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**SUBSTITUTE SENATE BILL 6351**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Nguyen, Hasegawa, Kuderer, Lovelett, Wilson, C., Darneille, Frockt, and Saldaña; by request of Office of the Governor)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to working connections child care eligibility;  
2 amending RCW 28B.50.248; reenacting and amending RCW 43.216.135; and  
3 adding a new section to chapter 43.216 RCW.

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

5 **Sec. 1.** RCW 43.216.135 and 2019 c 406 s 70 and 2019 c 369 s 4  
6 are each reenacted and amended to read as follows:

7 (1) ~~((The department shall establish and implement policies in~~  
8 ~~the working connections child care program to promote stability and~~  
9 ~~quality of care for children from low-income households. These~~  
10 ~~policies shall focus on supporting school readiness for young~~  
11 ~~learners. Policies for the expenditure of funds constituting the~~  
12 ~~working connections child care program must be consistent with the~~  
13 ~~outcome measures established by the department and the standards~~  
14 ~~established in this section intended to promote stability, quality,~~  
15 ~~and continuity of early care and education programming.~~

16 ~~(2) As recommended by Public Law 113-186, authorizations for the~~  
17 ~~working connections child care subsidy shall be effective for twelve~~  
18 ~~months beginning July 1, 2016, unless an earlier date is provided in~~  
19 ~~the omnibus appropriations act.~~

20 ~~(3))~~ Existing child care providers serving nonschool-age  
21 children and receiving state subsidy payments must complete the

1 following requirements to be eligible for a state subsidy under this  
2 section:

3 (a) Enroll in the early achievers program by August 1, 2016;

4 (b) Complete level 2 activities in the early achievers program by  
5 August 1, 2017; and

6 (c) Rate or request to be rated at a level 3 or higher in the  
7 early achievers program by December 31, 2019. If a child care  
8 provider does not rate at or request to be rated at a level 3 by  
9 December 31, 2019, the provider is no longer eligible to receive  
10 state subsidy. If the provider rates below a level 3 when the rating  
11 is released, the provider must complete remedial activities with the  
12 department, and must rate at or request to be rated at a level 3 or  
13 higher no later than December 30, 2020.

14 ~~((4))~~ (2) A new child care provider serving nonschool-age  
15 children and receiving state subsidy payments must complete the  
16 following activities to be eligible to receive a state subsidy under  
17 this section:

18 (a) Enroll in the early achievers program within thirty days of  
19 receiving the initial state subsidy payment;

20 (b) Complete level 2 activities in the early achievers program  
21 within twelve months of enrollment; and

22 (c) Rate or request to be rated at a level 3 or higher in the  
23 early achievers program within thirty months of enrollment. If a  
24 child care provider does not rate or request to be rated at a level 3  
25 within thirty months from enrollment into the early achievers  
26 program, the provider is no longer eligible to receive state subsidy.  
27 If the provider rates below a level 3 when the rating is released,  
28 the provider must complete remedial activities with the department,  
29 and rate or request to be rated at a level 3 or higher within twelve  
30 months of beginning remedial activities.

31 ~~((5))~~ (3) If a child care provider does not rate or request to  
32 be rated at a level 3 or higher following the remedial period, the  
33 provider is no longer eligible to receive state subsidy under this  
34 section. If a child care provider does not rate at a level 3 or  
35 higher when the rating is released following the remedial period, the  
36 provider is no longer eligible to receive state subsidy under this  
37 section.

38 ~~((6))~~ (4) If a child care provider serving nonschool-age  
39 children and receiving state subsidy payments has successfully  
40 completed all level 2 activities and is waiting to be rated by the

1 deadline provided in this section, the provider may continue to  
2 receive a state subsidy pending the successful completion of the  
3 level 3 rating activity.

4 ~~((7))~~ (5) The department shall implement tiered reimbursement  
5 for early achievers program participants in the working connections  
6 child care program rating at level 3, 4, or 5.

