

HOUSE BILL REPORT

ESHB 2511

As Amended by the Senate

Title: An act relating to child care center licensing requirements.

Brief Description: Concerning child care center licensing requirements.

Sponsors: House Committee on Early Learning & Human Services (originally sponsored by Representatives Pike, Scott, Vick, Shea, Walsh and Young).

Brief History:

Committee Activity:

Early Learning & Human Services: 1/26/16, 1/29/16 [DPS].

Floor Activity:

Passed House: 2/10/16, 96-0.

Senate Amended.

Passed Senate: 3/4/16, 48-0.

Brief Summary of Engrossed Substitute Bill

- Allows licensed child care centers to serve children enrolled in kindergarten in a mixed group or classroom, excluding classrooms which serve infants not walking independently.
- Modifies the definition of "school-age child" to include children through 12 years of age for the purposes of child care.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Kagi, Chair; Senn, Vice Chair; Walsh, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hawkins, Kilduff, McCaslin, Ortiz-Self, Sawyer, Scott and Walkinshaw.

Staff: Ashley Paintner (786-7120).

Background:

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 Early Learning (DEL) is responsible for establishing licensing requirements for child care centers. Child care centers provide regularly scheduled care for children 1 month of age through 12 years of age for periods less than 24 hours. The DEL allows child care centers to combine children of different ages in mixed groups or classrooms, excluding school-age children. Therefore, a child care center may not serve 5 year olds who are attending elementary school in a mixed group with 5 year olds who are not attending elementary school. The DEL allows providers to request a waiver to mixed group limitations so long as the provider maintains staff-to-child ratio requirements.

The term "school-age child" means a child who is between the ages of five years and twelve years and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.

Summary of Engrossed Substitute Bill:

Licensed child care centers may serve children enrolled in kindergarten in a mixed group or classroom, excluding classrooms which serve infants not walking independently. By November 1, 2016, the DEL must amend the rules necessary to implement this requirement. Staff-to-child ratio requirements are not changed.

The definition of "school-age child" includes children 5 years of age through 12 years of age.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment removes the requirement that the DEL adopt rules by November 1, 2016, to allow licensed child care centers to serve children enrolled in kindergarten in a mixed-age group or classroom, excluding classrooms which serve infants not walking independently. The Senate amendment requires that for children ages 60 months through six years, the DEL must not use school enrollment status as a reason to require a child be placed within a specific mixed-age group. This requirement would be effective 90 days after adjournment of the session in which the bill is passed.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Child care center owners have expressed concerns about the school-age limitation for mixed groups, especially smaller facilities that serve a small number of children. The current rule requires child care centers to hire extra staff in order to serve 5 year olds enrolled in school in a separate group from the other children. Although the DEL offers a waiver, the process takes months and during that time these centers have to employ extra staff to stay in compliance with their license requirements. For many working-class families, child care expenses are one of their highest monthly payments. Every family

deserves to have quality child care despite their income level. The agency rule doesn't make sense and common sense would tell us that 5 year olds in school can be safely served with 5 year olds not yet enrolled in elementary school.

(Opposed) None.

Persons Testifying: Representative Pike, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.