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**HOUSE BILL 1363**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Caldier, Manjarrez, Barnard, Connors, Eslick, McClintock, Dye, Schmidt, Jacobsen, Graham, Mendoza, Couture, Corry, Waters, and Engell

Read first time 01/17/25. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to modifying licensing requirements for child  
2 care and early learning providers; amending RCW 43.216.250,  
3 43.216.255, and 43.216.600; and repealing RCW 43.216.755.

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

5 **Sec. 1.** RCW 43.216.250 and 2021 c 304 s 9 are each amended to  
6 read as follows:

7 It shall be the secretary's duty with regard to licensing under  
8 this chapter:

9 (1) In consultation and with the advice and assistance of persons  
10 representative of the various type agencies to be licensed, and  
11 subject to RCW 43.216.255, to designate categories of child care  
12 facilities or outdoor locations for which separate or different  
13 requirements shall be developed as may be appropriate whether because  
14 of variations in the ages and other characteristics of the children  
15 served, variations in the purposes and services offered or size or  
16 structure of the agencies to be licensed, or because of any other  
17 factor relevant thereto;

18 (2)(a) In consultation with the state fire marshal's office, the  
19 secretary shall use an interagency process to address health and  
20 safety requirements for child care programs that serve school-age  
21 children and are operated in buildings that contain public or private

1 schools that safely serve children during times in which school is in  
2 session;

3 (b) Any requirements in (a) of this subsection as they relate to  
4 the physical facility, including outdoor playgrounds, do not apply to  
5 before-school and after-school programs that serve only school-age  
6 children and operate in the same facilities used by public or private  
7 schools;

8 (3) In consultation and with the advice and assistance of parents  
9 or guardians((7)) and persons representative of the various type  
10 agencies to be licensed, and subject to RCW 43.216.255, to adopt and  
11 publish minimum requirements for licensing applicable to each of the  
12 various categories of agencies to be licensed under this chapter;

13 (4) In consultation with law enforcement personnel, the secretary  
14 shall investigate the conviction record or pending charges of each  
15 agency and its staff seeking licensure or relicensure, and other  
16 persons having unsupervised access to children in child care;

17 (5) To satisfy the shared background check requirements provided  
18 for in RCW 43.216.270 and 43.20A.710, the department of children,  
19 youth, and families and the department of social and health services  
20 shall share federal fingerprint-based background check results as  
21 permitted under the law. The purpose of this provision is to allow  
22 both departments to fulfill their joint background check  
23 responsibility of checking any individual who may have unsupervised  
24 access to vulnerable adults, children, or juveniles. Neither  
25 department may share the federal background check results with any  
26 other state agency or person;

27 (6) To issue, revoke, or deny licenses to agencies pursuant to  
28 this chapter. Licenses shall specify the category of child care that  
29 an agency is authorized to render and the ages and number of children  
30 to be served;

31 (7) To prescribe the procedures and the form and contents of  
32 reports necessary for the administration of this chapter and to  
33 require regular reports from each licensee;

34 (8) To inspect agencies periodically to determine whether or not  
35 there is compliance with this chapter and the requirements adopted  
36 under this chapter;

37 (9) To review requirements adopted under this chapter at least  
38 every two years and to adopt appropriate changes after consultation  
39 with affected groups for child care requirements; and

1 (10) To consult with public and private agencies in order to help  
2 them improve their methods and facilities for the care and early  
3 learning of children.

4 **Sec. 2.** RCW 43.216.255 and 2021 c 304 s 10 are each amended to  
5 read as follows:

6 (1) No later than November 1, 2016, the department shall  
7 implement a single set of licensing standards for child care and the  
8 early childhood education and assistance program. The department  
9 shall produce the single set of licensing standards within the  
10 department's available appropriations. The new licensing standards  
11 must:

12 (a) Provide minimum licensing requirements for child care and  
13 preschool programs, subject to subsection (2) of this section;

14 (b) Rely on the standards established in the early achievers  
15 program to address quality issues in participating early childhood  
16 programs;

17 (c) Take into account the separate needs of family care  
18 providers, outdoor nature-based child care providers, and child care  
19 centers; and

20 (d) Promote the continued safety of child care settings.

