
SUBSTITUTE SENATE BILL 5752

State of Washington

69th Legislature

2025 Regular Session

By Senate Ways & Means (originally sponsored by Senators C. Wilson, Robinson, and Dhingra)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to modifying child care and early childhood
2 development programs; amending RCW 43.216.556, 43.216.505,
3 43.216.513, 43.216.579, 43.216.600, 43.216.772, 43.216.806,
4 43.216.590, 43.216.090, 43.216.592, 43.216.587, 43.216.512, and
5 43.216.775; reenacting and amending RCW 43.216.505 and 43.216.802;
6 adding a new section to chapter 43.216 RCW; creating a new section;
7 repealing RCW 43.216.578, 43.216.810, 43.216.812, and 43.216.804;
8 providing effective dates; providing expiration dates; and declaring
9 an emergency.

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

11 **Sec. 1.** RCW 43.216.556 and 2021 c 199 s 208 are each amended to
12 read as follows:

13 (1) Funding for the program of early learning established under
14 this chapter must be appropriated to the department. The department
15 shall distribute funding to approved early childhood education and
16 assistance program contractors on the basis of eligible children
17 enrolled.

18 (2) The program shall be implemented in phases, so that full
19 implementation is achieved in the ((2026-27)) 2030-31 school year.

20 (3) Funding shall continue to be phased in each year until full
21 statewide implementation of the early learning program is achieved in

1 the ((2026-27)) 2030-31 school year, at which time any eligible child
2 is entitled to be enrolled in the program. Entitlement under this
3 section is voluntary enrollment.

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

9 **Sec. 2.** RCW 43.216.505 and 2021 c 199 s 204 are each reenacted
10 and amended to read as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout RCW 43.216.500 through 43.216.559,
13 43.216.900, and 43.216.901.

14 (1) "Advisory committee" means the advisory committee under RCW
15 43.216.520.

16 (2) "Approved programs" means those state-supported education and
17 special assistance programs which are recognized by the department as
18 meeting the minimum program rules adopted by the department to
19 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and
20 43.216.901 and are designated as eligible for funding by the
21 department under RCW 43.216.530 and 43.216.540.

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

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

28 (a) Has a family with financial need;

29 (b) Is experiencing homelessness;

30 (c) Has participated in early head start or a successor federal
31 program providing comprehensive services for children from birth
32 through two years of age, the early support for infants and toddlers
33 program or received class C developmental services, ((~~the birth to~~
34 ~~three early childhood education and assistance program,~~)) or the
35 early childhood intervention and prevention services program;

36 (d) Is eligible for special education due to disability under RCW
37 28A.155.020;

38 (e) Is Indian as defined in rule by the department after
39 consultation and agreement with Washington state's federally

1 recognized tribes pursuant to RCW 43.216.5052 and is at or below 100
2 percent of the state median income adjusted for family size; or

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

9 (5) "Experiencing homelessness" means a child without a fixed,
10 regular, and adequate nighttime residence as described in the federal
11 McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119,
12 subchapter VI, part B) as it existed on January 1, 2021.

13 (6) "Family support services" means providing opportunities for
14 parents to:

15 (a) Actively participate in their child's early childhood
16 program;

17 (b) Increase their knowledge of child development and parenting
18 skills;

19 (c) Further their education and training;

20 (d) Increase their ability to use needed services in the
21 community;

22 (e) Increase their self-reliance; and

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

25 (7) "Family with financial need" means families with incomes at
26 or below 36 percent of the state median income adjusted for family
27 size until the 2030-31 school year. Beginning in the 2030-31 school
28 year, "family with financial need" means families with incomes at or
29 below 50 percent of the state median income adjusted for family size.

30 **Sec. 3.** RCW 43.216.505 and 2024 c 225 s 2 are each amended to
31 read as follows:

32 Unless the context clearly requires otherwise, the definitions in
33 this section apply throughout RCW 43.216.500 through 43.216.559,
34 43.216.900, and 43.216.901.

35 (1) "Advisory committee" means the advisory committee under RCW
36 43.216.520.

37 (2) "Approved programs" means those state-supported education and
38 special assistance programs which are recognized by the department as
39 meeting the minimum program rules adopted by the department to

1 qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and
2 43.216.901 and are designated as eligible for funding by the
3 department under RCW 43.216.530 and 43.216.540.

