the~~  
5 ~~department of children, youth, and families must))~~ It is the intent  
6 of the legislature to systemically increase child care subsidy rates  
7 over time until rates are equal to the full cost of providing high  
8 quality child care.

9           (2) Beginning July 1, 2021, child care subsidy base rates must  
10 achieve the 85th percentile of market for licensed or certified child  
11 care providers. The state and the exclusive representative for family  
12 child care providers must enter into bargaining over the  
13 implementation of the subsidy rate increase under this subsection.

14           (3) (a) The department shall build upon the work of the child care  
15 collaborative task force to develop and implement a child care cost  
16 estimate model and use the completed child care cost model  
17 ~~((developed under RCW 43.330.527 to determine child care subsidy~~  
18 ~~rates.~~

19           ~~(2) This section expires January 30, 2025))~~ to recommend subsidy  
20 rates at levels that are sufficient to compensate licensed or  
21 certified child care providers for the full costs of providing high  
22 quality child care. The department shall consider:

23           (i) Adjusting rates to reflect cost of living such as area median  
24 income, cost of living by zip code, and grouping by categories such  
25 as rural, suburban, or urban; and

26           (ii) Incorporating the rate model for nonstandard child care  
27 hours developed under section 306 of this act.

28           (b) The department shall build upon the work of the child care  
29 collaborative task force to evaluate options to support access to  
30 affordable health care insurance coverage for licensed or certified  
31 child care providers.

32           (4) This section does not interfere with, impede, or in any way  
33 diminish the right of family child care providers to bargain  
34 collectively with the state through the exclusive bargaining  
35 representatives as provided for under RCW 41.56.028.

36           NEW SECTION. **Sec. 302.** EARLY CHILDHOOD EDUCATION AND ASSISTANCE  
37 PROGRAM RATES. (1) For the 2021-22 school year, rates for the early  
38 childhood education and assistance program must be set at a level at



1 least 10 percent higher than the rates established in section 225,  
2 chapter 415, Laws of 2019.

3 (2) It is the intent of the legislature that rate increases shall  
4 be informed by the department's 2020 early childhood education and  
5 assistance program rate study.

6 (3) This section expires June 30, 2027.

7 NEW SECTION. **Sec. 303.** COMPLEX NEEDS FUNDS. (1) Subject to the  
8 availability of amounts appropriated for this specific purpose, the  
9 department shall administer two complex needs funds to promote  
10 inclusive, least restrictive environments and to support contractors  
11 and providers serving children who have developmental delays,  
12 disabilities, behavioral needs, or other unique needs. The department  
13 shall work collaboratively with the office of the superintendent of  
14 public instruction and providers to best serve children. One fund  
15 must support early childhood education and assistance program  
16 contractors and providers and birth to three early childhood  
17 education and assistance program contractors and providers, and one  
18 fund must support licensed or certified child care providers and  
19 license-exempt child care programs.

20 (2) Support may include staffing, programming, therapeutic  
21 services, and equipment or technology support. Additional support may  
22 include activities to assist families with children expelled or at  
23 risk of expulsion from child care, and to help families transition in  
24 and out of child care.

25 NEW SECTION. **Sec. 304.** TRAUMA-INFORMED CARE SUPPORTS. (1)  
26 Beginning July 1, 2022, the department shall provide supports to aid  
27 eligible providers in providing trauma-informed care. Trauma-informed  
28 care supports may be used by eligible providers for the following  
29 purposes:

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

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

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

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

37 (e) Other related expenses.

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

1 (3) For the purposes of this section, "eligible provider" means:  
2 (a) An employee or owner of a licensed or certified child care center  
3 or outdoor nature-based care accepting state subsidy; (b) an employee  
4 or owner of a licensed family home provider accepting state subsidy;  
5 (c) a contractor or provider of the early childhood education and  
6 assistance program or birth to three early childhood education and  
7 assistance program; (d) a license-exempt child care program; or (e)  
8 an early achievers coach.

9 NEW SECTION. **Sec. 305.** DUAL LANGUAGE RATE ENHANCEMENT. (1)  
10 Beginning July 1, 2022, the department shall establish a dual  
11 language designation and provide subsidy rate enhancements or site-  
12 specific grants for licensed or certified child care providers who  
13 are accepting state subsidy; early childhood education and assistance  
14 program contractors; or birth to three early childhood education and  
15 assistance program contractors. It is the intent of the legislature  
16 to allow uses of rate enhancements or site-specific grants to include  
17 increased wages for individual staff who provide bilingual  
18 instruction, professional development training, the purchase of dual  
19 language and culturally appropriate curricula and accompanying  
20 training programs, instructional materials, or other related  
21 expenses.

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

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

26 NEW SECTION. **Sec. 306.** NONSTANDARD HOURS RATE MODEL. (1) In  
27 order to expand the supply of critically needed after-hours care to  
28 meet the needs of parents and caregivers and a round-the-clock  
29 economy, the department of children, youth, and families, in  
30 consultation with diverse stakeholders, must develop a rate model for  
31 nonstandard child care hours and submit the model to the governor and  
32 the appropriate committees of the legislature by January 1, 2022.

33 (2) This section expires June 30, 2022.

34 NEW SECTION. **Sec. 307.** EARLY CHILDHOOD EQUITY GRANTS. (1)  
35 Subject to the availability of amounts appropriated for this specific  
36 purpose, the department shall distribute early childhood equity  
37 grants to eligible applicants. Eligible applicants include play and

1 learn groups, licensed or certified child care centers and family  
2 home providers, license-exempt child care programs, and early  
3 childhood education and assistance program contractors. The equity  
4 grants are intended to serve as a step toward expanding access to  
5 early learning statewide and transforming Washington's early learning  
6 system to make it more inclusive and equitable. The department shall  
7 administer the early childhood equity grants to support inclusive and  
8 culturally and linguistically specific early learning and early  
9 childhood and parent support programs across the state.

10 (2) The department must conduct an equitable process to  
11 prioritize grant applications for early childhood equity grant  
12 assistance. An eligible applicant may receive an early childhood  
13 equity grant once every two years. When conducting the equitable  
14 grant process, the department must:

15 (a) Solicit project applications from a racially and  
16 geographically diverse pool of eligible applicants statewide;

17 (b) Provide application materials in the five most commonly  
18 spoken languages in the state and broadly communicate using a variety  
19 of strategies to reach diverse communities;

20 (c) Require applicants to demonstrate their proposed uses of  
21 early childhood equity grant funds to incorporate either inclusive  
22 practices or culturally and linguistically supportive and relevant  
23 practices, or both, into early learning program design, delivery,  
24 education, training, and evaluation; and

25 (d) Provide technical assistance to any applicant who needs it.

26 NEW SECTION. **Sec. 308.** A new section is added to chapter 43.330  
27 RCW to read as follows:

28 EMPLOYER-SUPPORTED CHILD CARE. (1) Subject to the availability of  
29 amounts appropriated for this specific purpose, the department, in  
30 collaboration with the department of children, youth, and families,  
31 shall provide or contract to provide remote or in-person technical  
32 assistance to employers interested in supporting their employees'  
33 access to high quality child care.

34 (2) Technical assistance may include guidance related to:

35 (a) Operating a licensed child care center at or near the  
36 workplace for the benefit of employees;

37 (b) Financing and construction of a licensed child care center at  
38 or near the workplace for the benefit of employees;

1 (c) Providing financial assistance to employees for licensed or  
2 certified child care providers and license-exempt child care program  
3 expenses;

4 (d) Encouraging access and support for low-wage employees;

5 (e) Sponsoring dependent care flexible spending accounts for  
6 employees; and

7 (f) Developing a "bring your infant to work" program and other  
8 family-friendly work policies for employees.

