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HOUSE BILL 2556

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Dent, Corry, Eslick, Caldier, Klippert, Jenkin, Griffey, McCaslin, and Mosbrucker

1 AN ACT Relating to providing regulatory relief for early learning  
2 providers; amending RCW 43.216.110 and 43.216.255; adding new  
3 sections to chapter 43.216 RCW; creating a new section; and providing  
4 an expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that a nurturing and  
7 loving relationship between an early learning provider and a child  
8 the provider cares for is an essential component of early learning  
9 and has a strong influence on that child's healthy development.  
10 Further, the legislature finds that successfully operating a child  
11 care center or licensed family home is becoming more financially  
12 challenging as the state's regulatory framework for child care and  
13 early learning has grown more comprehensive. Therefore, the  
14 legislature intends to provide relief to early learning providers by:  
15 (1) Establishing an accessible, affordable instructional program that  
16 satisfies licensure requirements; and (2) evaluating the financial  
17 impacts of state licensing requirements on providers.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.216  
19 RCW to read as follows:

1 (1) The department shall implement a fundamentals of instruction  
2 program for early learning providers. The objective of the program is  
3 to instruct early learning providers on how children learn and  
4 interact with high quality early learning professionals. The  
5 fundamentals of instruction program must provide the training  
6 necessary for early learning providers to meet professional education  
7 requirements associated with child care licensure.

8 (2) The program must be provided in a manner that is accessible  
9 and affordable to providers and must be made available both online  
10 and as a community-based training opportunity. Upon a participant's  
11 successful completion of the curriculum and an online or in-person  
12 exam, the program must certify the participant as having met  
13 education requirements necessary to meet federal and state  
14 professional development mandates for all early learning provider  
15 positions.

16 (3) The program curriculum must emphasize the role of a classroom  
17 teacher in a child's learning and development and must meet federal  
18 child care and development fund training and professional development  
19 requirements with a focus on:

20 (a) Health and safety training standards;

21 (b) Child development within the state's early learning and  
22 development guidelines;

23 (c) Social-emotional behavior intervention models for children  
24 ages birth through school age; and

25 (d) Appropriate content for populations of children that include  
26 different age groups, English learners, children with developmental  
27 delays or disabilities, and Native Americans whose tribes receive  
28 federal child care and development fund moneys.

29 (4) In the design and implementation of the fundamentals of  
30 instruction program, the department must:

31 (a) Solicit inclusive input and feedback from existing early  
32 learning providers statewide, including monolingual and bilingual  
33 providers who have a variety of education levels; and

34 (b) Ensure the curriculum and exam include the elements described  
35 in subsection (3) of this section and are provided in a manner that  
36 strives to be inclusive of a variety of learning levels, languages,  
37 and abilities.

38 (5) The department may enter into a contract with an outside  
39 organization for the development and provision of the curriculum and  
40 exam.

1 (6) Beginning November 1, 2020, the department must report  
2 annually to the governor and the legislature on provider  
3 participation rates and results of the program.

4 **Sec. 3.** RCW 43.216.110 and 2012 c 149 s 2 are each amended to  
5 read as follows:

6 (~~By December 31, 2012, the~~) The department shall adopt core  
7 competencies for early care and education professionals and (~~child~~  
8 ~~and youth development professionals and develop an implementation~~  
9 ~~plan. The department shall~~) incorporate the core competencies into  
10 (~~all appropriate professional development opportunities including,~~  
11 ~~but not limited to,~~) the quality rating and improvement system(~~(7~~  
12 ~~the early childhood education and assistance program, child care~~  
13 ~~licensing, and the early support for infants and toddlers program)~~).  
14 The purpose of the core competencies is to serve as a foundation for  
15 what early care and education professionals (~~and child and youth~~  
16 ~~development professionals~~) who are participants in the quality  
17 rating and improvement system need to know and do to provide quality  
18 care for children. The core competencies must be reviewed and updated  
19 every five years. The department may not apply the core competencies  
20 to minimum licensing standards.