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

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

10 (a) Has a family with an income at or below 50 percent of the
11 state median income adjusted for family size;

12 (b) Is experiencing homelessness;

13 (c) Has participated in early head start or a successor federal
14 program providing comprehensive services for children from birth
15 through two years of age, the early support for infants and toddlers
16 program or received class C developmental services, (~~the birth to~~
17 ~~three early childhood education and assistance program,~~) or the
18 early childhood intervention and prevention services program;

19 (d) Is eligible for special education due to disability under RCW
20 28A.155.020;

21 (e) Is a member of an assistance unit that is eligible for or is
22 receiving basic food benefits under the federal supplemental
23 nutrition assistance program or the state food assistance program;

24 (f) Is Indian as defined in rule by the department after
25 consultation and agreement with Washington state's federally
26 recognized tribes pursuant to RCW 43.216.5052 and is at or below 100
27 percent of the state median income adjusted for family size; or

28 (g) Meets criteria under rules adopted by the department if the
29 number of such children equals not more than ten percent of the total
30 enrollment in the early childhood program. Preference for enrollment
31 in this group shall be given to children from families with the
32 lowest income, children in foster care, or to eligible children from
33 families with multiple needs.

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

38 (6) "Family support services" means providing opportunities for
39 parents to:

- 1 (a) Actively participate in their child's early childhood
2 program;
- 3 (b) Increase their knowledge of child development and parenting
4 skills;
- 5 (c) Further their education and training;
- 6 (d) Increase their ability to use needed services in the
7 community;
- 8 (e) Increase their self-reliance; and
- 9 (f) Connect with culturally competent, disability positive
10 therapists and supports where appropriate.

11 **Sec. 4.** RCW 43.216.513 and 2021 c 199 s 206 are each amended to
12 read as follows:

13 (1) The department shall adopt rules that allow a child to enroll
14 in the early childhood education and assistance program, as space is
15 available and subject to the availability of amounts appropriated for
16 this specific purpose, when the child is not eligible under RCW
17 43.216.505 and the child turns three years old at any time during the
18 school year when the child:

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

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

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

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

28 ~~(iii) ((The birth to three early childhood education and
29 assistance program; or~~

30 ~~(iv)))~~ The early childhood intervention and prevention services
31 program.

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

36 **Sec. 5.** RCW 43.216.579 and 2021 c 199 s 404 are each amended to
37 read as follows:

1 (1) The legislature finds that our state suffers from an extreme
2 shortage of infant child care, impacting the ability of parents to
3 participate in the workforce. Further, parents returning to work
4 after using paid family leave to care for a new child struggle to
5 find readily available, high quality care during a time of critical
6 growth and brain development for young children. Therefore, the
7 legislature intends to incentivize the provision of high quality
8 infant care.

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

13 (a) Accepting state subsidy;

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

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

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

18 **Sec. 6.** RCW 43.216.600 and 2021 c 199 s 311 are each amended to
19 read as follows:

20 (1) Subject to the availability of amounts appropriated for this
21 specific purpose, the department shall provide professional
22 development supports to aid eligible providers in reaching the
23 professional education and training standards adopted by the
24 department. Professional development supports may include:

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

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

29 (c) Early achievers scholarships;

30 (d) Community-based training pathways and systems developed under
31 RCW 43.216.755;

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

37 (f) Other professional development activities such as updating
38 training content, data collection and reporting, trainer recruitment,
39 retention, program monitoring, and trainings delivered by department-

1 approved trainers on topics such as small business management,
2 antibias and antiracist training, providing care for children with
3 developmental disabilities, social-emotional learning, implementing
4 inclusionary practices in early learning environments, infant and
5 toddler care, dual language program development, and providing
6 trauma-informed care.