9 **Sec. 309.** RCW 43.216.090 and 2019 c 360 s 7 are each amended to  
10 read as follows:

11 INFANT AND EARLY CHILDHOOD MENTAL HEALTH CONSULTATION. ((The))  
12 (1) The department shall administer or contract for infant and early  
13 childhood mental health consultation services to child care providers  
14 and early learning providers participating in the early achievers  
15 program.

16 (2) Beginning July 1, 2021, the department of children, youth,  
17 and families must have or contract for one infant and early childhood  
18 mental health consultation coordinator and must enter into a  
19 contractual agreement with an organization providing coaching  
20 services to early achievers program participants to hire ((one)) at  
21 least 12 qualified infant and early childhood mental health  
22 consultants ((for each of the six department-designated regions)).  
23 The department shall determine, in collaboration with the statewide  
24 child care resource and referral network, where the additional  
25 consultants should be sited based on factors such as the total  
26 provider numbers overlaid with indicators of highest need. The infant  
27 and early childhood mental health consultants must support early  
28 achievers program coaches and child care providers by providing  
29 resources, information, and guidance regarding challenging behavior  
30 and expulsions and may travel to assist providers in serving families  
31 and children with severe behavioral needs. ((In coordination with the  
32 contractor, the department of children, youth, and families must  
33 report on the services provided and the outcomes of the consultant  
34 activities to the governor and the appropriate policy and fiscal  
35 committees of the legislature by June 30, 2021.))

36 (3) The department shall provide, or contract with an entity to  
37 provide, reflective supervision and professional development for  
38 infant and early childhood mental health consultants to meet national  
39 competency standards.

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

7       NEW SECTION. Sec. 310. PLAY AND LEARN GROUPS. Subject to the  
8 availability of amounts appropriated for this specific purpose, the  
9 department, in consultation with community-based programs, shall  
10 provide or contract to provide, or both, resources and supports for  
11 inclusive and culturally and linguistically relevant play and learn  
12 groups. Play and learn groups offer parents and other caregivers  
13 culturally responsive opportunities to support their children's early  
14 learning, build relationships that reduce isolation and encourage  
15 socialization, and promote kindergarten readiness.

16       NEW SECTION. Sec. 311. PROFESSIONAL DEVELOPMENT. (1) Subject to  
17 the availability of amounts appropriated for this specific purpose,  
18 the department shall provide professional development supports to aid  
19 eligible providers in reaching the professional education and  
20 training standards adopted by the department. Professional  
21 development supports may include:

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

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

26       (c) Early achievers scholarships;

27       (d) Community-based training pathways and systems developed under  
28 RCW 43.216.755;

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

34       (f) Other professional development activities such as updating  
35 training content, data collection and reporting, trainer recruitment,  
36 retention, program monitoring, and trainings delivered by department-  
37 approved trainers on topics such as small business management,  
38 antibias and antiracist training, providing care for children with

1 developmental disabilities, social-emotional learning, implementing  
2 inclusionary practices in early learning environments, infant and  
3 toddler care, dual language program development, and providing  
4 trauma-informed care.

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

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

14 NEW SECTION. **Sec. 312.** NEGOTIATED RULE MAKING WITH CHILD CARE  
15 CENTERS. When the secretary elects to engage in negotiated rule  
16 making pursuant to RCW 34.05.310(2)(a), the department must include  
17 the largest organization representing child care center owners and  
18 directors; the largest organization representing supervisors,  
19 teachers, and aides; and other affected interests before adopting  
20 requirements that affect child care center licensees.

21 NEW SECTION. **Sec. 313.** CAPACITY FLEXIBILITY FOR FAMILY HOME  
22 PROVIDERS. The department may waive the limit, as established in RCW  
23 43.216.010(1)(c), that restricts family home providers from serving  
24 not more than 12 children. The department must establish conditions  
25 for such waivers by rule and must assess, at a minimum, the  
26 provider's available square footage and staffing capabilities prior  
27 to issuing any waiver of the limit of 12 children.

28 NEW SECTION. **Sec. 314.** SUPPORT FOR CHILD CARE DESERTS. (1)  
29 Subject to the availability of amounts appropriated for this specific  
30 purpose, the department shall establish a grant program to expand  
31 child care in child care deserts. Grants must be used for one-time  
32 costs associated with the opening of a child care site, including  
33 program costs, for providers who are newly licensed or are in the  
34 process of becoming licensed.

35 (2) The department must use the child care industry insights  
36 dashboard from the child care industry assessment as a tool to  
37 identify areas in which additional investments are needed in order to

1 expand existing child care capacity to meet family demand and reduce  
2 child care deserts.

3 (3) This section expires June 30, 2026.

4 **PART IV**

5 **STRENGTHENING PRENATAL TO THREE SUPPORTS**

6 NEW SECTION. **Sec. 401.** PRENATAL TO THREE INTENT. (1) The  
7 legislature finds that parental relationships and healthy  
8 interactions in the first few years of life help shape the  
9 development of babies' and toddlers' brains and bodies. Eighty  
10 percent of the brain is developed by the age of three and parents are  
11 a child's first teachers.

12 (2) The legislature finds that the federal family first  
13 prevention services act (P.L. 115-123) offers the state the  
14 opportunity to leverage federal funding for certain programs,  
15 including in-home parent skill-based programs, substance use disorder  
16 support, and mental health interventions. Culturally relevant,  
17 evidence-based programs that may qualify for these federal funds are  
18 limited. Therefore, state support may be necessary to serve  
19 traditionally underrepresented communities and increase positive  
20 engagement from parents and caregivers of children from before birth  
21 to age three.

22 (3) The legislature finds that small teacher-child ratios for  
23 infant and toddler care, as well as the existence of child care  
24 deserts with low levels of access to care for the birth to three age  
25 group, contribute to higher expenses for providers and families with  
26 babies and young children.

27 (4) Therefore, the legislature intends to expand parent and  
28 family education and support, incentivize the provision of infant and  
29 toddler care, and make early therapeutic and preventative services  
30 more readily available to families and young children.

31 NEW SECTION. **Sec. 402.** EDUCATION AND SUPPORT FOR PARENTS AND  
32 FAMILY, FRIEND, AND NEIGHBOR CAREGIVERS. (1) Subject to the  
33 availability of amounts appropriated for this specific purpose, the  
34 department shall administer a prenatal to three family engagement  
35 strategy to support expectant parents, babies and toddlers from birth  
36 to three years of age, and their caregivers.

1 (2) Components of the prenatal to three family engagement  
2 strategy must include supports and services to improve maternal and  
3 infant health outcomes, reduce and mitigate trauma, promote  
4 attachment and other social-emotional assets, strengthen parenting  
5 skills, and provide early supports to help maximize healthy and  
6 robust childhood development and reduce isolation. Services and  
7 supports may include:

8 (a) In-home parent skill-based programs and training established  
9 in RCW 43.216.130;

10 (b) Facilitated play and learn groups;

11 (c) Parent peer-support groups, including groups designed for  
12 families with children with complex needs; families whose primary  
13 home language is not English; incarcerated parents; families coping  
14 with substance use disorder or mental health support needs; black,  
15 indigenous, and families of color; or other specific needs; and

16 (d) Other prenatal to age three programs and services.

17 (3) Continuity of services for babies and toddlers are important  
18 for early childhood brain development. Therefore, the services and  
19 supports described in this section may be made available to  
20 biological parents, foster parents, kinship care providers, and other  
21 family, friend, and neighbor caregivers.

