

The Fair Start Act distinguishes which aspects are subject to the availability of funds. Funding of policies always comes down to the budget process, but this chart summarizes the aspects of the bill that are deemed subject to appropriation and those that are not.

Policies put into statute	Policies subject to appropriation
Increasing Working Connections Child Care up to 85% of SMI (section 201)	Inflationary adjustments (section 103)
Working Connections Child Care co-pays (section 201)	Working Connections Child Care income eligibility increase to 85%-100% of State Median Income (section 201)
Waiving of Working Connections Child Care work requirements for students pursuing an associates degree or in a registered apprenticeship (section 202)	Waiving of Working Connections Child Care work requirements for students pursuing a bachelors degree or applied bachelors degree (section 202)
Timeline for Working Connections Child Care rate increase (section 301)	Intent to increase ECEAP income eligibility (section 203)
ECEAP rate increases (section 302)	ECEAP tuition copayment for expanded enrollment (section 206)
Complex needs funding for ECEAP and Working Connections Child Care (section 303)	Equity Grants (section 307)
Trauma-Informed Care supports (section 304)	Supports for businesses (section 308)
Dual language support funding (Sec 305)	Infant Early Childhood Mental Health Consultation to Family, Friend and Neighbors and families experiencing challenges (section 309)
Nonstandard reimbursement rate model (section 306)	Play and Learn Groups (section 311)
Infant Early Childhood Mental Health Consultation for child care providers in early achievers (section 309)	Perinatal to three services, including home visiting (section 402)
Infant Early Childhood Mental Health Consultation staffing at DCYF and 12 consultants for the 6 regions (section 310)	Early ECEAP (section 403)
Professional Development (section 312)	Early Therapeutic and Preventive Services (section 405)
Infant Care Incentives (section 404)	

Sec 101: Creates Fair Start Act Account

- There is not an identified revenue source
- Funding is deposited directly into the account
- Money spent only after appropriation
- Only used for these specified purposes:
 - Increase WCCC rates, with the goal of moving toward the full cost of high quality child care
 - Expand access to health care for workers in centers, family child care and ECEAP
 - Support and expand access to ECEAP to reach entitlement
 - Make child care more affordable for families
 - Provide resources and supports for Family Friend and Neighbor providers
 - Professional Development
 - Mental Health Consultation
 - School-age child care
 - Grants and loans through Early Learning Facilities Fund (note statute for ELFF is cited)
 - Enhanced rates for WCCC, ECEAP and Early ECEAP
 - Costs for data collection and information technology for DCYF and contractors
 - Access to learning technology
 - Providing resource and referral services
 - QRIS activities through Early Achievers
 - Expanding perinatal to three services and supports, including home visiting (HVSA statute cited) and Early ECEAP.
 - Help Me Grow
 - Comprehensive shared services hubs
 - Training DCYF staff for consistent licensing and quality standards
 - Incentives for child care providers to become licensed and
 - Facilitating communication in the three most commonly spoken languages

Sec 103: Investment Accountability and Oversight

- Amends the statute around the **Early Learning Advisory Council** to include the following new roles related to implementation of the Fair Start Act:
 - Provide guidance to Governor and legislature on phasing priorities as system capacity is developed and revenue is expanded.
 - Keep racial equity and inclusion, undoing intergenerational poverty and addressing systemic racism at its core
 - Fiscal accountability for the investments funded by FSA account by ensuring funding supports businesses and the statewide economy, supports working parents, promotes kindergarten readiness, enhances social emotional learning, supports and grows the workforce, accessible and affordable child care, advances racial equity, eliminates exclusionary admissions and disproportionate removals, recognizes and supports the growing diversity of our state's families and strengthens families
- The bill reconstitutes ELAC and would be comprised of **43 members** (note those in bold are new representatives to the existing ELAC make-up):
 - Representatives of the following departments, appointed by the Governor:
 - **Department of Commerce (1);**

- Department of Health (1);
 - Student Achievement Council (1);
 - State Board for Community and Technical Colleges (1);
 - Office of Superintendent of Public Instruction, appointed by the Superintendent of Public Instruction (1);
 - The Governor shall appoint at least one representative from the following:
 - Head Start State Collaboration Office Director or director's designee (1);
 - Head Start, Early Head Start, or Migrant/Seasonal Head Start (1);
 - Local education agency (1);
 - State agency responsible for programs under part C of the individuals with disabilities act (1);
 - ECEAP (1);
 - Licensed family child care providers (1);
 - Child care centers (1);
 - Home visiting advisory committee (1) ;
 - **An infant or early childhood mental health expert (1);**
 - **Family, friend and neighbor caregiver (1);**
 - **Representative of perinatal to three services (1);**
 - **Pediatrician (1);**
 - **Statewide child care resource and referral agency (1);**
 - Two parents, one of whom serves on DCYF's parent advisory group (2);
 - Start Early Washington (public-private partnership) (1);
 - Representative from the developmental disabilities community (1);
 - Two representatives from early learning coalitions (2);
 - Washington state commission on Asian Pacific American Affairs (1);
 - Washington state commission on African America Affairs (1);
 - Washington state commission on Hispanic affairs (1);
 - Two representatives designated by sovereign tribal governments, one of whom much be a representative of a tribal ECEAP or Head Start (2);
 - **Office of Equity (1);**
 - **Women's Commission (1);**
 - Washington federation of independent schools (1);
 - Washington library association (1);
 - Early Learning Action Alliance (1);
 - **Two representatives from the Association of Washington Business (2);**
 - **Representative of an advocacy organization for immigrants and refugees (1);**
 - **Schools Out Washington (1); and**
 - **Union representing child care providers (1).**
 - 4 legislative members – two from the House and two from the Senate, one from each caucus appointed by the respective caucus leaders (4)
- At the direction of the co-chairs, ELAC may convene advisory groups to evaluate specific issues and report finding and recommendations to the full council.
 - Calls for an annual report of findings and recommendations to the Governor and appropriate committees by August 1st.

