



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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FILED

DATE: April 27, 2022

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WSR 22-10-040

Agency: Department of Children, Youth, and Families

Subject of possible rule making: Early Childhood Education and Assistance Program (ECEAP) enrollment, early ECEAP entry, eligibility for three- to five-year old children who are not age eligible for kindergarten, and eligibility for children from birth to three years of age,

Statutes authorizing the agency to adopt rules on this subject: RCW 43.216.525

Reasons why rules on this subject may be needed and what they might accomplish: Rules are needed to implement Chapter 199, Laws of 2021 §§ 204 [eligibility for 3- to 5- year old children who are not age eligible for kindergarten], 205 [early ECEAP entry], 206 [enrollment], and 403 [eligibility for birth to three ECEAP]. Specifically:

To implement § 204, rules will reclassify current risk factors used to determine priority enrollment on a space available basis to expanded eligibility criteria:

- children whose families are experiencing homelessness, and
- prior participation in:
 - early Head Start or certain successor federal programs,
 - the early support for infants or toddlers program or received developmental lass C services,
 - birth to 3 early ECEAP, or
 - the early childhood intervention and prevention services program.

Rules will also update family income eligible consistent with § 204.

To implement § 205, rules will change the family income criteria to 50% of the state median income instead of 200% of the federal poverty level, and expand early ECEAP entry to allow children who have participated in ECLIPSE.

To implement § 206, rules will allow children to enroll in ECEAP when the child is not otherwise eligible, as space is available, if:

- the family income level is above 36 percent of SMI, but at or below 50 percent of SMI; and
- the child meets at least one of the specified risk factors identified in chapter 110-425 WAC.


To implement § 403, rules will authorize ECEAP for children from birth to three years old if their family's income is at or below 50 percent of the state median income.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative, to include consultation with the Early Learning Advisory Committee during rule development and soliciting comments from ECEAP contractors.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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