22 **Sec. 403.** RCW 43.216.578 and 2019 c 408 s 8 are each amended to  
23 read as follows:

24 BIRTH TO THREE EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

25 (1) ~~((Within resources available under the federal preschool~~  
26 ~~development grant birth to five grant award received in December~~  
27 ~~2018,)) Subject to the availability of amounts appropriated for this~~  
28 ~~specific purpose,~~ the department shall ~~((develop a plan for phased~~  
29 ~~implementation of)) administer~~ a birth to three early childhood  
30 education and assistance program ~~((pilot project))~~ for eligible  
31 children under thirty-six months old. Funds to implement the ~~((pilot~~  
32 ~~project)) program~~ may include a combination of federal, state, or  
33 private sources.

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



1 eligibility requirements and program requirements. (~~Any deviations~~  
2 ~~from early head start standards, rules, or regulations must be~~  
3 ~~identified and explained by the department in its annual report under~~  
4 ~~subsection (6) of this section.~~)

5 (3) (a) (~~Upon securing adequate funds to begin implementation,~~  
6 ~~the pilot project~~) The birth to three early childhood education and  
7 assistance program(s) must be delivered through child care centers  
8 and family home providers who meet minimum licensing standards and  
9 are enrolled in the early achievers program.

10 (b) The department must determine minimum early achievers ratings  
11 scores for (~~programs~~) participating (~~in the pilot project~~)  
12 contractors.

13 (4) (~~When selecting pilot project locations for service~~  
14 ~~delivery, the department may allow each pilot project location to~~  
15 ~~have up to three classrooms per location. When selecting and~~  
16 ~~approving pilot project locations, the department shall attempt to~~  
17 ~~select a combination of rural, urban, and suburban locations. The~~  
18 ~~department shall prioritize locations with programs currently~~  
19 ~~operating early head start, head start, or the early childhood~~  
20 ~~education and assistance program.~~

21 ~~(5)~~) To be eligible for the birth to three early childhood  
22 education and assistance program, a child's family income must be at  
23 or below (~~one hundred thirty~~) 50 percent of the (~~federal poverty~~  
24 ~~level~~) state median income and the child must be under thirty-six  
25 months old.

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

34 NEW SECTION. **Sec. 404.** INFANT CARE INCENTIVES. (1) The  
35 legislature finds that our state suffers from an extreme shortage of  
36 infant child care, impacting the ability of parents to participate in  
37 the workforce. Further, parents returning to work after using paid  
38 family leave to care for a new child struggle to find readily  
39 available, high quality care during a time of critical growth and

1 brain development for young children. Therefore, the legislature  
2 intends to incentivize the provision of high quality infant care.

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

7 (a) Accepting state subsidy;

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

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

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

12 NEW SECTION. **Sec. 405.** EARLY THERAPEUTIC AND PREVENTATIVE  
13 SERVICES. (1) Subject to the availability of amounts appropriated for  
14 this specific purpose, the department shall administer early  
15 therapeutic and preventative services and programs, such as the early  
16 childhood intervention and prevention services program, and other  
17 related services for children who are:

18 (a) Between the ages of birth and five years; and

19 (b) Referred by a child welfare worker, a department of social  
20 and health services social worker, a primary care physician, a  
21 behavioral health provider, or a public health nurse due to: (i) Risk  
22 of child abuse or neglect; (ii) exposure to complex trauma; or (iii)  
23 significant developmental delays.

24 (2) Subject to the availability of amounts appropriated for this  
25 specific purpose, the department shall make all reasonable efforts to  
26 deliver early therapeutic and preventative services and programs  
27 statewide. These services and programs must focus first on children  
28 and families furthest from opportunity as defined by income and be  
29 delivered by programs that emphasize greater racial equity.

## 30 **PART V**

### 31 **CONFORMING AMENDMENTS**

32 **Sec. 501.** RCW 43.216.010 and 2021 c 39 s 4 are each amended to  
33 read as follows:

34 The definitions in this section apply throughout this chapter  
35 unless the context clearly requires otherwise.

36 (1) "Agency" means any person, firm, partnership, association,  
37 corporation, or facility that provides child care and early learning

1 services outside a child's own home and includes the following  
2 irrespective of whether there is compensation to the agency:

3 (a) "Child day care center" and "child care center" mean((s)) an  
4 agency that regularly provides early childhood education and early  
5 learning services for a group of children for periods of less than 24  
6 hours;

7 (b) "Early learning" includes but is not limited to programs and  
8 services for child care; state, federal, private, and nonprofit  
9 preschool; child care subsidies; child care resource and referral;  
10 parental education and support; and training and professional  
11 development for early learning professionals;

12 (c) "Family day care provider" and "family home provider"  
13 mean((s)) a child care provider who regularly provides early  
14 childhood education and early learning services for not more than 12  
15 children at any given time in the provider's home in the family  
16 living quarters except as provided in section 313 of this act;

17 (d) "Nongovernmental private-public partnership" means an entity  
18 registered as a nonprofit corporation in Washington state with a  
19 primary focus on early learning, school readiness, and parental  
20 support, and an ability to raise a minimum of \$5,000,000 in  
21 contributions;

22 (e) "Service provider" means the entity that operates a community  
23 facility.

24 (2) "Agency" does not include the following:

25 (a) Persons related to the child in the following ways:

26 (i) Any blood relative, including those of half-blood, and  
27 including first cousins, nephews or nieces, and persons of preceding  
28 generations as denoted by prefixes of grand, great, or great-great;

29 (ii) Stepfather, stepmother, stepbrother, and stepsister;

30 (iii) A person who legally adopts a child or the child's parent  
31 as well as the natural and other legally adopted children of such  
32 persons, and other relatives of the adoptive parents in accordance  
33 with state law; or

34 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of  
35 this subsection, even after the marriage is terminated;

36 (b) Persons who are legal guardians of the child;

37 (c) Persons who care for a neighbor's or friend's child or  
38 children, with or without compensation, where the person providing  
39 care for periods of less than 24 hours does not conduct such activity  
40 on an ongoing, regularly scheduled basis for the purpose of engaging

1 in business, which includes, but is not limited to, advertising such  
2 care;

3 (d) Parents on a mutually cooperative basis exchange care of one  
4 another's children;

5 (e) Nursery schools that are engaged primarily in early childhood  
6 education with preschool children and in which no child is enrolled  
7 on a regular basis for more than four hours per day;

8 (f) Schools, including boarding schools, that are engaged  
9 primarily in education, operate on a definite school year schedule,  
10 follow a stated academic curriculum, and accept only school age  
11 children;

12 (g) Seasonal camps of three months' or less duration engaged  
13 primarily in recreational or educational activities;

14 (h) Facilities providing child care for periods of less than 24  
15 hours when a parent or legal guardian of the child remains on the  
16 premises of the facility for the purpose of participating in:

17 (i) Activities other than employment; or

18 (ii) Employment of up to two hours per day when the facility is  
19 operated by a nonprofit entity that also operates a licensed child  
20 care program at the same facility in another location or at another  
21 facility;

22 (i) Any entity that provides recreational or educational  
23 programming for school age children only and the entity meets all of  
24 the following requirements:

25 (i) The entity utilizes a drop-in model for programming, where  
26 children are able to attend during any or all program hours without a  
27 formal reservation;

28 (ii) The entity does not assume responsibility in lieu of the  
29 parent, unless for coordinated transportation;

30 (iii) The entity is a local affiliate of a national nonprofit;  
31 and

32 (iv) The entity is in compliance with all safety and quality  
33 standards set by the associated national agency;

34 (j) A program operated by any unit of local, state, or federal  
35 government;

36 (k) A program located within the boundaries of a federally  
37 recognized Indian reservation, licensed by the Indian tribe;

38 (l) A program located on a federal military reservation, except  
39 where the military authorities request that such agency be subject to  
40 the licensing requirements of this chapter;

1 (m) A program that offers early learning and support services,  
2 such as parent education, and does not provide child care services on  
3 a regular basis.

