

RCW 43.216.135 Child care providers—Subsidy requirements—Tiered reimbursements—Copayments. (1) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

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

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

(c) Rate or request to be rated at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider does not rate at or request to be rated at a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and must rate at or request to be rated at a level 3 or higher no later than December 30, 2020.

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

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

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

(c) Rate or request to be rated at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider does not rate or request to be rated at a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate or request to be rated at a level 3 or higher within twelve months of beginning remedial activities.

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

(4) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

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

(6) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule. [2020 c 355 § 2; 2020 c 321 § 2; 2020 c 279 § 1. Prior: 2019 c 406 § 70; 2019 c 369 § 4; 2019 c 97 § 2; 2018 c 52 § 6; 2017 3rd sp.s. c 9 § 2; 2015 3rd sp.s. c 7 § 6; 2013 c 323 § 9; prior: 2012 c 253 § 5; 2012 c 251 § 1; 2011 1st sp.s. c 42 § 11; 2010 c 273 § 2. Formerly RCW 43.215.135.]

Reviser's note: This section was amended by 2020 c 279 § 1, 2020 c 321 § 2, and by 2020 c 355 § 2, without reference to one another. All amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Findings—Intent—2020 c 355: "The legislature finds that the federal child care and development block grant act of 2014 reauthorized the child care and development fund program and established a minimum twelve-month eligibility period for subsidized child care in order to provide families with more stability and to support the continuity of care between children and providers. The legislature further finds that the state's policy of authorizing twelve months of uninterrupted care was affirmed by the passage of the state's early start act in 2015. However, some families are not able to access child care right away through the working connections child care program due to factors beyond their control. These barriers to care include challenges with access to child care in rural areas, declining numbers of providers accepting state subsidy, and the persistence of child care deserts in which either no child care providers are in operation or there are so few options for child care that the demand outweighs available slots. Therefore, the legislature intends to clarify the state's policy that all eligible children may receive at least a full twelve months of working connections child care." [2020 c 355 § 1.]

Effective date—2020 c 355: "This act takes effect January 1, 2021." [2020 c 355 § 5.]

Effective date—2020 c 279: See note following RCW 43.216.136.

Contingent effective date—2019 c 406 § 70: "Section 70 of this act takes effect only if chapter 97, Laws of 2019 is enacted by July 28, 2019." [2019 c 406 § 78.]

Findings—Intent—2019 c 406: "(1) The legislature recognizes the following:

(a) In Washington, over forty-six thousand community and technical college students, which represents twenty-three percent of all community and technical college students in the state, are parents of dependent children. Student parents represent more than one-quarter of community and technical college students in Washington who receive financial aid. Financial assistance[,] however, does not sufficiently cover many student parents' college expenses.

(b) Caregiving demands affect student parents' ability to devote the time needed to succeed in school. Nearly three-quarters of women community college students living with dependents report spending over twenty hours per week caring for dependents. Many of these students report that care demands are likely to lead them to drop out: Forty-three percent of women and thirty-seven percent of men at two-year institutions who live with children say they are likely or very likely to withdraw from college to care for dependents.

(c) In addition, child care costs represent a large financial burden for parents who are in college. The annual cost of full-time, center-based infant care averages over thirteen thousand dollars in Washington. Given the financial pressures experienced by student parents, both married and single, assistance with paying for quality child care services could dramatically improve their ability to make ends meet and complete their higher education programs.

(d) Work requirements imposed on student parents as a condition for receiving child care assistance can have negative consequences for parents in education or job training. Students working more than

fifteen hours per week achieve significantly lower college attainment compared with those who work fewer hours. Nationally, fifty-eight percent of community college student parents who work fifteen or more hours per week leave school without earning a credential within six years of enrollment, compared with forty-eight percent who work less than fifteen hours per week.

(2) Therefore, the legislature intends to improve access and completion rates of student parents enrolled in community and technical colleges by reducing existing restrictions to subsidized child care." [2019 c 406 § 69.]

Findings—Intent—2019 c 406: See note following RCW 43.79.195.

Findings—Short title—2019 c 406: See notes following RCW 28B.92.200.

Findings—2019 c 406: See note following RCW 28B.94.020.

