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**SENATE BILL 5436**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senator Wilson, C.

1       AN ACT Relating to establishing the Washington child care access  
2 now act; adding a new section to chapter 43.216 RCW; creating new  
3 sections; and providing an expiration date.

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

5       NEW SECTION.   **Sec. 1.**   (1) The legislature finds that child care  
6 is a sector that is critical to the vitality and economic security of  
7 our state and communities and families, and that families in  
8 Washington face significant barriers to accessing and affording high  
9 quality child care. The legislature finds that Washington's committed  
10 caregivers and state investments and advancements in our quality  
11 rating and improvement system ensure that quality, culturally  
12 relevant child care supports children's healthy development and  
13 prepares them for success in school and in life. The legislature  
14 recognizes that provider diversity and cultural relevance are  
15 fundamental components of quality, and that parent choice is a  
16 priority throughout the state's early learning system.

17       (2) The legislature finds that the cost of quality child care is  
18 unaffordable for many families and state support is needed to ensure  
19 that all children and families in Washington can access safe,  
20 enriching child care.

1 (3) The legislature recognizes that expanding access to quality  
2 child care requires ensuring that the market of child care providers  
3 is prepared to meet existing and expanded demand. The legislature  
4 finds that the market of child care providers is shrinking, that  
5 child care deserts are emerging, and that fewer providers are  
6 offering services to working connections child care subsidy  
7 recipients, as the costs associated with ensuring safe, healthy  
8 environments where children are loved and learning are unaffordable  
9 to families and underfunded by subsidy rates. The legislature  
10 additionally finds that child care providers are unable to recruit  
11 and retain a qualified workforce because there are not sufficient  
12 resources to competitively compensate qualified caregivers; that  
13 wages in the industry remain among the lowest of all professions, at  
14 or near minimum wage, even as the relationship between a child and a  
15 qualified caregiver is of paramount importance to parents; and,  
16 according to a rapidly accumulating body of brain science, it is  
17 foundational to supporting healthy development.

18 (4) Therefore, the legislature intends to promote high quality  
19 child care from diverse providers that is accessible and affordable  
20 to all families of Washington's children ages birth to five by:

21 (a) Capping family child care expenses at seven percent of a  
22 family's income for subsidized child care;

23 (b) Setting working connections child care subsidy rates at a  
24 level adequate to fund basic components of quality, reflect regional  
25 differences, and competitively compensate caregivers; and

26 (c) Establishing the goal of universal child care access for all  
27 Washington families by 2025.

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

30 (1) The child care access work group is established. Work group  
31 membership must consist of:

32 (a) Twelve members appointed by the governor representing:

33 (i) Two family home child care providers;

34 (ii) Two child care center providers;

35 (iii) A statewide union representing child care workers and  
36 family home providers;

37 (iv) An association representing the interests of child care  
38 centers;

39 (v) A parent representative;

1 (vi) An early learning advocacy organization;  
2 (vii) An early learning policy expert;  
3 (viii) The department;  
4 (ix) Tribal interests as recommended by sovereign tribal  
5 governments; and  
6 (x) A representative of the business community;  
7 (b) Two members of the senate, appointed by the president of the  
8 senate, and representing each of the two largest caucuses of the  
9 senate; and  
10 (c) Two members of the house of representatives, appointed by the  
11 speaker of the house of representatives, representing each of the two  
12 largest caucuses of the house of representatives.  
13 (2) The work group shall:  
14 (a) Develop a regional mechanism to measure the cost of quality  
15 that can be used to determine child care subsidy rates;  
16 (b) Consider how the measure of area median income could be used  
17 in place of federal poverty level when determining eligibility for  
18 child care subsidy;  
19 (c) Evaluate recommendations from the department's technical work  
20 group on compensation, including consideration of pay scale changes,  
21 to achieve pay parity with K-12 teachers by January 1, 2025. When  
22 considering implementation of the technical work group  
23 recommendations, the work group shall further develop policy  
24 recommendations for the department that:  
25 (i) Endeavor to preserve and increase racial and ethnic equity  
26 and diversity in the child care workforce and recognize the value of  
27 cultural competency and multilingualism;  
28 (ii) Include a salary floor that supports recruitment and  
29 retention of a qualified workforce in every early learning setting,  
30 determined by an analysis of fields that compete to recruit workers  
31 with comparable skills, competencies, and experience of early  
32 childhood educators;  
33 (iii) Index salaries for providers against the salary for a  
34 typical preschool lead teacher, differentiating base compensation for  
35 varying levels of responsibility within the early childhood workplace  
36 including consideration of center directors, assistant directors,  
37 lead teachers, assistant teachers, paraprofessionals, family child  
38 care owners, and family home assistants;  
39 (iv) Incentivize advancements in relevant higher education  
40 credentials and credential equivalencies, training, and years of

1 experience, by increasing compensation for each of these, including  
2 early learning certificates, associate degrees, bachelor's degrees,  
3 master's degrees, and doctoral degrees;

4 (v) Credential equivalencies, including certified demonstration  
5 of competencies developed through apprenticeships, peer learning  
6 models, community-based training, and other strategies;

7 (vi) Consider a provider's years of experience in the field and  
8 years of experience at his or her current site;

9 (vii) Differentiate subsidy rates by region; and

10 (viii) Provide additional compensation to providers serving a  
11 high proportion of working connections child care families, providers  
12 demonstrating additional linguistic or cultural competency, and  
13 providers serving populations furthest from opportunity, including:

14 (A) Families enrolled in the early childhood education and  
15 assistance program;

16 (B) Underserved geographic communities;

17 (C) Underserved ethnic or linguistic communities;

18 (D) underserved age groups such as infants and toddlers; and

19 (E) Populations with specialized health or educational needs; and

20 (d) Develop a phased implementation plan for policy changes to  
21 the working connections child care program. The implementation plan  
22 must focus on initial changes and investments that target support to  
23 providers serving children who are underserved and emphasize greater  
24 racial equity. Implementation plan components must include:

25 (i) Increasing program eligibility to six hundred percent of the  
26 federal poverty level or two hundred percent of the area median  
27 income;

28 (ii) Establishing a graduated system of copayments that  
29 eliminates the cliff effect for families and limits the amount a  
30 family pays for child care to a maximum of seven percent of the  
31 family's income;

32 (iii) Developing a model to enable the state to provide  
33 contracted slots to programs serving working connections child care  
34 families in order to expand access for low-income families;

35 (iv) Eliminating work requirements for families participating in  
36 the working connections child care program;

37 (v) Eliminating the fiscal cap on working connections child care  
38 enrollment; and

39 (vi) Prioritizing, in the event of a working connections child  
40 care program waitlist: Families experiencing homelessness; families

1 who qualify for early head start, head start, or the early childhood  
2 education and assistance program; and families with incomes at or  
3 below two hundred percent of the federal poverty level.

4 (3) Legislative members of the work group are reimbursed for  
5 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
6 members may be reimbursed for travel expenses according to chapter  
7 43.03 RCW.

8 (4) Staff support for the work group shall be provided by the  
9 department.

10 (5) By July 1, 2020, the work group must submit its findings and  
11 required implementation plan to the governor and the appropriate  
12 committees of the legislature.

13 (6) This section expires December 1, 2020.

14 NEW SECTION. **Sec. 3.** This act may be known and cited as the  
15 Washington child care access now act.

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