Sec 104: Inflationary Adjustments

- As of July 1, 2023, and **subject to availability of funds**, rates adjusted every two years for inflation for. ECEAP, Early ECEAP, Dual Language and Infant Care Incentives.

Sec 201 – Working Connections Child care Eligibility and Co-payment

- Eligibility*
 - By July 1, 2025, a family is eligible for WCCC when the household annual income is at or below 85 percent of State Medium Income adjusted for family size.
 - By July 1, 2025, **subject to the availability of funds**, a family is eligible for WCCC when the household income is between 85 percent of State Medium Income and 100 percent of State Medium Income (FYI – 100 percent of State Medium Income is \$6845/month for a family of three or \$82,140 a year).

*For both, all other program eligibility requirements remain

- Co-pays:
 - Starting 7/1/21 Less than 36% SMI = \$0
 - Starting 7/21 36% SMI – 50% SMI = \$15 (this is about 136%-189% Federal poverty level)
 - Starting 7/23 50% SMI – 75% SMI = \$115
 - Starting 7/25 75% SMI- 85% SMI = \$165
 - Starting 7/25 85% SMI – 100% SMI = DCYF develop a cost model that must not exceed 7% of household income.

SEC 202 Amends the WCCC Student Parents

- 12-month authorization starts when care is expected to begin.
- If a household does not start care within 12 months of authorization, they must apply again.
- Changes the work requirements for full-time students of a community, technical or tribal college enrolled in a vocational program that leads to a degree or certificate in a specific occupation (removes requirement that it cannot result in a bachelor's or advanced degree), an associates degree or a registered apprenticeship program.
- **Subject to the availability of funds**, work requirements may be waived for full-time students enrolled in a bachelor's degree program or applied baccalaureate degree program.

Sec 203 ECEAP

- Intent language to increase income eligibility to 36% SMI by July 1, 2026 (this is 136% FPL).
- Additional intent language to increase maximum family income to 50% of SMI starting in the 2030-31 school year.
- Further intent language to help school districts partner with ECEAP contractors and programs to expand access.

Sec 204 Amendments to ECEAP statute

- Removes the 100% of FPL eligibility language, replacing with a family with “financial need.” Family need aligns with the income eligibility timeline laid out in Section 203.
- Makes homeless children automatically eligible (McKinney Vinto definition)

- Children who were in Early Head Start, ESIT or Early ECEAP, or ECLIPSE are categorically eligible as are Indian children beginning in the 2030-31 school year after consultation and agreement with the state's federally recognized tribes and at or below 100% of SMI adjusted for family size.
- Adds connecting with culturally competent, disability positive therapists and supports where possible to the family support services opportunities.

Sec 205: Amendments to ECEAP expanded enrollment statute

- Changes allowable above income to up to 100% of SMI (was 130% of FPL) along with one risk factor (existing statute).
- Homelessness removed as a risk factor because would be automatically eligible
- Note still limited to 25% of statewide slots

Sec 206: ECEAP Tuition for over-income

- **Subject to the availability of funds**, families enrolled in the expanded enrollment category described above, must pay a monthly tuition co-payment according to a model developed by DCYF. The co-payment cannot be more than 7% of family income. DCYF should consider integrating the co-payment model with WCCC to reduce the burden on families.

Sec 207: Indian Child Definition

- DCYF must consult, and obtain the advice and consent of the governing bodies of the state's federally recognized tribes in developing an agreed-upon definition of the term Indian.

Sec 301: Amend WCCC Rates Section

- Intent to increase WCCC rates over time until the rates are the full cost of providing high-quality child care.
 - By 7/1/21, 75th percentile of market rate
 - By 7/1/23, 85th percentile of market rate
 - DCYF shall build upon the work of the child care collaborative task force to develop a child care cost estimate model and use the model to recommend subsidy rates at the full cost of quality.

Sec 302: ECEAP Rates

- For the 2021-22 and 2022-23 school years, rates must be set at a level at least 5 percent higher than the rates in the 2019-21 biennium.
- For the 2023-24 school year, rates must be at a level at least 10 percent higher than the 2019-21 biennium.
- The 2020 ECEAP rate study should inform the rate increases.
- This section expires 6/30/27.