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

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

16 **Sec. 7.** RCW 43.216.772 and 2021 c 199 s 102 are each amended to
17 read as follows:

18 (1) The spending goals and strategies for the fair start for kids
19 account created under RCW 43.216.770 include, but are not limited to:

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

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

28 (c) Increasing child care and early learning providers'
29 compensation;

30 (d) Implementing the provisions of collective bargaining
31 agreements for family child care providers negotiated pursuant to RCW
32 41.56.028;

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

36 (f) Making child care affordable for families;

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

- 1 (h) Providing child care subsidies for families working to
2 resolve homelessness;
- 3 (i) Providing professional development opportunities and
4 supporting the substitute pool for child care and early learning
5 providers;
- 6 (j) Delivering infant and early childhood mental health
7 consultation services;
- 8 (k) Establishing prekindergarten through third grade systems
9 coordinators at educational service districts;
- 10 (l) Supporting youth development programs serving children and
11 youth ages birth through 12 including, but not limited to, expanded
12 learning opportunities, mentoring, school-age child care, and
13 wraparound supports or integrated student supports;
- 14 (m) Awarding grants and loans through the early learning
15 facilities grant and loan program established under chapter 43.31
16 RCW;
- 17 (n) Funding special designations in the working connections child
18 care programs(~~(,)~~) and early childhood education and assistance
19 programs(~~(, and birth to three early childhood education and~~
20 ~~assistance programs)~~) including designations established in RCW
21 43.216.579, 43.216.585, 43.216.590, and 43.216.592;
- 22 (o) Supporting costs for transparent data collection and
23 information technology systems operated by the department and
24 department contractors, in particular, to ensure equitable systemic
25 service provision and outcomes;
- 26 (p) Providing access to learning technology;
- 27 (q) Providing child care resource and referral services;
- 28 (r) Conducting quality rating and improvement system activities
29 through the early achievers program;
- 30 (s) Expanding prenatal to three services and supports, including
31 (~~the birth to three early childhood education and assistance program~~
32 ~~and~~) the in-home parent skill-based programs established in RCW
33 43.216.130;
- 34 (t) Building and delivering a family resource and referral
35 linkage system;
- 36 (u) Allowing the exploration of options to provide regulatory
37 relief and make licensing more affordable for child care providers;
- 38 (v) Administering comprehensive shared services hubs to allow the
39 ongoing pooling and shared use of services by licensed or certified
40 child care centers and family home providers;

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

4 (x) Providing incentives and supports for child care providers to
5 become licensed;

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

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

14 (aa) Recognizing the benefits of the diverse workforce and
15 facilitating communication in the three most commonly spoken
16 languages by developing a language access plan that centers on equity
17 and access for immigrants, multilingual providers, caregivers, and
18 families.

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

23 **Sec. 8.** RCW 43.216.802 and 2024 c 225 s 1 and 2024 c 67 s 2 are
24 each reenacted and amended to read as follows:

25 (1) It is the intent of the legislature to increase working
26 families' access to affordable, high quality child care and to
27 support the expansion of the workforce to support businesses and the
28 statewide economy.

29 (2) A family is eligible for working connections child care when
30 the household's annual income is at or below 60 percent of the state
31 median income adjusted for family size and:

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

35 (b) The household meets all other program eligibility
36 requirements established in this chapter or in rule by the department
37 as authorized by RCW 43.216.055 or 43.216.065 or any other authority
38 granted by this chapter.

1 (3) Beginning July 1, (~~2025~~) 2029, a family is eligible for
2 working connections child care when the household's annual income is
3 above 60 percent and at or below 75 percent of the state median
4 income adjusted for family size and:

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

8 (b) The household meets all other program eligibility
9 requirements established in this chapter or in rule by the department
10 as authorized by RCW 43.216.055 or 43.216.065 or any other authority
11 granted by this chapter.

12 (4) Beginning July 1, (~~2027~~) 2031, and subject to the
13 availability of amounts appropriated for this specific purpose, a
14 family is eligible for working connections child care when the
15 household's annual income is above 75 percent of the state median
16 income and is at or below 85 percent of the state median income
17 adjusted for family size and:

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

21 (b) The household meets all other program eligibility
22 requirements established in this chapter or in rule by the department
23 as authorized by RCW 43.216.055 or 43.216.065 or any other authority
24 granted by this chapter.

25 (5) Beginning November 1, 2024, when an applicant or consumer is
26 a member of an assistance unit that is eligible for or receiving
27 basic food benefits under the federal supplemental nutrition
28 assistance program or the state food assistance program the
29 department must determine that the household income eligibility
30 requirements in this section are met.