21 (2) The licensing standards established and implemented by the  
22 department must align with the following:

23 (a) Providers may not be required to earn early childhood  
24 education certification or equivalent credentials as part of staff  
25 qualification requirements;

26 (b) For each classroom or well-defined space of a child care  
27 center, the maximum group sizes and ratios of center staff members to  
28 children, including children related to staff or the licensee, must  
29 be:

30 (i) For preschoolers (30 months through six years of age who are  
31 not attending kindergarten or elementary school), a maximum group  
32 size of 21 with a ratio of no less than one to 11; and

33 (ii) For school-age children (five years through 12 years of age  
34 who are enrolled in or attending kindergarten or elementary school),  
35 a maximum group size of 31 with a ratio of no less than one to 16;  
36 and

37 (c) Licensed indoor early learning program space must have a  
38 minimum of 34 square feet per child in attendance and further comply  
39 with the requirements of this chapter.

1       (3) Private schools that operate early learning programs and do  
2 not receive state subsidy payments shall be subject to the minimum  
3 health and safety standards as defined in RCW 43.216.395(2)(b), the  
4 health and safety requirements under chapter 28A.195 RCW, and the  
5 requirements necessary to assure a sufficient early childhood  
6 education to meet usual requirements needed for transition into  
7 elementary school. The state, and any agency thereof, shall not  
8 restrict or dictate any specific educational or other programs for  
9 early learning programs operated by private schools except for  
10 programs that receive state subsidy payments.

11       **Sec. 3.** RCW 43.216.600 and 2021 c 199 s 311 are each amended to  
12 read as follows:

13       (1) Subject to the availability of amounts appropriated for this  
14 specific purpose, the department shall provide professional  
15 development supports to aid eligible providers in reaching the  
16 professional education and training standards adopted by the  
17 department. Professional development supports may include:

18       (a) Department-required trainings for child care providers  
19 conducted by department-approved trainers;

20       (b) Trainings for license-exempt family, friend, and neighbor  
21 child care providers conducted by department-approved trainers;

22       (c) Early achievers scholarships;

23       (d) ~~((Community-based training pathways and systems developed  
24 under RCW 43.216.755;~~

25       ~~(e))~~) Supporting a nonprofit organization that provides  
26 relationship-based professional development support to family,  
27 friend, and neighbor caregivers, child care centers, and licensed  
28 family home providers, and their work to help providers start their  
29 businesses; and

30       ~~((f))~~) (e) Other professional development activities such as  
31 updating training content, data collection and reporting, trainer  
32 recruitment, retention, program monitoring, and trainings delivered  
33 by department-approved trainers on topics such as small business  
34 management, antibias and antiracist training, providing care for  
35 children with developmental disabilities, social-emotional learning,  
36 implementing inclusionary practices in early learning environments,  
37 infant and toddler care, dual language program development, and  
38 providing trauma-informed care.

1 (2) For the purposes of this section, "eligible provider" means:  
2 (a) An owner of a licensed or certified child care center, licensed  
3 or certified outdoor nature-based care, or licensed family home  
4 provider accepting state subsidy; (b) an employee of a licensed or  
5 certified child care center, licensed or certified outdoor nature-  
6 based care, or a licensed family home provider; (c) a contractor or  
7 provider of the early childhood education and assistance program or  
8 birth to three early childhood education and assistance program; or  
9 (d) an early achievers coach.

10 NEW SECTION. **Sec. 4.** RCW 43.216.755 (Child care providers—  
11 Community-based training pathway) and 2020 c 342 s 2 are each  
12 repealed.

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