
HOUSE BILL 2318

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By Representatives Eslick, Callan, Abbarno, Berry, Ryu, Dufault, Paul, Nance, Dent, Macri, Fosse, Bergquist, and Bernbaum

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1 AN ACT Relating to early achievers quality improvement awards;
2 and amending RCW 43.216.085.

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

4 **Sec. 1.** RCW 43.216.085 and 2021 c 304 s 6 are each amended to
5 read as follows:

6 (1) The department, in collaboration with tribal governments and
7 community and statewide partners, shall implement a quality rating
8 and improvement system, called the early achievers program. The early
9 achievers program provides a foundation of quality for the early care
10 and education system. The early achievers program is applicable to
11 licensed or certified child care centers, family home child care,
12 outdoor nature-based child care, and early learning programs such as
13 working connections child care and early childhood education and
14 assistance programs.

15 (2) The objectives of the early achievers program are to:

16 (a) Improve short-term and long-term educational outcomes for
17 children as measured by assessments including, but not limited to,
18 the Washington kindergarten inventory of developing skills in RCW
19 28A.655.080;

20 (b) Give parents clear and easily accessible information about
21 the quality of child care and early education programs;

1 (c) Support improvement in early learning and child care programs
2 throughout the state;

3 (d) Increase the readiness of children for school;

4 (e) Close the disparities in access to quality care;

5 (f) Provide professional development and coaching opportunities
6 to early child care and education providers; and

7 (g) Establish a common set of expectations and standards that
8 define, measure, and improve the quality of early learning and child
9 care settings.

10 (3)(a) Licensed or certified child care centers, family home
11 child care, and outdoor nature-based child care, serving nonschool-
12 age children and receiving state subsidy payments, must participate
13 in the early achievers program by the required deadlines established
14 in RCW 43.216.135.

15 (b) Approved early childhood education and assistance program
16 providers receiving state-funded support must participate in the
17 early achievers program by the required deadlines established in RCW
18 43.216.515.

19 (c) Participation in the early achievers program is voluntary
20 for:

21 (i) Licensed or certified child care centers, family home child
22 care, and outdoor nature-based child care, not receiving state
23 subsidy payments; and

24 (ii) Early learning programs not receiving state funds.

25 (d) School-age child care providers are exempt from participating
26 in the early achievers program. By July 1, 2017, the department and
27 the office of the superintendent of public instruction shall jointly
28 design a plan to incorporate school-age child care providers into the
29 early achievers program or other appropriate quality improvement
30 system. To test implementation of the early achievers system for
31 school-age child care providers the department and the office of the
32 superintendent of public instruction shall implement a pilot program.

33 (4)(a) There are five primary levels in the early achievers
34 program.

35 (b) In addition to the primary levels, the department must
36 establish an intermediate level that is between level 3 and level 4
37 and serves to assist participants in transitioning to level 4.

38 (c) Participants are expected to actively engage and continually
39 advance within the program.

1 (5) The department has the authority to determine the rating
2 cycle for the early achievers program. The department shall
3 streamline and eliminate duplication between early achievers
4 standards and state child care rules in order to reduce costs
5 associated with the early achievers rating cycle and child care
6 licensing.

7 (a) Early achievers program participants may request to be rated
8 at any time after the completion of all level 2 activities.

9 (b) The department shall provide an early achievers program
10 participant an update on the participant's progress toward completing
11 level 2 activities after the participant has been enrolled in the
12 early achievers program for fifteen months.

13 (c) The first rating is free for early achievers program
14 participants.

15 (d) Each subsequent rating within the established rating cycle is
16 free for early achievers program participants.

17 (6)(a) Early achievers program participants may request to be
18 rerated outside the established rating cycle. A rerating shall reset
19 the rating cycle timeline for participants.

20 (b) The department may charge a fee for optional rerating
21 requests made by program participants that are outside the
22 established rating cycle.

23 (c) Fees charged are based on, but may not exceed, the cost to
24 the department for activities associated with the early achievers
25 program.

26 (7)(a) The department must create a single source of information
27 for parents and caregivers to access details on a provider's early
28 achievers program rating level, licensing history, and other
29 indicators of quality and safety that will help parents and
30 caregivers make informed choices. The licensing history that the
31 department must provide for parents and caregivers pursuant to this
32 subsection shall only include license suspension, surrender,
33 revocation, denial, stayed suspension, or reinstatement. No unfounded
34 child abuse or neglect reports may be provided to parents and
35 caregivers pursuant to this subsection.

36 (b) The department shall publish to the department's website, or
37 offer a link on its website to, the following information:

38 (i) Early achievers program rating levels 1 through 5 for all
39 child care programs that receive state subsidy, early childhood

1 education and assistance programs, and federal head start programs in
2 Washington; and

3 (ii) New early achievers program ratings within thirty days after
4 a program becomes licensed or certified, or receives a rating.