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

33 (7) The department may not consider the citizenship status of an
34 applicant or consumer's child when determining eligibility for
35 working connections child care benefits.

36 (8) The income eligibility requirements in subsections (2)
37 through (4) of this section do not apply to households eligible for
38 the working connections child care program under RCW 43.216.808(~~7~~
39 ~~43.216.810, 43.216.812,~~) and 43.216.814.

1 NEW SECTION. **Sec. 9.** A new section is added to chapter 43.216
 2 RCW to read as follows:

3 (1) Beginning October 1, 2025, through September 30, 2026, the
 4 department must calculate a monthly copayment according to the
 5 following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	\$0
Above 20 percent and at or below 36 percent of the state median income	\$100
Above 36 percent and at or below 50 percent of the state median income	\$160
Above 50 percent and at or below 60 percent of the state median income	\$255
Above 60 percent and at or below 65 percent of the state median income	\$310

16 (2) Beginning October 1, 2026, the department must calculate a
 17 monthly copayment according to the following schedule:

If the household's income is:	Then the household's base monthly copayment is:	Each additional child in that household is:
Below 25 percent of the state median income	\$0	\$0
At or above 25 percent and below 35 percent of the state median income	25 percent of the state median income for a household of two, multiplied by five percent	+20 percent of the base monthly copayment for each additional child
At or above 35 percent and below 45 percent of the state median income	35 percent of the state median income for a household of two, multiplied by 5.5 percent	+20 percent of the base monthly copayment for each additional child
At or above 45 percent and below 55 percent of the state median income	45 percent of the state median income for a household of two, multiplied by six percent	+20 percent of the base monthly copayment for each additional child
At or above 55 percent of the state median income	55 percent of the state median income for a household of two, multiplied by 6.5 percent	+20 percent of the base monthly copayment for each additional child

34 (3) The department may adjust the copayment schedule to comply
 35 with federal law.

1 (4) The department must adopt rules to implement this section.

2 (5) This section does not apply to households eligible for the
3 working connections child care program under RCW 43.216.808 and
4 43.216.814.

5 NEW SECTION. **Sec. 10.** (1) In accordance with RCW 43.216.800,
6 authorizations for a working connections child care subsidy are
7 effective for 12 months and any changes related to eligibility in
8 this act only apply to new applications and reapplications. The
9 changes related to eligibility in this act do not apply to consumers
10 who were authorized for a working connections child care subsidy
11 before July 1, 2025 until the next reapplication.

12 (2) The changes related to the copayment schedule in section 9 of
13 this act only apply to new applications and reapplications for a
14 working connections child care subsidy. Consumers authorized for a
15 working connections child care subsidy as of October 1, 2025, must
16 not have their copayments adjusted by the schedule in section 9(1) of
17 this act until reapplication. Consumers authorized for a working
18 connections child care subsidy as of October 1, 2026, must not have
19 their copayments adjusted by the schedule in section 9(2) of this act
20 until reapplication.

21 (3) This section expires December 31, 2027.

22 **Sec. 11.** RCW 43.216.806 and 2024 c 282 s 4 are each amended to
23 read as follows:

24 (1)(a) Subject to the availability of amounts appropriated for
25 this specific purpose, the department may not require an applicant or
26 consumer to meet work requirements as a condition of receiving
27 working connections child care benefits when the applicant or
28 consumer is (~~(in a state registered apprenticeship program or is)~~) a
29 full-time student of a community, technical, or tribal college and is
30 enrolled in:

31 (i) A vocational education program that leads to a degree or
32 certificate in a specific occupation; or

33 (ii) An associate degree program.

34 (b) An applicant or consumer is a full-time student for the
35 purposes of this subsection if the applicant or consumer meets the
36 college's definition of a full-time student.

37 (c) Subject to the availability of amounts appropriated for this
38 specific purpose, the department may extend the provisions of this

1 subsection to full-time students who are enrolled in a bachelor's
2 degree program or applied baccalaureate degree program.

3 (2) The department must consider an applicant or consumer's
4 participation in (~~the birth to three early childhood education and~~
5 ~~assistance program or~~) the early head start program as an approved
6 activity when determining eligibility for working connections child
7 care benefits.