4 (3) "Applicant" means a person who requests or seeks employment  
5 in an agency.

6 (4) "Certificate of parental improvement" means a certificate  
7 issued under RCW 74.13.720 to an individual who has a founded finding  
8 of physical abuse or negligent treatment or maltreatment, or a court  
9 finding that the individual's child was dependent as a result of a  
10 finding that the individual abused or neglected their child pursuant  
11 to RCW 13.34.030(6)(b).

12 (5) "Conviction information" means criminal history record  
13 information relating to an incident which has led to a conviction or  
14 other disposition adverse to the applicant.

15 (6) "Department" means the department of children, youth, and  
16 families.

17 (7) "Early achievers" means a program that improves the quality  
18 of early learning programs and supports and rewards providers for  
19 their participation.

20 (8) "Early childhood education and assistance program contractor"  
21 means an organization that provides early childhood education and  
22 assistance program services under a signed contract with the  
23 department.

24 (9) "Early childhood education and assistance program provider"  
25 means an organization that provides site level, direct, and high  
26 quality early childhood education and assistance program services  
27 under the direction of an early childhood education and assistance  
28 program contractor.

29 (10) (~~"Early start" means an integrated high quality continuum~~  
30 ~~of early learning programs for children birth to five years of age.~~  
31 ~~Components of early start include, but are not limited to, the~~  
32 ~~following:~~

33 ~~(a) Home visiting and parent education and support programs;~~

34 ~~(b) The early achievers program described in RCW 43.216.085;~~

35 ~~(c) Integrated full-day and part-day high quality early learning~~  
36 ~~programs; and~~

37 ~~(d) High quality preschool for children whose family income is at~~  
38 ~~or below 110 percent of the federal poverty level.~~

1       ~~(11)~~) "Education data center" means the education data center  
2 established in RCW 43.41.400, commonly referred to as the education  
3 research and data center.

4       ~~((12))~~ (11) "Employer" means a person or business that engages  
5 the services of one or more people, especially for wages or salary to  
6 work in an agency.

7       ~~((13))~~ (12) "Enforcement action" means denial, suspension,  
8 revocation, modification, or nonrenewal of a license pursuant to RCW  
9 43.216.325(1) or assessment of civil monetary penalties pursuant to  
10 RCW 43.216.325(3).

11       ~~((14))~~ (13) "Extended day program" means an early childhood  
12 education and assistance program that offers early learning education  
13 for at least 10 hours per day, a minimum of 2,000 hours per year, at  
14 least four days per week, and operates year-round.

15       (14) "Family resource and referral linkage system" means a system  
16 that connects families to resources, services, and programs for which  
17 families are eligible and uses a database that is developed and  
18 maintained in partnership with communities, health care providers,  
19 and early learning providers.

20       (15) "Family resource center" means a unified single point of  
21 entry where families, individuals, children, and youth in communities  
22 can obtain information, an assessment of needs, referral to, or  
23 direct delivery of family services in a manner that is welcoming and  
24 strength-based.

25       (a) A family resource center is designed to meet the needs,  
26 cultures, and interests of the communities that the family resource  
27 center serves.

28       (b) Family services may be delivered directly to a family at the  
29 family resource center by family resource center staff or by  
30 providers who contract with or have provider agreements with the  
31 family resource center. Any family resource center that provides  
32 family services shall comply with applicable state and federal laws  
33 and regulations regarding the delivery of such family services,  
34 unless required waivers or exemptions have been granted by the  
35 appropriate governing body.

36       (c) Each family resource center shall have one or more family  
37 advocates who screen and assess a family's needs and strengths. If  
38 requested by the family, the family advocate shall assist the family  
39 with setting its own goals and, together with the family, develop a

1 written plan to pursue the family's goals in working towards a  
2 greater level of self-reliance or in attaining self-sufficiency.

3 (16) "Full day program" means an early childhood education and  
4 assistance program that offers early learning education for a minimum  
5 of 1,000 hours per year.

6 (17) "Low-income child care provider" means a person who  
7 administers a child care program that consists of at least 80 percent  
8 of children receiving working connections child care subsidy.

9 (18) "Low-income neighborhood" means a district or community  
10 where more than 20 percent of households are below the federal  
11 poverty level.

12 (19) "Negative action" means a court order, court judgment, or an  
13 adverse action taken by an agency, in any state, federal, tribal, or  
14 foreign jurisdiction, which results in a finding against the  
15 applicant reasonably related to the individual's character,  
16 suitability, and competence to care for or have unsupervised access  
17 to children in child care. This may include, but is not limited to:

18 (a) A decision issued by an administrative law judge;

19 (b) A final determination, decision, or finding made by an agency  
20 following an investigation;

21 (c) An adverse agency action, including termination, revocation,  
22 or denial of a license or certification, or if pending adverse agency  
23 action, the voluntary surrender of a license, certification, or  
24 contract in lieu of the adverse action;

25 (d) A revocation, denial, or restriction placed on any  
26 professional license; or

27 (e) A final decision of a disciplinary board.

28 (20) "Nonconviction information" means arrest, founded  
29 allegations of child abuse, or neglect pursuant to chapter 26.44 RCW,  
30 or other negative action adverse to the applicant.

31 (21) "Nonschool age child" means a child who is age six years or  
32 younger and who is not enrolled in a public or private school.

33 (22) "Part day program" means an early childhood education and  
34 assistance program that offers early learning education for at least  
35 two and one-half hours per class session, at least 320 hours per  
36 year, for a minimum of 30 weeks per year.

37 (23) "Private school" means a private school approved by the  
38 state under chapter 28A.195 RCW.

1 (24) "Probationary license" means a license issued as a  
2 disciplinary measure to an agency that has previously been issued a  
3 full license but is out of compliance with licensing standards.

4 (25) "Requirement" means any rule, regulation, or standard of  
5 care to be maintained by an agency.

6 (26) "School age child" means a child who is five years of age  
7 through 12 years of age and is attending a public or private school  
8 or is receiving home-based instruction under chapter 28A.200 RCW.

9 (27) "Secretary" means the secretary of the department.

10 (28) "Washington state preschool program" means an education  
11 program for children three-to-five years of age who have not yet  
12 entered kindergarten, such as the early childhood education and  
13 assistance program.

14 **Sec. 502.** RCW 28B.50.248 and 2020 c 355 s 4 and 2020 c 279 s 3  
15 are each reenacted and amended to read as follows:

16 Nothing in RCW 43.216.135(~~(r)~~) or 43.216.136(~~(r or 43.216.1365)~~)  
17 requires a community or technical college to expand any of its  
18 existing child care facilities. Any additional child care services  
19 provided by a community or technical college as a result of RCW  
20 43.216.135(~~(r)~~) or 43.216.136(~~(r or 43.216.1365)~~) must be provided  
21 within existing resources and existing facilities.

22 **Sec. 503.** RCW 43.84.092 and 2020 c 354 s 11, 2020 c 221 s 5,  
23 2020 c 103 s 7, and 2020 c 18 s 3 are each reenacted and amended to  
24 read as follows:

25 (1) All earnings of investments of surplus balances in the state  
26 treasury shall be deposited to the treasury income account, which  
27 account is hereby established in the state treasury.