5 (c) The early achievers program rating levels shall be published
6 in a manner that is easily accessible to parents and caregivers and
7 takes into account the linguistic needs of parents and caregivers.

8 (d) The department must publish early achievers program rating
9 levels for child care programs that do not receive state subsidy but
10 have voluntarily joined the early achievers program.

11 (e) Early achievers program participants who have published
12 rating levels on the department's website or on a link on the
13 department's website may include a brief description of their
14 program, contingent upon the review and approval by the department,
15 as determined by established marketing standards.

16 (8)(a) The department shall create a professional development
17 pathway for early achievers program participants to obtain a high
18 school diploma or equivalency or higher education credential in early
19 childhood education, early childhood studies, child development, or
20 an academic field related to early care and education.

21 (b) The professional development pathway must include
22 opportunities for scholarships and grants to assist early achievers
23 program participants with the costs associated with obtaining an
24 educational degree.

25 (c) The department shall address cultural and linguistic
26 diversity when developing the professional development pathway.

27 (9) The early achievers quality improvement awards shall be
28 reserved for participants offering programs to an enrollment
29 population consisting of a total of at least five percent of enrolled
30 children who are receiving a state subsidy, participating in the
31 early childhood education and assistance program, or participating in
32 the head start program.

33 (10) In collaboration with tribal governments, community and
34 statewide partners, and the early achievers review subcommittee
35 created in RCW 43.216.075, the department shall develop a protocol
36 for granting early achievers program participants an extension in
37 meeting rating level requirement timelines outlined for the working
38 connections child care program and the early childhood education and
39 assistance program.

1 (a) The department may grant extensions only under exceptional
2 circumstances, such as when early achievers program participants
3 experience an unexpected life circumstance.

4 (b) Extensions shall not exceed six months, and early achievers
5 program participants are only eligible for one extension in meeting
6 rating level requirement timelines.

7 (c) Extensions may only be granted to early achievers program
8 participants who have demonstrated engagement in the early achievers
9 program.

10 (11)(a) The department shall accept national accreditation that
11 meets the requirements of this subsection (11) as a qualification for
12 the early achievers program ratings.

13 (b) Each national accreditation agency will be allowed to submit
14 its most current standards of accreditation to establish potential
15 credit earned in the early achievers program. The department shall
16 grant credit to accreditation bodies that can demonstrate that their
17 standards meet or exceed the current early achievers program
18 standards. By December 1, 2019, and subject to the availability of
19 amounts appropriated for this specific purpose, the department must
20 submit a detailed plan to the governor and the legislature to
21 implement a robust cross-accreditation process with multiple pathways
22 that allows a provider to earn equivalent early achievers credit
23 resulting from accreditation by high quality national organizations.

24 (c) Licensed child care centers, child care home providers, and
25 outdoor nature-based child care must meet national accreditation
26 standards approved by the department for the early achievers program
27 in order to be granted credit for the early achievers program
28 standards. Eligibility for the early achievers program is not subject
29 to bargaining, mediation, or interest arbitration under RCW
30 41.56.153, consistent with the legislative reservation of rights
31 under RCW 41.56.153(4)(d).

32 (12) The department shall explore the use of alternative quality
33 assessment tools that meet the culturally specific needs of the
34 federally recognized tribes in the state of Washington.

35 (13) A child care or early learning program that is operated by a
36 federally recognized tribe and receives state funds shall participate
37 in the early achievers program. The tribe may choose to participate
38 through an interlocal agreement between the tribe and the department.
39 The interlocal agreement must reflect the government-to-government

1 relationship between the state and the tribe, including recognition
2 of tribal sovereignty. The interlocal agreement must provide that:

3 (a) Tribal child care facilities and early learning programs may
4 volunteer, but are not required, to be licensed by the department;

5 (b) Tribal child care facilities and early learning programs are
6 not required to have their early achievers program rating level
7 published to the department's website or through a link on the
8 department's website; and

9 (c) Tribal child care facilities and early learning programs must
10 provide notification to parents or guardians who apply for or have
11 been admitted into their program that early achievers program rating
12 level information is available and provide the parents or guardians
13 with the program's early achievers program rating level upon request.

14 (14) The department shall consult with the early achievers review
15 subcommittee on all substantial policy changes to the early achievers
16 program.

17 (15) Nothing in this section changes the department's
18 responsibility to collectively bargain over mandatory subjects or
19 limits the legislature's authority to make programmatic modifications
20 to licensed child care and early learning programs under RCW
21 41.56.153(4) (d) .

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