7 ~~((8))~~ (6) The department shall account for a child care  
8 copayment collected by the provider from the family for each  
9 contracted slot and establish the copayment fee by rule.

10 ~~((9)(a))~~ ~~The department shall establish and implement policies in~~  
11 ~~the working connections child care program to allow eligibility for~~  
12 ~~families with children who:~~

13 ~~(i) In the last six months have:~~

14 ~~(A) Received child protective services as defined and used by~~  
15 ~~chapters 26.44 and 74.13 RCW;~~

16 ~~(B) Received child welfare services as defined and used by~~  
17 ~~chapter 74.13 RCW; or~~

18 ~~(C) Received services through a family assessment response as~~  
19 ~~defined and used by chapter 26.44 RCW;~~

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

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

23 ~~(b) Children who are eligible for working connections child care~~  
24 ~~pursuant to this subsection do not have to keep receiving services~~  
25 ~~identified in this subsection to maintain twelve-month authorization.~~  
26 ~~The department of social and health services' involvement with the~~  
27 ~~family referred for working connections child care ends when the~~  
28 ~~family's child protective services, child welfare services, or family~~  
29 ~~assessment response case is closed.~~

30 ~~(10)(a) Beginning August 1, 2020, the department may not require~~  
31 ~~an applicant or consumer to meet work requirements as a condition of~~  
32 ~~receiving working connections child care benefits when the applicant~~  
33 ~~or consumer is:~~

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

35 ~~(ii) A full-time student of a community, technical, or tribal~~  
36 ~~college; and~~

37 ~~(iii) Pursuing vocational education that leads to a degree or~~  
38 ~~certificate in a specific occupation, not to result in a bachelor's~~  
39 ~~or advanced degree.~~

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

6       ~~(c) Nothing in this subsection is intended to change how~~  
7 ~~applicants or consumers are prioritized when applicants or consumers~~  
8 ~~are placed on a wait list for working connections child care~~  
9 ~~benefits.)~~

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

12       (1) The department shall establish and implement policies in the  
13 working connections child care program to promote stability and  
14 quality of care for children from low-income households. These  
15 policies shall focus on supporting school readiness for young  
16 learners. Policies for the expenditure of funds constituting the  
17 working connections child care program must be consistent with the  
18 outcome measures established by the department and the standards  
19 established in this section intended to promote stability, quality,  
20 and continuity of early care and education programming.

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

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

28       (i) In the last six months have:

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

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

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

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

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

1 (b) Children who are eligible for working connections child care  
2 pursuant to this subsection do not have to keep receiving services  
3 identified in this subsection to maintain twelve-month authorization.

4 (4)(a) Beginning August 1, 2020, the department may not require  
5 an applicant or consumer to meet work requirements as a condition of  
6 receiving working connections child care benefits when the applicant  
7 or consumer is:

8 (i) A single parent;

9 (ii) A full-time student of a community, technical, or tribal  
10 college; and

11 (iii) Pursuing vocational education that leads to a degree or  
12 certificate in a specific occupation, not to result in a bachelor's  
13 or advanced degree.

14 (b) An applicant or consumer is a full-time student for the  
15 purposes of this subsection if he or she meets the college's  
16 definition of a full-time student. The student must maintain passing  
17 grades and be in good standing pursuant to college attendance  
18 requirements.

19 (c) Nothing in this subsection is intended to change how  
20 applicants or consumers are prioritized when applicants or consumers  
21 are placed on a wait list for working connections child care  
22 benefits.

23 (5)(a) The department must extend the homeless grace period, as  
24 adopted in department rule as of January 1, 2020, from a four-month  
25 grace period to a six-month grace period.

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

30 **Sec. 3.** RCW 28B.50.248 and 2019 c 406 s 71 are each amended to  
31 read as follows:

32 Nothing in RCW 43.216.135 or section 2 of this act requires a  
33 community or technical college to expand any of its existing child  
34 care facilities. Any additional child care services provided by a  
35 community or technical college as a result of RCW 43.216.135 or  
36 section 2 of this act must be provided within existing resources and  
37 existing facilities.

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