8 **Sec. 12.** RCW 43.216.590 and 2021 c 199 s 304 are each amended to
9 read as follows:

10 (1) (~~Beginning July 1, 2022~~) Subject to the availability of
11 amounts appropriated for this specific purpose, the department shall
12 provide supports to aid eligible providers in providing trauma-
13 informed care. Trauma-informed care supports may be used by eligible
14 providers for the following purposes:

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

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

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

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

22 (e) Other related expenses.

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

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

28 (~~(3)~~) (4) For the purposes of this section, "eligible provider"
29 means: (a) An employee or owner of a licensed or certified child care
30 center or outdoor nature-based care accepting state subsidy; (b) an
31 employee or owner of a licensed family home provider accepting state
32 subsidy; (c) a contractor or provider of the early childhood
33 education and assistance program (~~or birth to three early childhood~~
34 ~~education and assistance program~~); (d) a license-exempt child care
35 program; or (e) an early achievers coach.

36 **Sec. 13.** RCW 43.216.090 and 2021 c 199 s 309 are each amended to
37 read as follows:

1 (1) (~~The~~) Subject to the availability of amounts appropriated
2 for this specific purpose, the department shall administer or
3 contract for infant and early childhood mental health consultation
4 services to child care providers and early learning providers
5 participating in the early achievers program.

6 (2) (~~Beginning July 1, 2021~~) Subject to the availability of
7 amounts appropriated for this specific purpose, the department (~~of~~
8 ~~children, youth, and families~~) must have or contract for one infant
9 and early childhood mental health consultation coordinator and must
10 enter into a contractual agreement with an organization providing
11 coaching services to early achievers program participants to hire at
12 least 12 qualified infant and early childhood mental health
13 consultants. The department shall determine, in collaboration with
14 the statewide child care resource and referral network, where the
15 additional consultants should be sited based on factors such as the
16 total provider numbers overlaid with indicators of highest need. The
17 infant and early childhood mental health consultants must support
18 early achievers program coaches and child care providers by providing
19 resources, information, and guidance regarding challenging behavior
20 and expulsions and may travel to assist providers in serving families
21 and children with severe behavioral needs.

22 (3) The department shall provide, or contract with an entity to
23 provide, reflective supervision and professional development for
24 infant and early childhood mental health consultants to meet national
25 competency standards.

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

32 **Sec. 14.** RCW 43.216.592 and 2021 c 199 s 305 are each amended to
33 read as follows:

34 (1) (~~Beginning July 1, 2022~~) Subject to the availability of
35 amounts appropriated for this specific purpose, the department shall
36 establish a dual language designation and provide subsidy rate
37 enhancements or site-specific grants for licensed or certified child
38 care providers who are accepting state subsidy(~~+~~) or early
39 childhood education and assistance program contractors(~~;~~ ~~or birth to~~

1 ~~three early childhood education and assistance program contractors~~)).
2 It is the intent of the legislature to allow uses of rate
3 enhancements or site-specific grants to include increased wages for
4 individual staff who provide bilingual instruction, professional
5 development training, the purchase of dual language and culturally
6 appropriate curricula and accompanying training programs,
7 instructional materials, or other related expenses.

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

11 (3) This section does not interfere with, impede, or in any way
12 diminish the right of family child care providers to bargain
13 collectively with the state through the exclusive bargaining
14 representatives as provided for under RCW 41.56.028.

15 (4) The department must adopt rules to implement this section.

16 **Sec. 15.** RCW 43.216.587 and 2021 c 199 s 303 are each amended to
17 read as follows:

18 (1) Subject to the availability of amounts appropriated for this
19 specific purpose, the department shall administer two complex needs
20 funds to promote inclusive, least restrictive environments and to
21 support contractors and providers serving children who have
22 developmental delays, disabilities, behavioral needs, or other unique
23 needs. The department shall work collaboratively with the office of
24 the superintendent of public instruction and providers to best serve
25 children. One fund must support early childhood education and
26 assistance program contractors and providers (~~and birth to three~~
27 ~~early childhood education and assistance program contractors and~~
28 ~~providers~~), and one fund must support licensed or certified child
29 care providers and license-exempt child care programs.

30 (2) Support may include staffing, programming, therapeutic
31 services, and equipment or technology support. Additional support may
32 include activities to assist families with children expelled or at
33 risk of expulsion from child care, and to help families transition in
34 and out of child care.

