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**Early Learning & Human Services  
Committee**

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**HB 2377**

**Brief Description:** Improving quality in the early care and education system.

**Sponsors:** Representatives Hunter, Kagi, Walsh, Sullivan, Farrell, Carlyle, Senn, Moeller, Tharinger, Ryu, Reykdal, Morrell, Roberts, Goodman, Tarleton, Freeman, Pollet and Habib.

**Brief Summary of Bill**

- Requires the Department of Early Learning to electronically publish the Early Achievers program ratings for early care and education programs.
- Establishes that the Department of Early Learning is to charge a fee for additional re-rating request made by Early Achievers program participants.
- Requires the Department of Early Learning to create a professional development pathway for providers to obtain a high school diploma or higher education credential.
- Requires the Department of Early Learning to collect specific data pertaining to the Working Connections Child Care program and the Early Childhood Education and Assistance Program.
- Instructs the Washington State Institute of Public Policy to complete an evaluations examining relationships between the Early Achievers program rating levels and child outcomes and a cost-benefit analysis.
- Specifies that a child is eligible for the Working Connections Child Care program for 12 months.
- Outlines Early Achiever participation and rating goal requirements for certain child care providers and Early Childhood Education and Assistance Providers.
- Requires that the Department of Early Learning to develop an absence and de-enrollment policy for the Working Connections Child Care program and the Early Childhood Education and Assistance Program.

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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.*

- Specifies that the Department of Early Learning is required to contract at least 20 percent of the Working Connections Child Care program slots by a certain date and prioritize certain programs.
- Aligns the Working Connections Child Care program and the Early Childhood Education and Assistance Program required fingerprint processes.
- Specifies that preschool programming should prioritize specific programs and must include only programs rating at levels 3, 4, or 5 in the Early Achievers program.
- Requires Early Childhood Education and Assistance providers to institute a Working Connections Child Care program by July 1, 2017.
- Instructs the Department of Early Learning to implement a single set of licensing requirements by July 1, 2017.
- Specifies that local government may contribute funds to the Department of Early Learning for certain purposes.

**Hearing Date:**

**Staff:** Lindsay Lanham (786-7120).

**Background:**

In 2007, the Legislature enacted Engrossed Second Substitute Senate Bill 5828, which created the quality rating and improvement system for the early care and education system in Washington, called Early Achievers. The Early Achievers program establishes a common set of expectations and standards that define, measure, and improve the quality of early learning and care settings. The Department of Early Learning (DEL) completed state-wide implementation of the Early Achievers program in July 2013. There are five levels in the Early Achievers program. All licensed or certified child care programs enter the program at level 1. Participants advance to level 2 when they officially enroll in the Early Achievers program. At level 2, participants are required to complete several activities such as a self-assessment and trainings. For levels 3-5 participants are evaluated and earn points in the following areas: child outcomes; facility curriculum and learning environment and interaction; professional development and training; and family engagement and partnership. At levels 3, 4, and 5 Early Achievers participants are evaluated and assigned a rating. The Early Achievers program provides participants coaching, training opportunities, professional development scholarships and grants, technical assistance, and consultation.

The Early Childhood Education and Assistance Program (ECEAP) is the Washington State Preschool Program. ECEAP serves families at or below 110 percent of the federal poverty level. Although ECEAP prioritizes children who are four years old by August 31, children who are three years old are also eligible for the program. In addition to preschool programming, ECEAP also provides family support and health services. The stated goal of the ECEAP program is to help ensure children enter kindergarten ready to succeed.

The Working Connections Child Care (WCCC) program offers subsidies to child care providers serving families at or below 200 percent of the federal poverty level. The state pays part of the cost of child care. The parents or caregivers are responsible for making a copayment to the child care provider. Both child care centers and family home providers are able to receive working connections child care subsidy payments. Children of families receiving the WCCC benefits are required to be less than 13 years of age or less than 19 years of age and have a verified special need or be under court supervision. The DEL sets child care subsidy policy and provides WCCC oversight for child care licensing. The Department of Social Health Services helps families apply for WCCC, determines eligibility and parent or caregiver copayments, authorizes child care, and issues payment to providers.

During the Legislative Sessions in 2013, the Legislature passed Second Substitute House Bill 1723 and Senate Bill 5904. Both bills pertain to early care and education programming. Among its many provisions, Second Substitute HB 1723 specifies that subject to the amounts appropriated, WCCC providers shall receive a 5 percent increase in subsidy rates for enrolling in the Early Achievers program and completing level 2 and advancing to level 3 within a specified time. Senate Bill 5904 outlines an expansion of ECEAP through the 2013-2015 biennium.

The ECEAP expansion detailed in SB 5904 is also subject to amounts appropriated. Senate Bill 5904 also required the DEL to develop an ECEAP expansion plan by September 30, 2013 and required the Washington State Institute for Public Policy to complete a meta-analysis and retrospective outcome evaluation and return on investment analysis of the ECEAP. The meta-analysis was provided to the Legislature in January 2014. The retrospective study is to be completed by December 15, 2014.

### **Summary of Bill:**

#### Early Achievers

House Bill 2377 (HB 2377), also known as the Early Start Act, states that the Early Achievers program establishes the framework for strengthening the quality of the early care and education system. Two additional objectives are added to the Early Achievers program and include the following: to improve short-term and long-term outcomes for children as measured by specific assessments; and to provide professional development opportunities to early care and education providers. HB 2377 also specifies that there are five levels in the Early Achievers program and that participants are expected to actively engage in the program and advance from level 1 to level 5.

