

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1237

67th Legislature
2021 Regular Session

Passed by the House February 3, 2021
Yeas 94 Nays 1

**Speaker of the House of
Representatives**

Passed by the Senate March 29, 2021
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1237** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1237

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Representatives Eslick, Senn, Leavitt, Callan, Ortiz-Self, Rude, Davis, Santos, Rule, Goodman, and Riccelli

Read first time 01/18/21. Referred to Committee on Children, Youth & Families.

1 AN ACT Relating to defining family resource centers; amending RCW
2 43.330.010; reenacting and amending RCW 74.14C.010 and 43.216.010;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) This act is intended to provide a
6 common definition for family resource centers across Washington state
7 in an effort to establish a core set of principles for existing and
8 newly forming family resource centers.

9 (2) The legislature finds that family resource centers are
10 effective in supporting communities when adhering to the following
11 principles:

12 (a) Equality;

13 (b) Mutual respect;

14 (c) Families are resources to other families and the community;

15 (d) Strengthening families' cultural, racial, and linguistic
16 identities;

17 (e) Embedding programs in the community;

18 (f) Fairness;

19 (g) Responsiveness;

20 (h) Accountability;

21 (i) Mobilization of formal and informal resources; and

1 (j) Flexibility.

2 (3) The legislature further finds that families and parents are
3 primarily responsible for supporting children's development and well-
4 being at all ages and stages, and for preparing a child for success
5 in school and life. However, many families may benefit from voluntary
6 preventative or enriching support.

7 (4) The legislature finds that family resource centers play a
8 critical role in:

9 (a) Preventing child abuse and neglect;

10 (b) Strengthening children and families;

11 (c) Connecting family-impacting agencies and programs;

12 (d) Creating opportunities for community-level coordination; and

13 (e) Creating connections to resources and support systems.

14 **Sec. 2.** RCW 74.14C.010 and 2017 3rd sp.s. c 6 s 511 are each
15 reenacted and amended to read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Community support systems" means the support that may be
19 organized through extended family members, friends, neighbors,
20 religious organizations, community programs, cultural and ethnic
21 organizations, or other support groups or organizations.

22 (2) "Department" means the department of children, youth, and
23 families.

24 (3) "Family preservation services" means in-home or community-
25 based services drawing on the strengths of the family and its
26 individual members while addressing family needs to strengthen and
27 keep the family together where possible and may include:

28 (a) Respite care of children to provide temporary relief for
29 parents and other caregivers;

30 (b) Services designed to improve parenting skills with respect to
31 such matters as child development, family budgeting, coping with
32 stress, health, safety, and nutrition; and

33 (c) Services designed to promote the well-being of children and
34 families, increase the strength and stability of families, increase
35 parents' confidence and competence in their parenting abilities,
36 promote a safe, stable, and supportive family environment for
37 children, and otherwise enhance children's development.

38 Family preservation services shall have the characteristics
39 delineated in RCW 74.14C.020 (2) and (3).

1 (4) "Family resource center" means a unified single point of
2 entry where families, individuals, children, and youth in communities
3 can obtain information, an assessment of needs, referral to, or
4 direct delivery of family services in a manner that is welcoming and
5 strength-based.

6 (a) A family resource center is designed to meet the needs,
7 cultures, and interests of the communities that the family resource
8 center serves.

9 (b) Family services may be delivered directly to a family at the
10 family resource center by family resource center staff or by
11 providers who contract with or have provider agreements with the
12 family resource center. Any family resource center that provides
13 family services shall comply with applicable state and federal laws
14 and regulations regarding the delivery of such family services,
15 unless required waivers or exemptions have been granted by the
16 appropriate governing body.

17 (c) Each family resource center shall have one or more family
18 advocates who screen and assess a family's needs and strengths. If
19 requested by the family, the family advocate shall assist the family
20 with setting its own goals and, together with the family, develop a
21 written plan to pursue the family's goals in working towards a
22 greater level of self-reliance or in attaining self-sufficiency.

23 (5) "Imminent" means a decision has been made by the department
24 that, without intensive family preservation services, a petition
25 requesting the removal of a child from the family home will be
26 immediately filed under chapter 13.32A or 13.34 RCW, or that a
27 voluntary placement agreement will be immediately initiated.

28 ~~((+5))~~ (6) "Intensive family preservation services" means
29 community-based services that are delivered primarily in the home,
30 that follow intensive service models with demonstrated effectiveness
31 in reducing or avoiding the need for unnecessary imminent out-of-home
32 placement, and that have all of the characteristics delineated in RCW
33 74.14C.020 (1) and (3).

34 ~~((+6))~~ (7) "Out-of-home placement" means a placement in a foster
35 family home or group care facility licensed pursuant to chapter 74.15
36 RCW or placement in a home, other than that of the child's parent,
37 guardian, or legal custodian, not required to be licensed pursuant to
38 chapter 74.15 RCW.

