

# SENATE BILL REPORT

## SB 5870

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As of January 18, 2024

**Title:** An act relating to expanding and streamlining eligibility for early learning programs including the working connections child care program, the early childhood education and assistance program, and the birth to three early childhood education and assistance program.

**Brief Description:** Expanding and streamlining eligibility for early learning programs.

**Sponsors:** Senators Wilson, C., Billig, Dhingra, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovick, Nguyen, Nobles, Torres, Trudeau, Valdez and Wellman.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/18/24.

### Brief Summary of Bill

- Directs the Department of Children, Youth, and Families to allow categorical eligibility for the Working Connections Child Care (WCCC) program for families participating in certain early learning programs.
- Makes additional child care and early learning employees eligible for WCCC if other requirements are met.
- Provides that the WCCC income eligibility requirements are met if an applicant or consumer is eligible for or receiving basic food benefits.
- Expands eligibility for the Early Childhood Education and Assistance Program (ECEAP) to include a child who has a person in their household receiving or eligible for basic food benefits.
- Modifies eligibility for Birth-to-Three ECEAP, which is subject to appropriations, to mirror ECEAP.

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## SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Ailey Kato (786-7434)

**Background:** Working Connections Child Care Eligibility. The Working Connections Child Care (WCCC) Program is a federally- and state-funded program that provides child care subsidies to families, and is administered by the Department of Children, Youth, and Families (DCYF). Families may be eligible for child care subsidies if they have a household income at or below 60 percent of the state median income (SMI).

To be eligible for WCCC, the parent or guardian must meet certain eligibility requirements including being employed, self-employed, or in approved work or education activities. Eligible families must make a copayment to the child care provider based on the family's countable income, which are established in state law.

In 2021, WCCC eligibility was expanded by phasing in higher income thresholds:

- beginning July 1, 2025, the household income threshold is expanded to at or below 75 percent of SMI; and
- beginning July 1, 2027, the household income threshold is expanded to at or below 85 percent of SMI, subject to appropriations.

Child Care Employees. A family is eligible for WCCC when the household's annual income is at or below 85 percent of SMI adjusted for family size and:

- the child is less than 13, or less than 19 with a special need;
- the applicant or consumer is employed in a licensed child care center or family home provider; and
- the household meets all other program eligibility requirements.

In 2023, DCYF must waive the copayment to the extent allowable under federal law; otherwise, a maximum of a \$15 copayment.

Early Childhood Education and Assistance Program. This voluntary preschool program administered by DCYF serves eligible three- to five-year-old children who are not age-eligible for kindergarten. The Early Childhood Education and Assistance Program (ECEAP) must offer a comprehensive program that includes education, health, and family support services.

Current law provides for ECEAP to become an entitlement in the 2026-27 school year for eligible children. Eligible child means a child who:

- has a family income at or below 110 percent of the federal poverty level (FPL);
- is eligible for special education preschool due to disability; and
- may include children who are eligible under rules adopted by DCYF if the number of such children equals not more than 10 percent of the total enrollment.

Beginning July 1, 2026, the definition of eligible child is expanded to include a child who:

- has a family with financial need;

- is experiencing homelessness;
- has participated in Early Head Start or a successor federal program, like Early Support for Infants and Toddlers, or received class C developmental services, Birth-to-Three ECEAP, or Early Childhood Intervention and Prevention Services Program (ECLIPSE); or
- is Indian as defined in DCYF rule and is at or below 100 percent of SMI.

Family with financial need means families with incomes at or below 36 percent of SMI. Beginning in the 2030-31 school year, it means families with incomes at or below 50 percent of SMI, which is a maximum monthly income of \$4,010 for a family of three.

Birth-to-Three Early Childhood Education and Assistance Program. In 2019 DCYF was directed to develop a plan for phased implementation of a Birth-to-Three ECEAP pilot project for eligible children under 36 months old within resources available under the federal preschool development grant. To be eligible, a child's family income must be at or below 130 percent of FPL. The pilot project must be delivered through child care providers.

