
Early Learning & Human Services Committee

HB 1082

Brief Description: Concerning qualifications for child care providers.

Sponsors: Representatives Senn, Eslick, Leavitt, Richards, Berry, Reed, Shavers, Callan, Cortes, Tharinger, Peterson, Wylie, Fey, Nance, Lekanoff, Bergquist, Reeves and Bernbaum.

Brief Summary of Bill

- Requires the Department of Children, Youth, and Families (DCYF) to allow child care providers until at least August 1, 2028, to demonstrate experience-based competency as an alternative to an early childhood education (ECE) certificate.
- Allows child care providers to fulfill experience-based competency requirements when they have had qualifying employment without a break in service since August 1, 2021.
- Expands the experience-based competency option to include providers whose position requires an ECE state certificate.
- Requires the DCYF to proactively recognize the fulfillment of staff qualification requirements for providers who have met experience-based competency criteria as of the effective date of the bill.
- Requires the DCYF to convene a stakeholder group to assist in identifying strategies to improve staff qualification requirements and verification processes and report to the Legislature by December 1, 2026.

Hearing Date: 1/22/25

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Omeara Harrington (786-7136).

Background:

The Department of Children, Youth, and Families (DCYF) regulates child care entities. The DCYF has adopted core competencies for child care providers that describe the standards of knowledge and skills required to provide quality care and education to children and their families. The DCYF licensing requirements related to staff qualifications generally require child care providers to earn educational credentials to demonstrate their knowledge of core competencies. However, providers in certain roles may alternatively fulfill staff qualification requirements through the legislatively directed community-based training pathway or the experience-based competency pathway created in agency rules.

Provider Education Requirements.

Child care providers must meet certain education requirements or the equivalent by August 1, 2026, or within five years of the provider's date of hire if hired after August 1, 2019. Providers serving the Early Childhood Education and Assistance Program (ECEAP) must meet education requirements at the time of hire. Education requirements include earning an initial, short, or state Early Childhood Education (ECE) certificate for most positions, which requires completion of college credits in core competency areas. To earn an initial ECE certificate requires 12 college credits; the short ECE certificate requires 20 credits (the initial certificate plus eight additional credits); and the state ECE certificate requires 47 credits (the short certificate plus 27 additional credits). There are additional in-service professional development requirements for continuing education delivered or approved by the DCYF to maintain staff standards and qualifications while employed as a child care provider.

Community-Based Training Pathway.

Legislation enacted in 2021 required the DCYF to create a noncredit-bearing, community-based training pathway for licensed child care providers to meet professional education requirements as an alternative to ECE credentials. The community-based training pathway must align with early learning core competencies, include culturally relevant practices, and be made available: (1) at low cost to providers, not to exceed \$250 per person; (2) in multiple languages; and (3) in an accessible manner for providers in rural and urban settings. The DCYF fully implemented the program in 2022 as the Provider Access to a Community Equivalent program (PACE) as an alternative option for meeting licensing education requirements for provider roles that require an initial or short ECE certificate, including assistant teachers, lead teachers, and family home licensees. The PACE alternative requires the following instruction: (1) 30 hours in child care basics; (2) 20 hours in enhancing the quality of early learning; (3) 40 hours of additional in-service training; and (4) 30 hours of on-the-job learning.

Experience-Based Competency Pathway.

Rules adopted by the DCYF offer a third pathway to meet staff qualification requirements. Child care providers in specified roles who have a cumulative seven years of experience and meet other criteria are able to meet licensing requirements without ECE certification. To fulfill

requirements through this option, a provider must have all of the following:

- Active employment in a qualifying job role. For family home providers, qualifying roles are licensee, lead teacher, or assistant teacher; for child care centers, qualifying roles are center lead teacher or assistant teacher.
- Seven years of cumulative experience working in a licensed facility by August 1, 2026.
- Maintained compliance with all health and safety trainings and child care basics trainings.

There are certain provider roles requiring an ECE state certificate that may not fulfill staff qualification requirements through experience-based competency or the community-based training pathway, including center directors, assistant directors, and program supervisors. The alternative pathways are also not an option for providers serving the ECEAP program.

Summary of Bill:

The Department of Children, Youth, and Families (DCYF) must allow licensed child care providers until at least August 1, 2028, to demonstrate experience-based competency as an alternative means to comply with child care licensing rules that require a provider to hold an Early Childhood Education (ECE) initial, short, or state certificate, when the provider has all of the following documented in the DCYF's electronic workforce registry:

- active employment in a position that requires an ECE initial, short, or state certificate;
- employment in a licensed or certified child care center or licensed family home provider without a break in service since August 1, 2021, or a cumulative seven years of employment in a licensed or certified child care center or licensed family home provider; and
- completion of and maintained compliance with all health and safety and child care or school-age care basics training required by the department.

The DCYF must establish a process to proactively recognize the fulfillment of staff qualification requirements for any provider who has demonstrated all of the criteria required for experience-based competency as of the effective date of the bill, and must notify providers when their staff qualification requirements have been fulfilled through this process. The process may not require providers to submit an application demonstrating fulfillment of their staff qualification requirements.

The DCYF must convene a stakeholder group to assist in identifying strategies to improve early learning and school-age staff qualification requirements and verification processes including, but not limited to, identifying measures to streamline and clarify relevant administrative rules and policies, and defining criteria and methods by which to honor equivalent out-of-state education and training.

The stakeholder group must include family home and child care center providers, including at least one provider from a child care center that is part of a national chain or has 10 or more sites. It must also include representation from the following organizations:

- the statewide child care resource and referral network;

- a community-based training organization that provides training to licensed family day care providers;
- a statewide organization that represents the interests of family day care providers;
- a statewide organization that represents the interests of licensed child day care centers;
- the statewide out-of-school time intermediary organization;
- an organization that represents the interests of refugee and immigrant communities;
- a bilingual child care provider whose first language is not English;
- an organization that advocates for early learning;
- an organization representing private and independent schools; and
- the Washington State Board for Community and Technical Colleges.

The DCYF must report to the Legislature by December 1, 2026, on strategies identified by the stakeholder group and the DCYF's plans and timelines under which to carry out those strategies.

Appropriation: None.

Fiscal Note: Requested on January 14, 2025.

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