39 ~~((+7))~~ (8) "Paraprofessional worker" means any individual who is
40 trained and qualified to provide assistance and community support

1 systems development to families and who acts under the supervision of
2 a preservation services therapist. The paraprofessional worker is not
3 intended to replace the role and responsibilities of the preservation
4 services therapist.

5 ~~((8))~~ (9) "Preservation services" means family preservation
6 services and intensive family preservation services that consider the
7 individual family's cultural values and needs.

8 ~~((9))~~ (10) "Secretary" means the secretary of the department.

9 **Sec. 3.** RCW 43.330.010 and 2014 c 112 s 401 are each amended to
10 read as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout this chapter.

13 (1) "Associate development organization" means a local economic
14 development nonprofit corporation that is broadly representative of
15 community interests.

16 (2) "Department" means the department of commerce.

17 (3) "Director" means the director of the department of commerce.

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

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

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

34 (c) Each family resource center shall have one or more family
35 advocates who screen and assess a family's needs and strengths. If
36 requested by the family, the family advocate shall assist the family
37 with setting its own goals and, together with the family, develop a
38 written plan to pursue the family's goals in working towards a
39 greater level of self-reliance or in attaining self-sufficiency.

1 (5) "Financial institution" means a bank, trust company, mutual
2 savings bank, savings and loan association, or credit union
3 authorized to do business in this state under state or federal law.

4 (~~(+5)~~) (6) "Small business" has the same meaning as provided in
5 RCW 39.26.010.

6 **Sec. 4.** RCW 43.216.010 and 2020 c 270 s 11 are each reenacted
7 and amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Agency" means any person, firm, partnership, association,
11 corporation, or facility that provides child care and early learning
12 services outside a child's own home and includes the following
13 irrespective of whether there is compensation to the agency:

14 (a) "Child day care center" means an agency that regularly
15 provides early childhood education and early learning services for a
16 group of children for periods of less than (~~(twenty-four)~~) 24 hours;

17 (b) "Early learning" includes but is not limited to programs and
18 services for child care; state, federal, private, and nonprofit
19 preschool; child care subsidies; child care resource and referral;
20 parental education and support; and training and professional
21 development for early learning professionals;

22 (c) "Family day care provider" means a child care provider who
23 regularly provides early childhood education and early learning
24 services for not more than (~~(twelve)~~) 12 children in the provider's
25 home in the family living quarters;

26 (d) "Nongovernmental private-public partnership" means an entity
27 registered as a nonprofit corporation in Washington state with a
28 primary focus on early learning, school readiness, and parental
29 support, and an ability to raise a minimum of (~~(five million~~
30 ~~dollars)~~) \$5,000,000 in contributions;

31 (e) "Service provider" means the entity that operates a community
32 facility.

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

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

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

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

1 (iii) A person who legally adopts a child or the child's parent
2 as well as the natural and other legally adopted children of such
3 persons, and other relatives of the adoptive parents in accordance
4 with state law; or
5 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of
6 this subsection, even after the marriage is terminated;
7 (b) Persons who are legal guardians of the child;
8 (c) Persons who care for a neighbor's or friend's child or
9 children, with or without compensation, where the person providing
10 care for periods of less than (~~twenty-four~~) 24 hours does not
11 conduct such activity on an ongoing, regularly scheduled basis for
12 the purpose of engaging in business, which includes, but is not
13 limited to, advertising such care;
14 (d) Parents on a mutually cooperative basis exchange care of one
15 another's children;
16 (e) Nursery schools that are engaged primarily in early childhood
17 education with preschool children and in which no child is enrolled
18 on a regular basis for more than four hours per day;
19 (f) Schools, including boarding schools, that are engaged
20 primarily in education, operate on a definite school year schedule,
21 follow a stated academic curriculum, and accept only school age
22 children;
23 (g) Seasonal camps of three months' or less duration engaged
24 primarily in recreational or educational activities;
25 (h) Facilities providing child care for periods of less than
26 (~~twenty-four~~) 24 hours when a parent or legal guardian of the child
27 remains on the premises of the facility for the purpose of
28 participating in:
29 (i) Activities other than employment; or
30 (ii) Employment of up to two hours per day when the facility is
31 operated by a nonprofit entity that also operates a licensed child
32 care program at the same facility in another location or at another
33 facility;
34 (i) Any entity that provides recreational or educational
35 programming for school age children only and the entity meets all of
36 the following requirements:
37 (i) The entity utilizes a drop-in model for programming, where
38 children are able to attend during any or all program hours without a
39 formal reservation;

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

3 (iii) The entity is a local affiliate of a national nonprofit;
4 and

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

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

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

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

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

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

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

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

28 (6) "Department" means the department of children, youth, and
29 families.

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

33 (8) "Early childhood education and assistance program contractor"
34 means an organization that provides early childhood education and
35 assistance program services under a signed contract with the
36 department.

