

# HOUSE BILL REPORT

## HB 1228

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**As Reported by House Committee On:**  
Early Learning & Human Services

**Title:** An act relating to education requirements for family day care providers.

**Brief Description:** Exempting certain family day care providers who have been operating for at least five years from any requirement to have a high school diploma or equivalent education.

**Sponsors:** Representative Hunt.

**Brief History:**

**Committee Activity:**

Early Learning & Human Services: 1/31/13, 2/7/13 [DPS].

**Brief Summary of Substitute Bill**

- Exempts certain family day care providers from the requirement that licensed providers must have a high school diploma or equivalent education.

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### HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Freeman, Vice Chair; Farrell, Goodman, Roberts, Sawyer and Zeiger.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Scott, Assistant Ranking Minority Member; MacEwen and Overstreet.

**Staff:** Linda Merelle (786-7092).

**Background:**

A family day care provider regularly provides child day care and early learning services to 12 or fewer children in the provider's home. Unless exempt, a family day care provider must meet minimum licensing requirements in order to operate. Certain family members, relatives, and friends are exempt from the licensing requirement.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Beginning March 31, 2012, initial applicants for a child care license must have a high school diploma or written evidence of an equivalent education. Written evidence of an equivalent education includes successful completion of General Educational Development (GED) tests, completion of 12 years of elementary and secondary education, possession of a current Child Development Associate credential; or completion of 45 credits of postsecondary education.

Family child care providers who were licensed before March 31, 2012, have until March 31, 2017, to meet the education requirements for licensing.

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**Summary of Substitute Bill:**

Family day care providers may meet the minimum education requirement for licensing by achieving a Level Three rating in the Early Achiever's program, the state's quality rating and improvement system.

**Substitute Bill Compared to Original Bill:**

Family day care providers who have been in operation for five years or more with no enforcement action are not exempt from meeting the minimum education requirement of a high school diploma or its equivalent. The family day care providers have the option of meeting the minimum education requirement by achieving Level Three in the Early Achiever's program.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The minimum education requirement is something we should do, but we should take into consideration the providers who have been doing this for a long time who have a good record and clientele. For some providers, English is their second language, and they are fearful of what it might take to get the necessary education. Being exempt from the education requirement would allow long-time providers to continue to care for children. For some child care providers, particularly those who are foreign-born, proof of a high school diploma could force an otherwise great provider out of the child care world. There are fewer licensed family child care providers than ever in recent years. The degree requirement will become a heavy burden. There is no direct correlation between requiring an experienced child care provider to complete a GED test or to get a high school diploma and providing quality child care. Many providers will simply drop their licenses and provide illegal care. They will be unregulated, and they will not have access to training, subsidies, support, or

education opportunities which are available to licensed child care providers. They should have the option to join Early Achievers, part of the Race to the Top grant, to meet the education requirement. Early Achievers will provide support, funding, consultation and training, and it is much more closely aligned to improving quality on site with the children than getting a GED test or an Associate of Arts degree.

(Neutral) Quality comes in many forms such as cultural and homeland preservation and identity developed. These are important for our communities of color and more marginalized communities. Many providers do not have documentation or did not have access to education from their home country.

(Opposed) Having years of experience is valuable, but the providers should have a baseline education level themselves. After negotiated rulemaking, it was agreed that a high school diploma was an appropriate level of baseline education. According to market surveys, there are approximately 700 providers who do not have at least a high school diploma.

**Persons Testifying:** (In support) Representative Hunt, prime sponsor; Annie Cubberly, Child Care Action Council; and Priscilla Turcott.

(Neutral) Lauren Hipp, Thrive by Five Washington; and Lani Todd, Service Employees International Union 925.

(Opposed) Amy Blondin, Washington State Department of Early Learning.

**Persons Signed In To Testify But Not Testifying:** None.