

WAC 110-15-0210 Tiered reimbursement (~~(and)~~), quality improvement awards, and dual language enhancements. (1) Providers receiving payment under the WCCC program will receive a tiered reimbursement as outlined in the (~~(u)~~) Early Achievers Operating Guidelines, available on DCYF's website. (~~(u)~~)

(2) Quality improvement awards, as described by chapter 43.216 RCW, are reserved for early achievers participating providers offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy for licensed family homes and at least five percent of nonschool age children receiving subsidy for licensed centers.

(a) Qualifying state subsidy programs include working connections child care (WCCC), seasonal child care (SCC), DCYF child welfare child care programs, homeless child care program (HCCP), ECLIPSE and medic-aid child care programs. Other qualifying programs may include those supported by municipalities, colleges or universities, local school districts, or federally recognized tribal organizations.

(i) Participants providing homeless child care program, ECLIPSE, or medicaid services must present DCYF with information indicating that services were provided under these programs.

(ii) Participants providing subsidized child care supported by municipalities, colleges or universities, local school districts, or federally recognized tribal organizations must present DCYF with information indicating that services were provided under these programs.

(b) Percent subsidy calculations are derived from a monthly average of the number of children receiving qualifying subsidy divided by the monthly average licensed capacity of a specific provider over a (~~(twelve-month)~~) 12-month period.

(i) The (~~(twelve-month)~~) 12-month period utilized for the above calculation will include the (~~(twelve)~~) 12 months prior to the formal release of a facility's early achievers rating.

(ii) Facilities must have provided care at least one day in a given month for that month to be utilized in the above calculation.

(3) Eligible providers may receive a dual language enhancement.

(a) For purposes of this subsection, "eligible providers" means providers who:

(i) Accept WCCC, SCC, or CWCC payments;

(ii) Are enrolled in the early achievers program; and

(iii) Meet the requirements for the dual language designation standard described in the *Early Achievers Operating Guidelines*, available on DCYF's website.

(b) Dual language enhancements must be spent on professional development training, the purchase of dual language and culturally appropriate curricula and accompanying training programs, instructional materials, increased wages for individual staff who provide bilingual instruction, or other related expenses.



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 02, 2022

TIME: 8:56 AM

WSR 22-22-099

Agency: Department of Children, Youth, and Families

- Original Notice**
- Supplemental Notice to WSR** _____
- Continuance of WSR** _____

- Preproposal Statement of Inquiry was filed as WSR** _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR** _____ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**
- Proposal is exempt under RCW RCW 34.05.310(4)(f).**

Title of rule and other identifying information: (describe subject) WAC 110-15-0210 Tiered reimbursement and quality improvement awards

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
December 6, 2022		telephonic	Make oral comments by calling (360) 522-2826 and leaving a voicemail that includes the comment and an email or physical mailing address where DCYF will send its response. Comments received through and including December 6, 2022 will be considered.

Date of intended adoption: December 8, 2022 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: DCYF Rules Coordinator
 Address:
 Email: dcyf.rulescoordinator@dcyf.wa.gov
 Fax:
 Other: <https://dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online>
 By (date) December 6, 2022

Assistance for persons with disabilities:

Contact DCYF Rules Coordinator
 Phone: (360) 522-3691
 Fax:
 TTY:
 Email: dcyf.rulescoordinator@dcyf.wa.gov
 Other:
 By (date) December 2, 2022

Purpose of the proposal and its anticipated effects, including any changes in existing rules: These proposed rules implement Chapter 199 § 305 Laws of 2021, which requires the department to establish a dual language designation and provide subsidy rate enhancements or site-specific grants for licensed or certified child care providers and ECEAP or Birth-to-Three ECEAP contractors who are given the dual language designation.

Reasons supporting proposal: The proposed dual language rate enhancement supports a language access plan within licensed and certified child cares that centers equity and access for immigrants, multilingual providers, caregivers, and families.

Statutory authority for adoption: RCW 43.216.592

Statute being implemented: RCW 43.216.592

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: Private Public Governmental
Name of proponent: (person or organization)

Name of agency personnel responsible for:			
	Name	Office Location	Phone
Drafting:	Athena Jiménez-Manalo		(360) 688-0195
Implementation:	DCYF	statewide	
Enforcement:	DCYF	statewide	

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No
If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?
 Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:
 No: Please explain: DCYF is not among the agencies listed as required to comply with RCW 34.05.328(5)(i). Further, DCYF does not voluntarily make that section applicable to the adoption of these rules.

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: November 2, 2022

Name: Brenda Villarreal

Title: DCYF Rules Coordinator

Signature: