

# HOUSE BILL REPORT

## HB 2556

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

**Title:** An act relating to providing regulatory relief for early learning providers.

**Brief Description:** Providing regulatory relief for early learning providers.

**Sponsors:** Representatives Dent, Corry, Eslick, Caldier, Klippert, Jenkin, Griffey, McCaslin, Mosbrucker, Gildon, Dufault and Tharinger.

**Brief History:**

**Committee Activity:**

Human Services & Early Learning: 1/28/20, 2/7/20 [DPS];  
Appropriations: 2/11/20 [DPS(HSEL)].

**Brief Summary of Substitute Bill**

- Creates a community-based training pathway for licensed child care providers to meet professional education requirements associated with child care licensure.
- Requires the Department of Children, Youth, and Families and the State Board for Community and Technical Colleges to develop a plan to allow community-based training to qualify for college credit.

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### HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Dent, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Corry, Goodman, Griffey, Kilduff, Klippert, Lovick and Ortiz-Self.

**Staff:** Dawn Eychaner (786-7135).

**Background:**

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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.*

The Department of Children, Youth, and Families (DCYF) regulates child care licensing and administers a quality rating and improvement system for early learning programs called Early Achievers (EA). Providers accepting state subsidy and caring for nonschool age children are required to participate in the EA program and meet certain rating levels by statutory deadlines. The DCYF has adopted core competencies for early learning providers that describe the standards of knowledge and skills for early learning professionals.

*Foundational Quality Standards for Early Learning.*

In 2018 the DCYF adopted new foundational quality standards for early learning that updated licensing standards for child care and the Early Childhood Education and Assistance Program. The licensing standards are required to provide minimum health and safety standards for child care and preschool programs, rely on the standards established by the EA program to address quality issues, take into account the separate needs of family care providers and child care centers, and promote the continued safety of child care centers.

Under the standards, early learning providers must meet new education requirements or the equivalent by 2024 or within five years of the provider's date of hire if hired after August 2019. New requirements include earning an initial, short, or full state Early Childhood Education Certificate (ECE) for most positions. To earn an initial ECE requires 12 college credits; the short ECE requires 20 credits; and the full state ECE requires 47 credits.

In 2019 the DCYF received recommendations from an Equivalencies Workgroup related to developing equivalencies to meet education requirements. The recommendations for education equivalents included establishing a process for providers to demonstrate competency and identifying alternate credentials.

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**Summary of Substitute Bill:**

By July 1, 2021, the DCYF must implement a noncredit-bearing, community-based training pathway for licensed child care providers to meet professional education requirements associated with child care licensure. The DCYF must consult with specified stakeholders in the development and implementation of the pathway, including:

- the statewide child care resource and referral network;
- a community-based training organization that provides training to licensed family day care providers;
- a statewide organization that represents the interests of family day care providers;
- a statewide organization that represents the interests of licensed child care centers;
- an organization representing the interests of refugee and immigrant communities;
- a bilingual child care provider whose first language is not English;
- an organization that advocates for early learning;
- an organization representing private and independent schools; and
- the State Board for Community and Technical Colleges (SBCTC).

The community-based training pathway must align with early learning core competencies, include culturally relevant practices, and be made available:

- at low cost to providers and at prices comparable to the cost of similar community-based trainings, not to exceed \$250 per person;
- in multiple languages; and
- in an accessible manner for providers in rural and urban settings.

The DCYF must allow licensed child care providers until at least August 1, 2026, to comply with licensing rules that require a provider to hold an ECE initial or short certificate or complete community-based trainings.

The term "demonstrated competence" is defined to mean that an individual has shown that he or she has the skills to complete required work independently.

The DCYF and the SBCTC must collaborate with local community and technical colleges to develop a plan to allow community-based training that is completed by licensed child care providers to qualify for college credit. The DCYF must submit the plan to the Governor and the Legislature by December 1, 2021.

### **Substitute Bill Compared to Original Bill:**

The substitute bill:

- removes sections relating to:
  - amending child care licensing standards as they relate to early learning core competencies and the EA program;
  - creating the Cost of Child Care Regulations Work Group; and
  - establishing a fundamentals of instruction program for early learning providers;
- requires the DCYF to implement a noncredit-bearing, community-based training pathway for licensed child care providers to meet professional education requirements associated with child care licensure. The DCYF must consult with specified stakeholders in the development and implementation of the pathway;
- directs the DCYF to allow licensed child care providers until at least August 1, 2026, to comply with licensing rules that require a provider to hold an ECE initial or short certificate or complete community-based trainings;
- defines "demonstrated competence" as showing that a person has the skills to complete required work independently;
- requires the DCYF and the SBCTC to collaborate with local community and technical colleges to develop a plan to allow community-based training that is completed by licensed child care providers to qualify for college credit and submit the plan to the Governor and the Legislature by December 1, 2021; and
- amends findings and intent language.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 21, 2020.

**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) There are great benefits to early learning, but it is important to maintain quality without overstepping with regulations. Affordable child care is needed as families struggle to find care and are forced to quit work to take care of their children. Providers are asking for relief from regulations, and the workforce needs support. Students getting their pilot license must complete a fundamentals of instruction program, which is a great program for training pilots. The professional development requirements from the DCYF are difficult to understand, and the state needs to be more realistic about expectations for child care providers. Providers who want to expand their businesses are unable to do so, and providers are going underground to provide illegal care. Addressing the crisis in child care is critical to the state's economy, and the lack of accessible and affordable care is costing the state billions. A long-term plan is needed with input from stakeholders. A safe, high quality early learning environment must be balanced with an understanding of the regulatory environment facing small businesses. This policy respects the needs of the child care workforce, allowing providers to stay in the field, while getting the education they are required to get. Providers are advocating for a true alternative to college as a community-based pathway. There should be a consideration for amending the bill to reflect that community-based trainings are an alternative to college. There are existing community-based trainings that are accepted by the DCYF, and those should be allowed to count.

(Opposed) None.

(Other) This policy demonstrates a level of listening that is appreciated by the field and highlights sticking points in the system such as professional development requirements. Those requirements create a barrier, and the attention brought to those by this bill is helpful.

**Persons Testifying:** (In support) Representative Dent, prime sponsor; Amy Anderson, Association of Washington Business; and Julie Schroath, Washington Childcare Centers Association.

(Other) Suzie Hanson, Washington Federation of Independent Schools.

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

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The substitute bill by Committee on Human Services & Early Learning be substituted therefor and the substitute bill do pass. Signed by 32 members: Representatives Ormsby, Chair; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; Stokesbary, Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Chopp, Cody, Corry, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Kilduff, Kraft, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Steele, Sullivan, Sutherland, Tarleton, Tharinger and Ybarra.

**Staff:** Jordan Clarke (786-7123).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Human Services & Early Learning:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 2020.

**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) This bill is the result of a lot of work between early learning providers and the DCYF, and results in an outcome that works for everyone. The bill will allow new child care providers to access community-based trainings to fulfill the recently mandated education requirements. These trainings can be delivered by state-approved trainers from the community in multiple languages, cultures, and at a cost that providers making minimum wage can afford. The fiscal note addresses the need to develop training through the stakeholders and information technology investments. Looking ahead, this bill could help 700 to 800 new providers per year once the bill is implemented. This is needed across the state. Providers coming from different backgrounds and with different language skills can provide specialized care for the communities and the children that they serve. The bill gives these providers the ability to progress through their professional development in a way that is responsive to their cultures.

(Opposed) None.

**Persons Testifying:** Erin Haick, Service Employees International Union, Local 925.

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