28 (2) The treasury income account shall be utilized to pay or  
29 receive funds associated with federal programs as required by the  
30 federal cash management improvement act of 1990. The treasury income  
31 account is subject in all respects to chapter 43.88 RCW, but no  
32 appropriation is required for refunds or allocations of interest  
33 earnings required by the cash management improvement act. Refunds of  
34 interest to the federal treasury required under the cash management  
35 improvement act fall under RCW 43.88.180 and shall not require  
36 appropriation. The office of financial management shall determine the  
37 amounts due to or from the federal government pursuant to the cash  
38 management improvement act. The office of financial management may



1 direct transfers of funds between accounts as deemed necessary to  
2 implement the provisions of the cash management improvement act, and  
3 this subsection. Refunds or allocations shall occur prior to the  
4 distributions of earnings set forth in subsection (4) of this  
5 section.

6 (3) Except for the provisions of RCW 43.84.160, the treasury  
7 income account may be utilized for the payment of purchased banking  
8 services on behalf of treasury funds including, but not limited to,  
9 depository, safekeeping, and disbursement functions for the state  
10 treasury and affected state agencies. The treasury income account is  
11 subject in all respects to chapter 43.88 RCW, but no appropriation is  
12 required for payments to financial institutions. Payments shall occur  
13 prior to distribution of earnings set forth in subsection (4) of this  
14 section.

15 (4) Monthly, the state treasurer shall distribute the earnings  
16 credited to the treasury income account. The state treasurer shall  
17 credit the general fund with all the earnings credited to the  
18 treasury income account except:

19 (a) The following accounts and funds shall receive their  
20 proportionate share of earnings based upon each account's and fund's  
21 average daily balance for the period: The abandoned recreational  
22 vehicle disposal account, the aeronautics account, the Alaskan Way  
23 viaduct replacement project account, the ambulance transport fund,  
24 the brownfield redevelopment trust fund account, the budget  
25 stabilization account, the capital vessel replacement account, the  
26 capitol building construction account, the Central Washington  
27 University capital projects account, the charitable, educational,  
28 penal and reformatory institutions account, the Chehalis basin  
29 account, the Chehalis basin taxable account, the cleanup settlement  
30 account, the Columbia river basin water supply development account,  
31 the Columbia river basin taxable bond water supply development  
32 account, the Columbia river basin water supply revenue recovery  
33 account, the common school construction fund, the community forest  
34 trust account, the connecting Washington account, the county arterial  
35 preservation account, the county criminal justice assistance account,  
36 the deferred compensation administrative account, the deferred  
37 compensation principal account, the department of licensing services  
38 account, the department of retirement systems expense account, the  
39 developmental disabilities community (~~trust~~) services account, the  
40 diesel idle reduction account, the drinking water assistance account,

1 the administrative subaccount of the drinking water assistance  
2 account, the early learning facilities development account, the early  
3 learning facilities revolving account, the Eastern Washington  
4 University capital projects account, the education construction fund,  
5 the education legacy trust account, the election account, the  
6 electric vehicle account, the energy freedom account, the energy  
7 recovery act account, the essential rail assistance account, The  
8 Evergreen State College capital projects account, the fair start for  
9 kids account, the ferry bond retirement fund, the freight mobility  
10 investment account, the freight mobility multimodal account, the  
11 grade crossing protective fund, the public health services account,  
12 the state higher education construction account, the higher education  
13 construction account, the higher education retirement plan  
14 supplemental benefit fund, the highway bond retirement fund, the  
15 highway infrastructure account, the highway safety fund, the hospital  
16 safety net assessment fund, the Interstate 405 and state route number  
17 167 express toll lanes account, the judges' retirement account, the  
18 judicial retirement administrative account, the judicial retirement  
19 principal account, the local leasehold excise tax account, the local  
20 real estate excise tax account, the local sales and use tax account,  
21 the marine resources stewardship trust account, the medical aid  
22 account, the money-purchase retirement savings administrative  
23 account, the money-purchase retirement savings principal account, the  
24 motor vehicle fund, the motorcycle safety education account, the  
25 multimodal transportation account, the multiuse roadway safety  
26 account, the municipal criminal justice assistance account, the  
27 oyster reserve land account, the pension funding stabilization  
28 account, the perpetual surveillance and maintenance account, the  
29 pilotage account, the pollution liability insurance agency  
30 underground storage tank revolving account, the public employees'  
31 retirement system plan 1 account, the public employees' retirement  
32 system combined plan 2 and plan 3 account, the public facilities  
33 construction loan revolving account, the public health supplemental  
34 account, the public works assistance account, the Puget Sound capital  
35 construction account, the Puget Sound ferry operations account, the  
36 Puget Sound Gateway facility account, the Puget Sound taxpayer  
37 accountability account, the real estate appraiser commission account,  
38 the recreational vehicle account, the regional mobility grant program  
39 account, the resource management cost account, the rural arterial  
40 trust account, the rural mobility grant program account, the rural

1 Washington loan fund, the sexual assault prevention and response  
2 account, the site closure account, the skilled nursing facility  
3 safety net trust fund, the small city pavement and sidewalk account,  
4 the special category C account, the special wildlife account, the  
5 state investment board expense account, the state investment board  
6 commingled trust fund accounts, the state patrol highway account, the  
7 state reclamation revolving account, the state route number 520 civil  
8 penalties account, the state route number 520 corridor account, the  
9 state wildlife account, the statewide broadband account, the  
10 statewide tourism marketing account, the supplemental pension  
11 account, the Tacoma Narrows toll bridge account, the teachers'  
12 retirement system plan 1 account, the teachers' retirement system  
13 combined plan 2 and plan 3 account, the tobacco prevention and  
14 control account, the tobacco settlement account, the toll facility  
15 bond retirement account, the transportation 2003 account (nickel  
16 account), the transportation equipment fund, the transportation  
17 future funding program account, the transportation improvement  
18 account, the transportation improvement board bond retirement  
19 account, the transportation infrastructure account, the  
20 transportation partnership account, the traumatic brain injury  
21 account, the University of Washington bond retirement fund, the  
22 University of Washington building account, the voluntary cleanup  
23 account, the volunteer firefighters' and reserve officers' relief and  
24 pension principal fund, the volunteer firefighters' and reserve  
25 officers' administrative fund, the vulnerable roadway user education  
26 account, the Washington judicial retirement system account, the  
27 Washington law enforcement officers' and firefighters' system plan 1  
28 retirement account, the Washington law enforcement officers' and  
29 firefighters' system plan 2 retirement account, the Washington public  
30 safety employees' plan 2 retirement account, the Washington school  
31 employees' retirement system combined plan 2 and 3 account, the  
32 Washington state patrol retirement account, the Washington State  
33 University building account, the Washington State University bond  
34 retirement fund, the water pollution control revolving administration  
35 account, the water pollution control revolving fund, the Western  
36 Washington University capital projects account, the Yakima integrated  
37 plan implementation account, the Yakima integrated plan  
38 implementation revenue recovery account, and the Yakima integrated  
39 plan implementation taxable bond account. Earnings derived from  
40 investing balances of the agricultural permanent fund, the normal

1 school permanent fund, the permanent common school fund, the  
2 scientific permanent fund, and the state university permanent fund  
3 shall be allocated to their respective beneficiary accounts.

4 (b) Any state agency that has independent authority over accounts  
5 or funds not statutorily required to be held in the state treasury  
6 that deposits funds into a fund or account in the state treasury  
7 pursuant to an agreement with the office of the state treasurer shall  
8 receive its proportionate share of earnings based upon each account's  
9 or fund's average daily balance for the period.