21 **Sec. 4.** RCW 43.216.255 and 2015 3rd sp.s. c 7 s 3 are each  
22 amended to read as follows:

23 (1) (~~No later than November 1, 2016, the~~) The department shall  
24 implement a single set of licensing standards for child care and the  
25 early childhood education and assistance program. The department  
26 shall produce the single set of licensing standards within the  
27 department's available appropriations. The (~~new~~) licensing  
28 standards must:

29 (a) Provide minimum health and safety standards for child care  
30 and preschool programs;

31 (b) (~~Rely on the standards established in the early achievers~~  
32 ~~program to address quality issues in participating early childhood~~  
33 ~~programs;~~

34 (~~e~~)) Take into account the separate needs of family care  
35 providers and child care centers; and

36 (~~d~~)) (c) Promote the continued safety of child care settings.

37 (2) (~~Private schools~~) Family day care providers and child day  
38 care centers that operate early learning programs and do not receive

1 state subsidy payments shall be subject only to the minimum health  
2 and safety standards in subsection (1)(a) of this section (~~and the~~  
3 ~~requirements necessary to assure a sufficient early childhood~~  
4 ~~education to meet usual requirements needed for transition into~~  
5 ~~elementary school~~). The state, and any agency thereof, shall not  
6 restrict or dictate any specific educational or other programs for  
7 early learning programs operated by (~~private schools except for~~  
8 ~~programs that receive state subsidy payments~~) licensed family day  
9 care providers or child day care centers who do not receive state  
10 subsidy payments.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.216  
12 RCW to read as follows:

13 (1) The cost of child care regulations work group is established.  
14 The work group must study: (a) The financial impacts of department  
15 licensing regulations on child care businesses; and (b) direct and  
16 indirect costs and benefits to child care providers that are  
17 associated with participation in the early achievers quality rating  
18 system. The study must include an analysis of costs associated with  
19 licensing and early achievers requirements that may have a  
20 disproportionate economic impact on child care businesses located in  
21 rural areas of the state.

22 (2)(a) The secretary of the department or his or her designee  
23 shall convene the first meeting of the work group by July 1, 2020.  
24 The work group must meet at least five times between July 1, 2020,  
25 and November 30, 2020, and must convene at least two of those  
26 meetings in locations east of the crest of the Cascade mountains.

27 (b) The work group must consist of the following twelve voting  
28 members:

29 (i) Three licensed family home child care providers selected by a  
30 statewide organization representing the interests of family child  
31 care providers. At least one family home child care provider must  
32 provide child care for children of agricultural workers, speak  
33 Spanish as a first language, or be located east of the crest of the  
34 Cascade mountains;

35 (ii) Three licensed child care center providers selected by a  
36 statewide organization representing the interests of licensed child  
37 care centers. At least one child care center provider must provide  
38 child care for children of agricultural workers, speak Spanish as a

1 first language, or be located east of the crest of the Cascade  
2 mountains;

3 (iii) Two foster parents selected by a statewide organization  
4 solely focused on supporting foster parents. At least one foster  
5 parent must reside east of the crest of the Cascade mountains; and

6 (iv) Four legislators, consisting of two members of the house of  
7 representatives and two members of the senate. The speaker of the  
8 house of representatives shall appoint one member to the work group  
9 from each of the two largest caucuses in the house of  
10 representatives. The president of the senate shall appoint one member  
11 to the work group from each of the two largest caucuses in the  
12 senate.

13 (3) The work group shall elect its cochair, one from among the  
14 legislative members and one from among the citizen members.

15 (4) The work group may seek input or collaborate with other  
16 parties as it deems necessary. The work group may contract with  
17 additional persons who have specific technical expertise if such  
18 expertise is necessary to carry out the mandates of the study. The  
19 work group may enter into such a contract only if an appropriation is  
20 specifically provided for this purpose.

21 (5) Legislative members of the work group must be reimbursed for  
22 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
23 members must be reimbursed for travel expenses according to chapter  
24 43.03 RCW.

25 (6) The department shall provide staff support for the work  
26 group.

27 (7) The work group must submit its findings and recommendations  
28 to the governor and the appropriate committees of the legislature by  
29 December 15, 2020.

30 (8) This section expires June 30, 2021.

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