35 **Sec. 16.** RCW 43.216.512 and 2024 c 225 s 3 are each amended to
36 read as follows:

37 (1) The department shall adopt rules that allow the enrollment of
38 children who meet one or more of the following criteria in the early

1 childhood education and assistance program, as space is available if
2 the number of such children equals not more than twenty-five percent
3 of total statewide enrollment:

4 (a) The child's family income is above one hundred ten percent
5 but less than or equal to one hundred thirty percent of the federal
6 poverty level;

7 (b) The child's family income is above one hundred thirty percent
8 but less than or equal to two hundred percent of the federal poverty
9 level if the child meets at least one of the risk factor criterion
10 described in subsection (2) of this section; or

11 (c) Beginning November 1, 2024, the child is not eligible under
12 RCW 43.216.505 and is a member of an assistance unit that is eligible
13 for or is receiving basic food benefits under the federal
14 supplemental nutrition assistance program or the state food
15 assistance program.

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

22 (a) Family income as a percent of the federal poverty level;

23 (b) Homelessness;

24 (c) Child welfare system involvement;

25 (d) Developmental delay or disability that does not meet the
26 eligibility criteria for special education described in RCW
27 28A.155.020;

28 (e) Domestic violence;

29 (f) English as a second language;

30 (g) Expulsion from an early learning setting;

31 (h) A parent who is incarcerated;

32 (i) A parent with a substance use disorder or mental health
33 treatment need; and

34 (j) Other risk factors determined by the department to be linked
35 by research to school performance.

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

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

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

5 (i) The early support for infants and toddlers program; or

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

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

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

15 **Sec. 17.** RCW 43.216.775 and 2024 c 282 s 3 are each amended to
16 read as follows:

17 (1) Rates paid under RCW 43.216.592 must be adjusted every two
18 years according to an inflationary increase. The inflationary
19 increase must be calculated by applying the rate of the increase in
20 the inflationary adjustment index to the rates established pursuant
21 to RCW 43.216.592.

22 (2) Subject to the availability of amounts appropriated for this
23 specific purpose, rates paid under RCW 43.216.579(~~(r)~~) and
24 43.216.585(~~(r) and 43.216.578~~) must be adjusted every two years
25 according to an inflationary increase. The inflationary increase must
26 be calculated by applying the rate of the increase in the
27 inflationary adjustment index to the rates established pursuant to
28 RCW 43.216.579(~~(r)~~) and 43.216.585(~~(r) and 43.216.578~~).

29 (3) Inflationary increases under subsection (1) of this section
30 and any funded inflationary increase under subsection (2) of this
31 section must be included in the rate used to determine inflationary
32 increases in subsequent years.

33 (4) For the purposes of this section, "inflationary adjustment
34 index" means the implicit price deflator averaged for each fiscal
35 year, using the official current base rate, compiled by the bureau of
36 economic analysis, United States department of commerce.

37 NEW SECTION. **Sec. 18.** The following acts or parts of acts are
38 each repealed:

1 (1) RCW 43.216.578 (Birth to three early childhood education and
2 assistance program) and 2024 c 225 s 6, 2024 c 225 s 5, 2021 c 199 s
3 403, & 2019 c 408 s 8;

4 (2) RCW 43.216.810 (Expanded eligibility—Registered
5 apprenticeships) and 2024 c 67 s 6;

6 (3) RCW 43.216.812 (Expanded eligibility—Child care employees)
7 and 2024 c 282 s 2, 2024 c 67 s 7, & 2023 c 222 s 2; and

8 (4) RCW 43.216.804 (Copayments) and 2024 c 67 s 3.

9 NEW SECTION. **Sec. 19.** Except for sections 2 through 4 of this
10 act, this act is necessary for the immediate preservation of the
11 public peace, health, or safety, or support of the state government
12 and its existing public institutions, and takes effect July 1, 2025.

13 NEW SECTION. **Sec. 20.** (1) Section 2 of this act expires August
14 1, 2030.

15 (2) Section 16 of this act expires July 1, 2026.

16 NEW SECTION. **Sec. 21.** (1) Sections 2 and 4 of this act take
17 effect July 1, 2026.

18 (2) Section 3 of this act takes effect August 1, 2030.

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