10 (5) In conformance with Article II, section 37 of the state  
11 Constitution, no treasury accounts or funds shall be allocated  
12 earnings without the specific affirmative directive of this section.

13 **Sec. 504.** RCW 43.84.092 and 2020 c 354 s 11, 2020 c 221 s 5,  
14 2020 c 148 s 3, 2020 c 103 s 7, and 2020 c 18 s 3 are each reenacted  
15 and amended to read as follows:

16 (1) All earnings of investments of surplus balances in the state  
17 treasury shall be deposited to the treasury income account, which  
18 account is hereby established in the state treasury.

19 (2) The treasury income account shall be utilized to pay or  
20 receive funds associated with federal programs as required by the  
21 federal cash management improvement act of 1990. The treasury income  
22 account is subject in all respects to chapter 43.88 RCW, but no  
23 appropriation is required for refunds or allocations of interest  
24 earnings required by the cash management improvement act. Refunds of  
25 interest to the federal treasury required under the cash management  
26 improvement act fall under RCW 43.88.180 and shall not require  
27 appropriation. The office of financial management shall determine the  
28 amounts due to or from the federal government pursuant to the cash  
29 management improvement act. The office of financial management may  
30 direct transfers of funds between accounts as deemed necessary to  
31 implement the provisions of the cash management improvement act, and  
32 this subsection. Refunds or allocations shall occur prior to the  
33 distributions of earnings set forth in subsection (4) of this  
34 section.

35 (3) Except for the provisions of RCW 43.84.160, the treasury  
36 income account may be utilized for the payment of purchased banking  
37 services on behalf of treasury funds including, but not limited to,  
38 depository, safekeeping, and disbursement functions for the state  
39 treasury and affected state agencies. The treasury income account is

1 subject in all respects to chapter 43.88 RCW, but no appropriation is  
2 required for payments to financial institutions. Payments shall occur  
3 prior to distribution of earnings set forth in subsection (4) of this  
4 section.

5 (4) Monthly, the state treasurer shall distribute the earnings  
6 credited to the treasury income account. The state treasurer shall  
7 credit the general fund with all the earnings credited to the  
8 treasury income account except:

9 (a) The following accounts and funds shall receive their  
10 proportionate share of earnings based upon each account's and fund's  
11 average daily balance for the period: The abandoned recreational  
12 vehicle disposal account, the aeronautics account, the Alaskan Way  
13 viaduct replacement project account, the ambulance transport fund,  
14 the brownfield redevelopment trust fund account, the budget  
15 stabilization account, the capital vessel replacement account, the  
16 capitol building construction account, the Central Washington  
17 University capital projects account, the charitable, educational,  
18 penal and reformatory institutions account, the Chehalis basin  
19 account, the Chehalis basin taxable account, the cleanup settlement  
20 account, the Columbia river basin water supply development account,  
21 the Columbia river basin taxable bond water supply development  
22 account, the Columbia river basin water supply revenue recovery  
23 account, the common school construction fund, the community forest  
24 trust account, the connecting Washington account, the county arterial  
25 preservation account, the county criminal justice assistance account,  
26 the deferred compensation administrative account, the deferred  
27 compensation principal account, the department of licensing services  
28 account, the department of retirement systems expense account, the  
29 developmental disabilities community (~~trust~~) services account, the  
30 diesel idle reduction account, the drinking water assistance account,  
31 the administrative subaccount of the drinking water assistance  
32 account, the early learning facilities development account, the early  
33 learning facilities revolving account, the Eastern Washington  
34 University capital projects account, the education construction fund,  
35 the education legacy trust account, the election account, the  
36 electric vehicle account, the energy freedom account, the energy  
37 recovery act account, the essential rail assistance account, The  
38 Evergreen State College capital projects account, the fair start for  
39 kids account, the ferry bond retirement fund, the fish, wildlife, and  
40 conservation account, the freight mobility investment account, the

1 freight mobility multimodal account, the grade crossing protective  
2 fund, the public health services account, the state higher education  
3 construction account, the higher education construction account, the  
4 higher education retirement plan supplemental benefit fund, the  
5 highway bond retirement fund, the highway infrastructure account, the  
6 highway safety fund, the hospital safety net assessment fund, the  
7 Interstate 405 and state route number 167 express toll lanes account,  
8 the judges' retirement account, the judicial retirement  
9 administrative account, the judicial retirement principal account,  
10 the limited fish and wildlife account, the local leasehold excise tax  
11 account, the local real estate excise tax account, the local sales  
12 and use tax account, the marine resources stewardship trust account,  
13 the medical aid account, the money-purchase retirement savings  
14 administrative account, the money-purchase retirement savings  
15 principal account, the motor vehicle fund, the motorcycle safety  
16 education account, the multimodal transportation account, the  
17 multiuse roadway safety account, the municipal criminal justice  
18 assistance account, the oyster reserve land account, the pension  
19 funding stabilization account, the perpetual surveillance and  
20 maintenance account, the pilotage account, the pollution liability  
21 insurance agency underground storage tank revolving account, the  
22 public employees' retirement system plan 1 account, the public  
23 employees' retirement system combined plan 2 and plan 3 account, the  
24 public facilities construction loan revolving account, the public  
25 health supplemental account, the public works assistance account, the  
26 Puget Sound capital construction account, the Puget Sound ferry  
27 operations account, the Puget Sound Gateway facility account, the  
28 Puget Sound taxpayer accountability account, the real estate  
29 appraiser commission account, the recreational vehicle account, the  
30 regional mobility grant program account, the resource management cost  
31 account, the rural arterial trust account, the rural mobility grant  
32 program account, the rural Washington loan fund, the sexual assault  
33 prevention and response account, the site closure account, the  
34 skilled nursing facility safety net trust fund, the small city  
35 pavement and sidewalk account, the special category C account, the  
36 special wildlife account, the state investment board expense account,  
37 the state investment board commingled trust fund accounts, the state  
38 patrol highway account, the state reclamation revolving account, the  
39 state route number 520 civil penalties account, the state route  
40 number 520 corridor account, the statewide broadband account, the

1 statewide tourism marketing account, the supplemental pension  
2 account, the Tacoma Narrows toll bridge account, the teachers'  
3 retirement system plan 1 account, the teachers' retirement system  
4 combined plan 2 and plan 3 account, the tobacco prevention and  
5 control account, the tobacco settlement account, the toll facility  
6 bond retirement account, the transportation 2003 account (nickel  
7 account), the transportation equipment fund, the transportation  
8 future funding program account, the transportation improvement  
9 account, the transportation improvement board bond retirement  
10 account, the transportation infrastructure account, the  
11 transportation partnership account, the traumatic brain injury  
12 account, the University of Washington bond retirement fund, the  
13 University of Washington building account, the voluntary cleanup  
14 account, the volunteer firefighters' and reserve officers' relief and  
15 pension principal fund, the volunteer firefighters' and reserve  
16 officers' administrative fund, the vulnerable roadway user education  
17 account, the Washington judicial retirement system account, the  
18 Washington law enforcement officers' and firefighters' system plan 1  
19 retirement account, the Washington law enforcement officers' and  
20 firefighters' system plan 2 retirement account, the Washington public  
21 safety employees' plan 2 retirement account, the Washington school  
22 employees' retirement system combined plan 2 and 3 account, the  
23 Washington state patrol retirement account, the Washington State  
24 University building account, the Washington State University bond  
25 retirement fund, the water pollution control revolving administration  
26 account, the water pollution control revolving fund, the Western  
27 Washington University capital projects account, the Yakima integrated  
28 plan implementation account, the Yakima integrated plan  
29 implementation revenue recovery account, and the Yakima integrated  
30 plan implementation taxable bond account. Earnings derived from  
31 investing balances of the agricultural permanent fund, the normal  
32 school permanent fund, the permanent common school fund, the  
33 scientific permanent fund, and the state university permanent fund  
34 shall be allocated to their respective beneficiary accounts.