Sec 303: Complex Needs Fund

- DCYF shall administer two complex needs funds – one for ECEAP and another for licensed or certified child care providers and license-exempt child care providers.

- Allowable uses include staffing, programming, therapeutic services and equipment or technology support, activities to assist families with children expelled or at risk of expulsion from child care, and to help families transition out of child care.

Sec 304: Trauma-Informed Care Supports

- By 7/1/22, DCYF shall provide supports to aid eligible providers in providing trauma-informed care.
- Supports may include:
 - Wage increases for staff who have an infant and early childhood mental health or other child development specialty credential,
 - Purchase of screening tools and assessment materials,
 - Supporting services for children with complex needs that are offered as fee-for-service within local communities, or
 - Other related expenses.
- Beginning in the 2023-25 fiscal biennium, in the collective bargaining process should consider implementation of a rate structure similar to the provisions in this section.

Sec 305: Dual Language Rate Increase

- By 7/1/22, DCYF shall establish a dual language designation and provide a rate enhancement for licensed and certified child care providers participating in WCCC, ECEAP and Early ECEAP.
- Legislative intent that the rate increases be used to increase wages for staff who provide bilingual instruction, professional development training, purchase of dual language and culturally appropriate curricula and accompanying training programs, instructional materials, or other expenses.
- DCYF must consult with a culturally and linguistically diverse stakeholder advisory group to develop criteria for the designation.
- Beginning in the 2023-25 fiscal biennium, in the collective bargaining process should consider implementation of a rate structure similar to the provisions in this section.

Sec 306: Nonstandard rate hours model rate increase

- DCYF develop a rate model for nonstandard child care hours and submit the model to the Governor and appropriate committees by 1/1/22.

Sec 307: Equity Grants

- **Subject to the availability of funds,** DCYF distribute equity grants to Play and Learn groups, ECEAP, Early ECEAP Centers and Homes
- The grants are intended to make the early learning system more inclusive and equitable.
- Eligible applicants may receive a grant once every 2 years.
- The bill describes how DCYF shall conduct an equitable grant process, including a requirement that the application materials be available in the five most commonly spoken languages.

Sec 308: Employer Supported Child Care

- **Subject to the availability of funds,** Dept of Commerce, in collaboration with DCYF, provide or contract for TA for employers interested in supporting employee access to

child care in many ways, including operating an on-site child care or providing financial assistance to employees.

Sec 309: Infant and Early Childhood Mental Health Consultation

- DCYF shall administer or contract for infant and early childhood mental health consultation services to child care providers participating in early achievers.
- As capacity allows, DCYF may provide access to infant and early childhood mental health consultation services to license-exempt family, friend and neighbor providers and families with children expelled or at risk of expulsion from child care

Sec 310: Amendments to Infant and Early Childhood Mental Health Consultation

- By 7/1/21, DCYF must have one infant and early childhood mental health coordinator and enter into a contractual agreement with an organization providing coaching services to early achievers program participants to hire at least two qualified consultants for each of the six department-designated regions (12 total).

Sec 311: Play and Learn Groups

- **Subject to the availability of funds**, DCYF, in consultation with community-based programs, shall provide or contract to provide, or both, resources and supports for inclusive and culturally and linguistically relevant play and learn groups.

Sec 312: Professional Development

- DCYF shall provide professional development supports to aid eligible providers in reaching the professional education and training standards adopted by DCYF. Bill contains a list of eligible supports, including trainings and scholarships.

Sec 402: Education and Support for Parents and Family, Friend and Neighbor Caregivers

- **Subject to availability of funds**, DCYF administer a perinatal to three family engagement strategy. Components must include supports and services to improve maternal and infant health outcomes, reduce and mitigate trauma, promote attachment and other social-emotional assets, strengthen parenting skills and provide early supports to help maximize healthy and robust childhood development and reduce isolation
- May include supports and services including;
 - Parent skills programs and training (links to HVSA statute)
 - Plan and Learn Groups
 - Parent peer support groups
- Specifies that services are available to biological parents, foster parents, kinship care providers and other FFN caregivers.

Sec 403: Early ECEAP Amendment

- Specifies **subject to availability of funds**.
- Removes pilot designation.
- Eligibility must be at or below 50% of SMI.

Sec 404: Infant and Toddler Care Incentive Rate Enhancement

- By 7/1/21, DCYF shall provide an infant rate enhancement for licensed or certified child care providers and Early ECEAP providers who are accepting state subsidy, in good

standing with Early Achievers and caring for a child between the ages of birth and 17 months.

- Beginning in the 2021-23 biennium, participants in collective bargaining should consider a similar rate structure.

Sec 406: Early Therapeutic and Preventive Services Expansion

- **Subject to availability of funds**, DCYF shall administer an early therapeutic and preventive services and programs. The goal is statewide if funds are available.
- This is the Eclipse program.