
Early Learning & Human Services Committee

HB 1363

Brief Description: Modifying licensing requirements for child care and early learning providers.

Sponsors: Representatives Caldier, Manjarrez, Barnard, Connors, Eslick, McClintock, Dye, Schmidt, Jacobsen, Graham, Mendoza, Couture, Corry, Waters and Engell.

Brief Summary of Bill

- Establishes statutory maximum group size and minimum staff to child ratio requirements for preschoolers and school-age children at child care centers that allow for one additional child per group and per staff person as compared with current Department of Children, Youth, and Families (DCYF) rules.
- Provides that licensed indoor early learning program space must have a minimum of 34 square feet per child in attendance, as compared with DCYF rules requiring 35 square feet per child.
- Prohibits the DCYF from establishing staff qualification requirements that require child care providers to earn early childhood education certification or equivalent credentials.

Hearing Date: 2/12/25

Staff: Omeara Harrington (786-7136).

Background:

The Department of Children, Youth, and Families (DCYF) regulates child care licensing. In

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general, it is unlawful for any person or business to provide child care services for a child outside the child's own home unless licensed by the DCYF.

Child Care Licensing Standards.

The DCYF must maintain licensing standards that:

- provide minimum licensing requirements;
- rely on the standards established in the Early Achievers program to address quality issues;
- take into account the separate needs of family care providers, outdoor nature-based child care providers, and child care centers; and
- promote the continued safety of child care settings.

Licenses issued by the DCYF must specify the category of child care that an agency is authorized to provide and the ages and number of children to be served. In establishing licensing standards, the DCYF has adopted rules outlining staff-to-child ratio requirements for child care centers. In each classroom or well-defined space, the maximum group size and ratio of center staff members to children, including children related to staff or the licensee, must be:

- for preschoolers (30 months through age 6 who are not attending kindergarten or elementary school), a ratio of 1 to 10 with a maximum group size of 20; and
- for school-age children (ages 5 through 12 who are enrolled in or attending kindergarten or elementary school), a ratio of 1 to 15 with a maximum group size of 30.

As part of the licensure process, the DCYF requires early learning spaces to comply with the Washington State Building Code (Code) or local building code as enacted at the time of licensure. The Code establishes an occupant load for child care centers of 35 square feet of net floor space per occupant. Likewise, the DCYF licensing regulations require licensed indoor early learning program spaces to have a minimum of 35 square feet per child in attendance.

Child Care Provider Staff Qualification Requirements.

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.

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).

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. The DCYF implemented the community-based training pathway in 2022 as the Provider Access to a Community Equivalent program (PACE). The PACE alternative requires a combination of instruction, in-service training, and on-the-job training. Part 1 and Part 2 of the PACE alternative are currently available and offer an equivalent to the ECE initial certificate. Additional components that will offer an equivalent to the ECE short certificate are still under development. The experience-based competency pathway allows providers in specified roles who have a cumulative seven years of experience and meet other criteria to meet licensing requirements without ECE certification.

Summary of Bill:

Staff-to-Child Ratios and Maximum Group Size.

Statutory minimum staff-to-child ratio requirements for child care centers are established. In each classroom or well-defined space of a child care center, the maximum group size and ratio of center staff members to children, including children related to staff or the licensee, must be:

- for preschoolers (30 months through age 6 who are not attending kindergarten or elementary school), a ratio of no less than 1 to 11 with a maximum group size of 21; and
- for school-age children (age 5 through 12 who are enrolled in or attending kindergarten or elementary school), a ratio of no less than 1 to 16 with a maximum group size of 31.

Square Footage.

Indoor licensed indoor early learning program space must have a minimum of 34 square feet per child in attendance.

Staff Qualifications.

Providers may not be required to earn early childhood education certification or equivalent credentials as part of staff qualification requirements. The community-based training pathway is repealed.

Appropriation: None.

Fiscal Note: Requested on February 6, 2025.

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