35 (b) Any state agency that has independent authority over accounts  
36 or funds not statutorily required to be held in the state treasury  
37 that deposits funds into a fund or account in the state treasury  
38 pursuant to an agreement with the office of the state treasurer shall  
39 receive its proportionate share of earnings based upon each account's  
40 or fund's average daily balance for the period.

1 (5) In conformance with Article II, section 37 of the state  
2 Constitution, no treasury accounts or funds shall be allocated  
3 earnings without the specific affirmative directive of this section.

4 **Sec. 505.** RCW 43.84.092 and 2020 c 221 s 5, 2020 c 148 s 3, 2020  
5 c 103 s 7, and 2020 c 18 s 3 are each reenacted and amended to read  
6 as follows:

7 (1) All earnings of investments of surplus balances in the state  
8 treasury shall be deposited to the treasury income account, which  
9 account is hereby established in the state treasury.

10 (2) The treasury income account shall be utilized to pay or  
11 receive funds associated with federal programs as required by the  
12 federal cash management improvement act of 1990. The treasury income  
13 account is subject in all respects to chapter 43.88 RCW, but no  
14 appropriation is required for refunds or allocations of interest  
15 earnings required by the cash management improvement act. Refunds of  
16 interest to the federal treasury required under the cash management  
17 improvement act fall under RCW 43.88.180 and shall not require  
18 appropriation. The office of financial management shall determine the  
19 amounts due to or from the federal government pursuant to the cash  
20 management improvement act. The office of financial management may  
21 direct transfers of funds between accounts as deemed necessary to  
22 implement the provisions of the cash management improvement act, and  
23 this subsection. Refunds or allocations shall occur prior to the  
24 distributions of earnings set forth in subsection (4) of this  
25 section.

26 (3) Except for the provisions of RCW 43.84.160, the treasury  
27 income account may be utilized for the payment of purchased banking  
28 services on behalf of treasury funds including, but not limited to,  
29 depository, safekeeping, and disbursement functions for the state  
30 treasury and affected state agencies. The treasury income account is  
31 subject in all respects to chapter 43.88 RCW, but no appropriation is  
32 required for payments to financial institutions. Payments shall occur  
33 prior to distribution of earnings set forth in subsection (4) of this  
34 section.

35 (4) Monthly, the state treasurer shall distribute the earnings  
36 credited to the treasury income account. The state treasurer shall  
37 credit the general fund with all the earnings credited to the  
38 treasury income account except:



1 (a) The following accounts and funds shall receive their  
2 proportionate share of earnings based upon each account's and fund's  
3 average daily balance for the period: The abandoned recreational  
4 vehicle disposal account, the aeronautics account, the Alaskan Way  
5 viaduct replacement project account, the brownfield redevelopment  
6 trust fund account, the budget stabilization account, the capital  
7 vessel replacement account, the capitol building construction  
8 account, the Central Washington University capital projects account,  
9 the charitable, educational, penal and reformatory institutions  
10 account, the Chehalis basin account, the Chehalis basin taxable  
11 account, the cleanup settlement account, the Columbia river basin  
12 water supply development account, the Columbia river basin taxable  
13 bond water supply development account, the Columbia river basin water  
14 supply revenue recovery account, the common school construction fund,  
15 the community forest trust account, the connecting Washington  
16 account, the county arterial preservation account, the county  
17 criminal justice assistance account, the deferred compensation  
18 administrative account, the deferred compensation principal account,  
19 the department of licensing services account, the department of  
20 retirement systems expense account, the developmental disabilities  
21 community (~~trust~~) services account, the diesel idle reduction  
22 account, the drinking water assistance account, the administrative  
23 subaccount of the drinking water assistance account, the early  
24 learning facilities development account, the early learning  
25 facilities revolving account, the Eastern Washington University  
26 capital projects account, the education construction fund, the  
27 education legacy trust account, the election account, the electric  
28 vehicle account, the energy freedom account, the energy recovery act  
29 account, the essential rail assistance account, The Evergreen State  
30 College capital projects account, the fair start for kids account,  
31 the ferry bond retirement fund, the fish, wildlife, and conservation  
32 account, the freight mobility investment account, the freight  
33 mobility multimodal account, the grade crossing protective fund, the  
34 public health services account, the state higher education  
35 construction account, the higher education construction account, the  
36 higher education retirement plan supplemental benefit fund, the  
37 highway bond retirement fund, the highway infrastructure account, the  
38 highway safety fund, the hospital safety net assessment fund, the  
39 Interstate 405 and state route number 167 express toll lanes account,  
40 the judges' retirement account, the judicial retirement

1 administrative account, the judicial retirement principal account,  
2 the limited fish and wildlife account, the local leasehold excise tax  
3 account, the local real estate excise tax account, the local sales  
4 and use tax account, the marine resources stewardship trust account,  
5 the medical aid account, the money-purchase retirement savings  
6 administrative account, the money-purchase retirement savings  
7 principal account, the motor vehicle fund, the motorcycle safety  
8 education account, the multimodal transportation account, the  
9 multiuse roadway safety account, the municipal criminal justice  
10 assistance account, the oyster reserve land account, the pension  
11 funding stabilization account, the perpetual surveillance and  
12 maintenance account, the pilotage account, the pollution liability  
13 insurance agency underground storage tank revolving account, the  
14 public employees' retirement system plan 1 account, the public  
15 employees' retirement system combined plan 2 and plan 3 account, the  
16 public facilities construction loan revolving account, the public  
17 health supplemental account, the public works assistance account, the  
18 Puget Sound capital construction account, the Puget Sound ferry  
19 operations account, the Puget Sound Gateway facility account, the  
20 Puget Sound taxpayer accountability account, the real estate  
21 appraiser commission account, the recreational vehicle account, the  
22 regional mobility grant program account, the resource management cost  
23 account, the rural arterial trust account, the rural mobility grant  
24 program account, the rural Washington loan fund, the sexual assault  
25 prevention and response account, the site closure account, the  
26 skilled nursing facility safety net trust fund, the small city  
27 pavement and sidewalk account, the special category C account, the  
28 special wildlife account, the state investment board expense account,  
29 the state investment board commingled trust fund accounts, the state  
30 patrol highway account, the state reclamation revolving account, the  
31 state route number 520 civil penalties account, the state route  
32 number 520 corridor account, the statewide broadband account, the  
33 statewide tourism marketing account, the supplemental pension  
34 account, the Tacoma Narrows toll bridge account, the teachers'  
35 retirement system plan 1 account, the teachers' retirement system  
36 combined plan 2 and plan 3 account, the tobacco prevention and  
37 control account, the tobacco settlement account, the toll facility  
38 bond retirement account, the transportation 2003 account (nickel  
39 account), the transportation equipment fund, the transportation  
40 future funding program account, the transportation improvement

1 account, the transportation improvement board bond retirement  
2 account, the transportation infrastructure account, the  
3 transportation partnership account, the traumatic brain injury  
4 account, the University of Washington bond retirement fund, the  
5 University of Washington building account, the voluntary cleanup  
6 account, the volunteer firefighters' and reserve officers' relief and  
7 pension principal fund, the volunteer firefighters' and reserve  
8 officers' administrative fund, the vulnerable roadway user education  
9 account, the Washington judicial retirement system account, the  
10 Washington law enforcement officers' and firefighters' system plan 1  
11 retirement account, the Washington law enforcement officers' and  
12 firefighters' system plan 2 retirement account, the Washington public  
13 safety employees' plan 2 retirement account, the Washington school  
14 employees' retirement system combined plan 2 and 3 account, the  
15 Washington state patrol retirement account, the Washington State  
16 University building account, the Washington State University bond  
17 retirement fund, the water pollution control revolving administration  
18 account, the water pollution control revolving fund, the Western  
19 Washington University capital projects account, the Yakima integrated  
20 plan implementation account, the Yakima integrated plan  
21 implementation revenue recovery account, and the Yakima integrated  
22 plan implementation taxable bond account. Earnings derived from  
23 investing balances of the agricultural permanent fund, the normal  
24 school permanent fund, the permanent common school fund, the  
25 scientific permanent fund, and the state university permanent fund  
26 shall be allocated to their respective beneficiary accounts.