Findings—Intent—2019 c 406: See note following RCW 28C.30.050.

Findings—Intent—2019 c 369: See note following RCW 43.216.091.

Findings—Intent—2019 c 97: "(1) The legislature recognizes the following:

(a) In Washington, over forty-six thousand community and technical college (CTC) students, which represents twenty-three percent of all CTC students in the state, are parents of dependent children. Student parents represent more than one-quarter of CTC students in Washington who receive financial aid. Financial assistance however, does not sufficiently cover many student parents' college expenses.

(b) Caregiving demands affect student parents' ability to devote the time needed to succeed in school. Nearly three-quarters of women community college students living with dependents report spending over twenty hours per week caring for dependents. Many of these students report that care demands are likely to lead them to drop out: Forty-three percent of women and thirty-seven percent of men at two-year institutions who live with children say they are likely or very likely to withdraw from college to care for dependents.

(c) In addition, child care costs represent a large financial burden for parents who are in college. The annual cost of full-time, center-based infant care averages over thirteen thousand dollars in Washington. Given the financial pressures experienced by student parents, both married and single, assistance with paying for quality child care services could dramatically improve their ability to make ends meet and complete their higher education programs.

(d) Work requirements imposed on student parents as a condition for receiving child care assistance can have negative consequences for parents in education or job training. Students working more than fifteen hours per week achieve significantly lower college attainment compared with those who work fewer hours. Nationally, fifty-eight percent of community college student parents who work fifteen or more hours per week leave school without earning a credential within six years of enrollment, compared with forty-eight percent who work less than fifteen hours per week.

(2) Therefore, the legislature intends to improve access and completion rates of student parents enrolled in community and technical colleges by reducing existing restrictions to subsidized child care." [2019 c 97 § 1.]

Effective date—Intent—Finding—2018 c 52: See notes following RCW 43.216.909.

Findings—Intent—2017 3rd sp.s. c 9: "The legislature finds that children with the greatest needs benefit significantly from child care programs that promote stability, quality, and continuity of care. The legislature recognizes that empirical evidence supports the conclusion that high quality child care programs consistently yield more positive outcomes for children, with the strongest positive impacts on the most vulnerable children.

Children in the child welfare system are some of the most vulnerable children. The legislature finds that a child who experiences child abuse or neglect is over four times more likely to abuse substances as an adult and forty-three percent of youth in the juvenile justice system were involved in the child welfare system.

The legislature finds that the child care and development block grant act of 2014 allows the *department of early learning to provide working connections child care to children in need of, or receiving, protective services. The legislature further understands that as of July 1, 2016, authorizations for the working connections child care subsidy are effective for twelve months.

The legislature finds that the children's mental health work group, in its December 2016 final report, recommended that state agencies provide at least twelve months of stable child care through the working connections child care program for certain children involved in the child welfare system, regardless of the employment status of their parents or guardians. Many of these child welfare-involved families are addressing chemical dependency issues, which require a significant amount of time to overcome. For these reasons, the legislature intends to allow certain populations of vulnerable children to be eligible for the working connections child care subsidy for a minimum of twelve months." [2017 3rd sp.s. c 9 § 1.]

***Reviser's note:** The department of early learning was abolished and its powers, duties, and functions were transferred to the department of children, youth, and families by 2017 3rd sp.s. c 6 § 802, effective July 1, 2018.

Effective date—2017 3rd sp.s. c 9: "This act takes effect December 1, 2018." [2017 3rd sp.s. c 9 § 3.]

Finding—Intent—2015 3rd sp.s. c 7: See note following RCW 43.216.085.

Findings—Purpose—2012 c 253: See note following RCW 74.08.580.

Effective date—2012 c 251: "This act takes effect July 1, 2012." [2012 c 251 § 3.]

Findings—Intent—Effective date—2011 1st sp.s. c 42: See notes following RCW 74.08A.260.

Finding—2011 1st sp.s. c 42: See note following RCW 74.04.004.

Intent—2010 c 273: "It is the intent of the legislature that this act be implemented within the funding appropriated in the 2009-11 biennial budget. No additional appropriations will be provided for its implementation." [2010 c 273 § 7.]