Beginning July 1, 2026, DCYF must administer this program, subject to appropriations. To be eligible, a child's family income must be at or below 50 percent of SMI.

Basic Food Benefits. Washington's Basic Food Program is administered by the Department of Social and Health Services and provides food assistance to eligible low-income individuals and families. Currently, the gross income limit is 200 percent of FPL.

Basic Food Program includes both the federally funded Supplemental Nutrition Assistance Program and the state-funded Food Assistance Program (FAP). FAP is for legal immigrants and victims of human trafficking who are ineligible for the federal program. The rules must follow the rules of the federal program except for the provisions pertaining to immigrant status.

**Summary of Bill:** Working Connections Child Care Eligibility. Three changes are made to the WCCC program.

*Early Learning Programs.* DCYF must establish and implement policies in the WCCC program to allow categorical eligibility for families with children who are participating in the following programs:

- ECEAP;
- Birth-to-Three ECEAP;
- Head Start; and
- Early Head Start.

These families have no copayment to the extent allowable under federal law; otherwise, a maximum of \$15.

*Child Care and Early Learning Employees.* In addition to employees of licensed child care providers, employees of the following providers and programs may be eligible for WCCC if other eligibility requirements are met:

- certified child care centers or family home providers;
- ECEAP;
- Birth-to-Three ECEAP;
- Head Start; and
- Early Head Start.

*Basic Food Benefits.* When a WCCC applicant or consumer has a person in their household receiving basic food benefits, DCYF must determine that the household income eligibility requirements are met.

Early Childhood Education and Assistance Program Eligibility. The definition of eligible child for ECEAP is expanded to include a child who has a person in their household receiving or eligible for basic food benefits.

Birth-to-Three Early Childhood Education and Assistance Program Eligibility. The definition of eligible child for Birth-to-Three ECEAP is modified and mirrors the expanded definition for ECEAP to include a child who:

- has a family with financial need, which means families with incomes up to 50 percent of SMI adjusted for family size;
- has a person in their household receiving or eligible for basic food benefits;
- is experiencing homelessness;
- is participating in Early Support for Infants and Toddlers program;
- is Indian as defined in DCYF rule and is at or below 100 percent of SMI; or
- may include children who are eligible under rules adopted by DCYF if the number of such children equals not more than 10 percent of the total enrollment.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Requested on January 9, 2024.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**Staff Summary of Public Testimony:** PRO: Economic recovery starts with child care. Child care is needed so parents can go to work including parents who work as early learning providers. This bill helps to address ongoing teacher and child care workforce issues because it provides child care subsidies for parents who work in early learning programs. This bill is an extension of a policy from last session. This bill provides a beacon of hope

for these employees. The bill should allow parents receiving child-care subsidies to work in the same classroom as their child and for parents who live outside Washington but work in the state. The early learning system is a difficult system for families to navigate. This bill will help streamline access to high-quality early learning bills, which are comprehensive and help families in many ways. Providers can easily get access to SNAP eligibility if families provide consent, and this decreases the amount of paperwork. It also helps build a stronger safety net for families when they face food insecurity.

**Persons Testifying:** PRO: Senator Claire Wilson, Prime Sponsor; Joel Ryan, Washington State Association of Head Start & ECEAP; Claire Lane, Anti-Hunger & Nutrition Coalition; Stacie Marez, ESD 105; Juan Madrigal, Opportunity Council Early Learning and Family Services; Ronda Hull, Mid-Columbia Children's Council; Jessica Heavner, Parent; Roxy Magno, Multicultural Child and Family Hope Center; Kathy Carmen; Yessenia Rivera, WBBA; Mary Curry, YES for Early Success; Trenise Rogers, Linked Arms.

**Persons Signed In To Testify But Not Testifying:** No one.