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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, Mosbrucker, Gildon, Dufault, and Tharinger

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

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

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

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

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

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

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

(a) Health and safety training standards;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Three licensed child care center providers selected by a statewide organization representing the interests of licensed child care centers. At least one child care center provider must provide child care for children of agricultural workers, speak Spanish as a first language, or be located east of the crest of the Cascade mountains;

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

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

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

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

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

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

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

(8) This section expires June 30, 2021.

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