37 (9) "Early childhood education and assistance program provider"
38 means an organization that provides site level, direct, and high
39 quality early childhood education and assistance program services

1 under the direction of an early childhood education and assistance
2 program contractor.

3 (10) "Early start" means an integrated high quality continuum of
4 early learning programs for children birth-to-five years of age.
5 Components of early start include, but are not limited to, the
6 following:

7 (a) Home visiting and parent education and support programs;

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

9 (c) Integrated full-day and part-day high quality early learning
10 programs; and

11 (d) High quality preschool for children whose family income is at
12 or below (~~(one hundred ten)~~) 110 percent of the federal poverty
13 level.

14 (11) "Education data center" means the education data center
15 established in RCW 43.41.400, commonly referred to as the education
16 research and data center.

17 (12) "Employer" means a person or business that engages the
18 services of one or more people, especially for wages or salary to
19 work in an agency.

20 (13) "Enforcement action" means denial, suspension, revocation,
21 modification, or nonrenewal of a license pursuant to RCW
22 43.216.325(1) or assessment of civil monetary penalties pursuant to
23 RCW 43.216.325(3).

24 (14) "Extended day program" means an early childhood education
25 and assistance program that offers early learning education for at
26 least (~~(ten)~~) 10 hours per day, a minimum of (~~(two thousand)~~) 2,000
27 hours per year, at least four days per week, and operates year-round.

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

33 (a) A family resource center is designed to meet the needs,
34 cultures, and interests of the communities that the family resource
35 center serves.

36 (b) Family services may be delivered directly to a family at the
37 family resource center by family resource center staff or by
38 providers who contract with or have provider agreements with the
39 family resource center. Any family resource center that provides
40 family services shall comply with applicable state and federal laws

1 and regulations regarding the delivery of such family services,
2 unless required waivers or exemptions have been granted by the
3 appropriate governing body.

4 (c) Each family resource center shall have one or more family
5 advocates who screen and assess a family's needs and strengths. If
6 requested by the family, the family advocate shall assist the family
7 with setting its own goals and, together with the family, develop a
8 written plan to pursue the family's goals in working towards a
9 greater level of self-reliance or in attaining self-sufficiency.

10 (16) "Full day program" means an early childhood education and
11 assistance program that offers early learning education for a minimum
12 of ~~(one thousand)~~ 1,000 hours per year.

13 ~~((16))~~ (17) "Low-income child care provider" means a person who
14 administers a child care program that consists of at least ~~((eighty))~~
15 80 percent of children receiving working connections child care
16 subsidy.

17 ~~((17))~~ (18) "Low-income neighborhood" means a district or
18 community where more than ~~((twenty))~~ 20 percent of households are
19 below the federal poverty level.

20 ~~((18))~~ (19) "Negative action" means a court order, court
21 judgment, or an adverse action taken by an agency, in any state,
22 federal, tribal, or foreign jurisdiction, which results in a finding
23 against the applicant reasonably related to the individual's
24 character, suitability, and competence to care for or have
25 unsupervised access to children in child care. This may include, but
26 is not limited to:

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

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

30 (c) An adverse agency action, including termination, revocation,
31 or denial of a license or certification, or if pending adverse agency
32 action, the voluntary surrender of a license, certification, or
33 contract in lieu of the adverse action;

34 (d) A revocation, denial, or restriction placed on any
35 professional license; or

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

37 ~~((19))~~ (20) "Nonconviction information" means arrest, founded
38 allegations of child abuse, or neglect pursuant to chapter 26.44 RCW,
39 or other negative action adverse to the applicant.

1 (~~(20)~~) (21) "Nonschool age child" means a child who is age six
2 years or younger and who is not enrolled in a public or private
3 school.

4 (~~(21)~~) (22) "Part day program" means an early childhood
5 education and assistance program that offers early learning education
6 for at least two and one-half hours per class session, at least
7 (~~three hundred twenty~~) 320 hours per year, for a minimum of
8 (~~thirty~~) 30 weeks per year.

9 (~~(22)~~) (23) "Private school" means a private school approved by
10 the state under chapter 28A.195 RCW.

11 (~~(23)~~) (24) "Probationary license" means a license issued as a
12 disciplinary measure to an agency that has previously been issued a
13 full license but is out of compliance with licensing standards.

14 (~~(24)~~) (25) "Requirement" means any rule, regulation, or
15 standard of care to be maintained by an agency.

16 (~~(25)~~) (26) "School age child" means a child who is five years
17 of age through (~~twelve~~) 12 years of age and is attending a public
18 or private school or is receiving home-based instruction under
19 chapter 28A.200 RCW.

20 (~~(26)~~) (27) "Secretary" means the secretary of the department.

21 (~~(27)~~) (28) "Washington state preschool program" means an
22 education program for children three-to-five years of age who have
23 not yet entered kindergarten, such as the early childhood education
24 and assistance program.

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