Effective July 1, 2015, the Department of Early Learning (DEL) is required to publish Early Achievers program ratings for all child care programs, ECEAP programs, and Head Start programs. The DEL is directed to publish ratings on the DEL web site or offer a link on its web site. Ratings are to be published within thirty days from the time a program becomes licensed or certified, or receives a rating. The ratings also are to be published in a manner that is easily accessible to parents and caregivers.

Additionally, HB 2377 requires the DEL to charge a fee for additional re-rating requests made by program participants. The DEL director is required to establish the fee for re-ratings in rule. The fee charged by the DEL may not exceed the cost associated with the cost to the DEL for the class of activities associated with the Early Achievers program.

The DEL is further required to create a professional development pathway for Early Achievers participants to obtain a high school diploma or higher education credential in early childhood education or other academic field related to early care and education. The professional developmental pathway is required to include opportunities for scholarships and grants to assist participants with the costs associated with obtaining an educational degree.

#### Early Achievers Data Collection and Evaluation

HB 2377 also requires the DEL to collect longitudinal, student level data on children attending a WCCC or ECEAP program. Data are to be disaggregated in the smallest units, by distinct ethnic categories within racial subgroups, and at a minimum capture the following characteristics: daily attendance; identification of classroom and teacher; Early Achievers rating level; program hours; program duration; and child cognitive and developmental gains. Data collected are required to be provided to the Education Data Center and the Washington State Institute for Public Policy (WSIPP). WSIPP is required to conduct a series of evaluations examining relationships between the Early Achievers program quality rating levels and outcomes for children. WSIPP's final report is to include a cost-benefit analysis.

#### Working Connections Child Care

HB 2377 specifies that a child is eligible for WCCC for a 12-month enrollment period and may not be deemed ineligible due to any change in circumstances, including but not limited to the following: a change in family composition; a change in a parent's or a caregiver's employment status; a change in a parent's or a caregiver's employment status due to health; or a change in a parent's or a caregiver's income. Language pertaining to a five percent increase in subsidy for providers enrolling in the Early Achievers program levels 1 and 2 and advancing to level 3 within thirty months is removed from statute. Additionally, the DEL must adopt rules pertaining to WCCC that outline the following: allowable periods of child absences; required contact with caregivers to discuss child absences and encourage program attendance; and de-enrollment procedures when allowable child absence are exceeded.

HB 2377 also requires child care providers serving non-school aged children and receiving state subsidy to enroll in the Early Achievers program and complete level 2 activities by July 1, 2017. Child care providers serving non-school aged children and receiving state subsidy payments must be rated at a level 3 in the Early Achievers program by July 1, 2019. Effective July 1, 2015, a new child care provider serving non-school aged children and receiving state subsidy payments must enroll in Early Achievers within 30 days; complete Early Achievers level two activities within 12 months from receiving a state subsidy payment; and rate at an Early Achievers level three within 30 months from receiving a state subsidy payment.

The DEL is required to employ a combination of vouchers and contracted slots for the WCCC program. The DEL's duties relating to child care contracted slots include but are not limited to the following: contracting at least 20 percent of the WCCC slots by January 1, 2016; award slots via a competitive process and prioritize child care programs with specific characteristics; pay a provider for each contracted slot, unless a contracted slot is not used for 30 days; charge a child care copayment for each contracted slot; and establish a copayment fee by rule. Only a child care provider who participates in the Early Achievers program and rates at a level three, four, or five is eligible to be awarded a contracted slot.

### Early Childhood Education and Assistance Program (Preschool)

HB 2377 requires the DEL to adopt rules pertaining to ECEAP that outline the following: allowable periods of child absences; required contact with caregivers to discuss child absences and encourage program attendance; and de-enrollment procedures when allowable child absence are exceeded. Language that specifies the funds used to continue or expand preschool programming may not supplant federally supported head start programs is removed from statute. HB 2377 also requires the DEL to adopt rules requiring ECEAP employees and volunteers to submit to finger print checks that align with the finger print processes required for the WCCC program.

Existing ECEAP providers are required to enroll in the Early Achievers program and be rated a level 3 by July 1, 2015. ECEAP providers must be rated a level four by July 1, 2019. By January 1, 2014, new

ECEAP slots are only available to Early Achievers participants rated at a level three, four, or five. HB 2377 also requires ECEAP providers to institute a WCCC program and maintain an optional full workday program by July 1, 2017.

Program implementation of preschool must prioritize programs with the following characteristics: programs located in a high-need geographic area, programs offering services to children diagnosed with a special need or children involved in the child welfare system; or programs that receive a WCCC subsidy. Only providers enrolled in Early Achievers and rated a level three, four, or five and providing full workday early care and education programming are eligible for the program implementation.

### Licensing Standards

By July 1, 2015, the DEL is required to implement a single set of licensing standards for child care and ECEAP. The single set of licensing requirements must use the Early Achievers as a framework, eliminate additional regulations, take into account the separate needs of family care providers and child care centers, and promote the continued safety of child care settings.

### Local Government

Local government is encouraged to collaborate with the DEL when establishing early learning programs for residents. Local government may contribute funds to the DEL for initial investments to establish capacity and quality in local early care and education programming and reductions in copayments charged to caregivers.

A section of uncodified session law from the second special session of 2013, pertaining to early learning, is repealed.

**Appropriation:** None.

**Fiscal Note:** Requested on January 16, 2014.

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