27 (b) Any state agency that has independent authority over accounts  
28 or funds not statutorily required to be held in the state treasury  
29 that deposits funds into a fund or account in the state treasury  
30 pursuant to an agreement with the office of the state treasurer shall  
31 receive its proportionate share of earnings based upon each account's  
32 or fund's average daily balance for the period.

33 (5) In conformance with Article II, section 37 of the state  
34 Constitution, no treasury accounts or funds shall be allocated  
35 earnings without the specific affirmative directive of this section.

36 **Sec. 506.** RCW 43.216.710 and 2017 3rd sp.s. c 6 s 213 are each  
37 amended to read as follows:

38 The department shall:

1 (1) Work in conjunction with the statewide child care resource  
2 and referral network as well as local governments, nonprofit  
3 organizations, businesses, and community child care advocates to  
4 create local child care resource and referral organizations. These  
5 organizations may carry out needs assessments, resource development,  
6 provider training, technical assistance, and parent information and  
7 training;

8 (2) Actively seek public and private money for distribution as  
9 grants to the statewide child care resource and referral network and  
10 to existing or potential local child care resource and referral  
11 organizations;

12 (3) Adopt rules regarding the application for and distribution of  
13 grants to local child care resource and referral organizations. The  
14 rules shall, at a minimum, require an applicant to submit a plan for  
15 achieving the following objectives:

16 (a) Provide parents with information about child care resources,  
17 including location of services and subsidies;

18 (b) Carry out child care provider recruitment and training  
19 programs, including training under RCW 74.25.040;

20 (c) Offer support services, such as parent and provider seminars,  
21 toy-lending libraries, and substitute banks;

22 (d) Provide information for businesses regarding child care  
23 supply and demand;

24 (e) Advocate for increased public and private sector resources  
25 devoted to child care;

26 (f) Provide technical assistance to employers regarding employee  
27 child care services; and

28 (g) Serve recipients of temporary assistance for needy families  
29 and working parents with household incomes at or below (~~household~~  
30 ~~incomes of two hundred~~) 100 percent of the (~~federal poverty line~~)  
31 state median income;

32 (4) Provide staff support and technical assistance to the  
33 statewide child care resource and referral network and local child  
34 care resource and referral organizations;

35 (5) Maintain a statewide child care licensing data bank and work  
36 with department licensors to provide information to local child care  
37 resource and referral organizations about licensed or certified child  
38 care providers in the state;

39 (6) Through the statewide child care resource and referral  
40 network and local resource and referral organizations, compile data

1 about local child care needs and availability for future planning and  
2 development;

3 (7) Coordinate with the statewide child care resource and  
4 referral network and local child care resource and referral  
5 organizations for the provision of training and technical assistance  
6 to child care providers;

7 (8) Collect and assemble information regarding the availability  
8 of insurance and of federal and other child care funding to assist  
9 state and local agencies, businesses, and other child care providers  
10 in offering child care services;

11 (9) Subject to the availability of amounts appropriated for this  
12 specific purpose, increase the base rate for all child care providers  
13 by ten percent;

14 (10) Subject to the availability of amounts appropriated for this  
15 specific purpose, provide tiered subsidy rate enhancements to child  
16 care providers if the provider meets the following requirements:

17 (a) The provider enrolls in quality rating and improvement system  
18 levels 2, 3, 4, or 5;

19 (b) The provider is actively participating in the early achievers  
20 program;

21 (c) The provider continues to advance towards level 5 of the  
22 early achievers program; and

23 (d) The provider must complete level 2 within thirty months or  
24 the reimbursement rate returns the level 1 rate; and

25 (11) Require exempt providers to participate in continuing  
26 education, if adequate funding is available.

27 **Sec. 507.** RCW 43.216.514 and 2020 c 343 s 3 are each amended to  
28 read as follows:

29 (1)(a) The department shall prioritize children for enrollment in  
30 the early childhood education and assistance program who are eligible  
31 pursuant to RCW 43.216.505.

32 (b) A child who is eligible at the time of enrollment in the  
33 early childhood education and assistance program maintains program  
34 eligibility until the child begins kindergarten.

35 (2) As space is available, children may be included in the early  
36 childhood education and assistance program pursuant to RCW  
37 43.216.512. (~~Priority within this group must be given first to~~  
38 ~~children with incomes up to one hundred thirty percent of the federal~~  
39 ~~poverty level.))~~

**PART VI**  
**MISCELLANEOUS**

1  
2  
3       NEW SECTION.     **Sec. 601.**     Nothing in this act changes the  
4 department's responsibility to collectively bargain over mandatory  
5 subjects consistent with RCW 41.56.028(3) or limits the legislature's  
6 authority to make programmatic modifications to licensed child care  
7 and early learning programs consistent with legislative reservation  
8 of rights under RCW 41.56.028(4)(d).

9       NEW SECTION.     **Sec. 602.**     RCW 43.216.1365 (Working connections  
10 child care program—Eligibility) and 2020 c 355 s 3 are each repealed.

11       NEW SECTION.     **Sec. 603.**     If any part of this act is found to be  
12 in conflict with federal requirements that are a prescribed condition  
13 to the allocation of federal funds to the state, the conflicting part  
14 of this act is inoperative solely to the extent of the conflict and  
15 with respect to the agencies directly affected, and this finding does  
16 not affect the operation of the remainder of this act in its  
17 application to the agencies concerned. Rules adopted under this act  
18 must meet federal requirements that are a necessary condition to the  
19 receipt of federal funds by the state.

20       NEW SECTION.     **Sec. 604.**     Sections 204 through 206 and 403 of this  
21 act take effect July 1, 2026.

22       NEW SECTION.     **Sec. 605.**     Sections 101, 102, 106, 201, 206, 207,  
23 302 through 307, 310 through 314, 402, 404, 405, and 601 of this act  
24 are each added to chapter 43.216 RCW.

25       NEW SECTION.     **Sec. 606.**     Section 503 of this act expires July 1,  
26 2021.

27       NEW SECTION.     **Sec. 607.**     Sections 201, 202, 301, 309, and 504 of  
28 this act are necessary for the immediate preservation of the public  
29 peace, health, or safety, or support of the state government and its  
30 existing public institutions, and take effect July 1, 2021.

31       NEW SECTION.     **Sec. 608.**     Section 504 of this act expires July 1,  
32 2024.

1        NEW SECTION.    **Sec. 609.**    Section 505 of this act takes effect  
2 July 1, 2024.

3        NEW SECTION.    **Sec. 610.**    Sections 105 and 503 of this act are  
4 necessary for the immediate preservation of the public peace, health,  
5 or safety, or support of the state government and its existing public  
6 institutions, and take effect immediately."

7        Correct the title.

--- END ---