
HOUSE BILL 1278

State of Washington **67th Legislature** **2021 Regular Session**

By Representatives Dent, Eslick, Sutherland, Chandler, Jacobsen, Chase, and Barkis

Read first time 01/19/21. Referred to Committee on Children, Youth & Families.

1 AN ACT Relating to suspending certain licensing requirements for
2 child care providers; amending RCW 43.216.755, 43.216.110,
3 43.216.255, and 43.216.300; adding a new section to chapter 43.216
4 RCW; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.216
7 RCW to read as follows:

8 (1) While maintaining all health and safety standards and
9 necessary licensing requirements to meet those standards, between
10 July 1, 2021, and September 30, 2025, the department shall suspend
11 all professional development and higher education licensing
12 requirements for child care providers.

13 (2) The department must adopt rules to implement this section.
14 The department must clearly identify in the rules the specific health
15 or safety standard supported by the affiliated licensing requirement.

16 **Sec. 2.** RCW 43.216.755 and 2020 c 342 s 2 are each amended to
17 read as follows:

18 (1) By (~~July 1, 2021~~) September 1, 2022, the department shall
19 implement a noncredit-bearing, community-based training pathway for
20 licensed child care providers to meet professional education

1 requirements associated with child care licensure. The community-
2 based training pathway must be available to providers and offered as
3 an alternative to existing credit-bearing pathways (~~available to~~
4 ~~providers~~) provided by institutions of higher education. Providers
5 should be consulted on the curriculum content to ensure the field has
6 the skills and real-world knowledge on how to efficiently lead a
7 classroom that results in positive child outcomes.

8 (2) The department shall (~~consult~~) reach consensus with the
9 following stakeholders in the development and implementation of the
10 community-based training pathway: The statewide child care resource
11 and referral network, a community-based training organization that
12 provides training to licensed family day care providers, a statewide
13 organization that represents the interests of family day care
14 providers, a statewide organization that represents the interests of
15 licensed child day care centers, an organization that represents the
16 interests of refugee and immigrant communities, a bilingual child
17 care provider whose first language is not English, an organization
18 that advocates for early learning, an organization representing
19 private and independent schools, and the state board for community
20 and technical colleges.

21 (3) The community-based training pathway must:

22 (a) Align with adopted core competencies for early learning
23 professionals;

24 (b) Be made available to providers in multiple languages via
25 diverse access tracks at no additional cost to providers whose first
26 language is not English;

27 (c) Include culturally relevant practices; (~~and~~)

28 (d) Be made available at low cost to providers and at prices
29 comparable to the cost of similar community-based trainings, not to
30 exceed (~~two hundred and fifty dollars~~) \$250 per person; and

31 (e) Be accessible to providers in rural and urban settings.

32 (4) The department shall allow licensed child care providers
33 until at least August 1, (~~2026~~) 2028, to:

34 (a) Comply with child care licensing rules that require a
35 provider to hold an early childhood education initial certificate or
36 an early childhood education short certificate; or

37 (b) Complete community-based trainings.

38 (5) For the purposes of this section, "demonstrated competence"
39 means an individual has shown that he or she has the skills to
40 complete the required work independently.

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

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

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

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

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

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

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

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

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

1 early learning programs operated by (~~private schools except for~~
2 ~~programs that receive state subsidy payments~~) licensed family day
3 care providers or child day care centers who do not receive state
4 subsidy payments.

5 **Sec. 5.** RCW 43.216.300 and 2018 c 58 s 41 are each amended to
6 read as follows:

7 (1) The secretary shall charge fees to the licensee for obtaining
8 a license except as provided in this section.

9 (a) The secretary may waive the fees when, in the discretion of
10 the secretary, the fees would not be in the best interest of public
11 health and safety, or when the fees would be to the financial
12 disadvantage of the state.

13 (b) The secretary must waive the fees from July 1, 2021, through
14 September 30, 2025. The department must evaluate child care licensing
15 fees and their burden on providers.

16 (2) Fees charged shall be based on, but shall not exceed, the
17 cost to the department for the licensure of the activity or class of
18 activities and may include costs of necessary inspection.

19 (3) The secretary shall establish the fees charged by rule.

20 NEW SECTION. **Sec. 6.** Sections 1, 3, and 4 of this act expire
21 September 30, 2025.

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