



Fair Start for Kids Act (FSKA)

Meeting Minutes

September 28, 2022 – 1 to 4 pm

Virtual Meeting

Welcome, Virtual Meeting Protocols and Introductions

DCYF Community Engagement Manager, Emily Morgan, welcomed attendees, discussed virtual meeting protocols, and initiated introductions.

Review Unlicensed Care and Child Care Provider Bill of Rights Recommendations

Providers engaged in feedback seeking activity to identify specific recommendations around Unlicensed Care and a Child Care Provider Bill of Rights.

Discussion	<ul style="list-style-type: none"> • Were the bulleted points not our recommendation? <ul style="list-style-type: none"> ○ Based off provider feedback, DCYF should take all points as recommendations. • Is this group going to do the work to create the bill of rights document? Or is our recommendation that this document needs to be created and we want to spell out who would participate in creating that document?? <ul style="list-style-type: none"> ○ Feedback from the previous meeting was that this group did want the provider supports subcommittee to work on the bill of rights document. <ul style="list-style-type: none"> ▪ Does provider supports really function that way? ELAC has presentations and feedback but there is no active work happening. Is Provider Supports different? <ul style="list-style-type: none"> • No there's not really time for creating. ▪ DCYF should engage and Provider Supports should have input on the membership of the workgroup. ○ This small group is not going to be representative of all childcare providers and you won't create an equitable document without their voices. ○ The burden of the work shouldn't be on providers, volunteering their time. <ul style="list-style-type: none"> ▪ DCYF could create this bill of rights by coming to provider supports and saying this is what should be included, what's missing, and then come back with another draft. ▪ Those who do the work should be compensated • If providers decide to drop their license, DCYF will come after the provider with fines. But if you've never been licensed then you can't be fined. We don't understand why there is a difference. <ul style="list-style-type: none"> ○ If you have subsidy, they can drop your subsidy. ○ Has this been discussed at Provider Supports? <ul style="list-style-type: none"> ▪ I don't believe it's ever been discussed. <ul style="list-style-type: none"> • Let's have this discussion at a future Provider Supports meeting and make sure the conversation happens. • I would like to see the full report in its entirety and have one last opportunity to offer feedback in it. • I think this group should write a basic recommendation now, stating that a Bill of Rights should be created by (which organization, WCFC, CCA, DCYF?) with participation from (list
-------------------	--



stakeholders, WCCA, SEIU 925, Etc.) and reviewed/approved by (ELAC, Provider Supports, Etc) and then go through the process Susan is describing at another meeting.

- Yes, I agree, we should write a basic recommendation but DCYF needs to create it.
 - Yes, this group will not be writing it, but it is just a recommendation that this document needs to be created.
- Based off provider experience, we recommend DCYF instill the below recommendations around unlicensed care:
 1. Increase supports for providers to allow more guidance and accessibility to become licensed.
 2. Make licensing requirements more equitable to increase the early learning field of providers.
 3. Establish a registry that includes Licensed Exempt Preschools.
 4. Develop a new team within DCYF solely focused on unlicensed care, which would include imposing fines/fees for the operation of unlicensed care facilities, notification and education to families (unlicensed care campaigns), etc.
 - a. Have a team that is out in the field looking for unlicensed care.
 5. Require every childcare facility in Washington State to be licensed and follow the same rules and regulations.
- Based on my participation in this meeting it still seems that some key components were missed.
 - Are you discussing this group or the Compensation group?
 - This group.
- If you're claiming you are exempt, you should have to apply for it. And they should have to go through background checks.
 - If we care about the safety of kids, then anyone providing care should be licensed.
 - The problem is if you're not licensed, you become exempt, and then there's less things you have to complete which isn't fair in comparison to those who are licensed. And if you're not licensed at all there are no ramifications and nothing ever happens.
- We don't want any exempt programs; that is the only way to level the playing field and it's also the only way to meet the goal of increasing license slots. But if that's not adopted then what are we going to allow for exempt programs?
- What about nanny share?
 - This would be required under number 4: Have a team that is out in the field looking for unlicensed care.
- There should be an easy way to report unlicensed care that doesn't go through CPS.
- It hurts the credibility of what we do; when we say we can't do something because of licensing requirements but an unlicensed provider is doing it, parents don't understand.
- One of the reasons so many people avoid licensing is because of the mass overregulation.
- What do you mean by equitable? That might not be the right word for it.
 - Licensing should be basic and focused on health and safety.
 - People aren't being able to meet the education piece and then they become unlicensed.
 - There isn't equal access to education.
 - Instead of equitable, what if we say: Make licensing requirements focused on basic health and safety to increase the early learning field of providers.



- All these expectations are unfunded. For all these requirements, make them equitable by making sure there is funding available to everyone.
 - Additional licensing requirements must be tied to a funding source.
 - Make licensing requirements more achievable by focusing only on the health and safety of children and fund any additional requirements to encourage providers to maintain their license.
- Do license exempt programs have any requirements? Background checks? If they don't there should be some basic requirements like background checks and insurance.
 - We will do some research and get back to you on this.
- As a parent, what would requirements would you want to see in place?
 - At a minimum, background checks and CPR/First Aide.
 - All licensed requirements: that is the only way to make me feel safe as a parent
- Based on provider feedback, informed by their experience, we recommend DCYF include the following recommendations regarding unlicensed care:
 1. Increase supports for providers to allow more guidance and accessibility to become licensed.
 2. Make licensing requirements more achievable by focusing only on health and safety of children and fund any additional requirements. Should this recommendation be adopted, we further recommend that any new licensing rules that have a financial impact should also be supported with funding from DCYF.
 3. Develop a new team within DCYF solely focused on unlicensed care, which would include imposing fines/fees for the operation of unlicensed care facilities, notification and education to families (unlicensed care campaigns), scouting unlicensed care etc.
 4. Require all care of children, regardless of hours provided, of Washington State be licensed and follow the same rules and regulations of DCYF.
 - a. If exemptions are allowed, a registry of licensed exempt facilities and providers needs to be created, including an application process, Mandated Reporter training, CPR/First Aid training, and background checks. The registry should be updated, maintained on a regular basis, and made publicly available.
- A Provider Bill of Rights should be created in partnership with the Provider Supports Subcommittee of ELAC to help eliminate confusion around licensing rules and regulations.
 - Provider supports could recommend a subgroup, with other regional advisors, to participate in this work.
 - Can we list DCYF in this recommendation?
 - Yes DCYF will work in collaboration with another entity to do this work.
 - A neutral party should be chosen to do this work.
 - Who created the foster care group?
 - It started in DSHS's children's administration and it is in legislation that foster parents must review the Foster Parents Rights and Responsibilities document every year. However, this document really just lists out an RCW in the WAC.
 - This was a great example because it did link to the law. So a person knew their rights and it was in the RCW.
 - Can you add, created by (choose an organization) in partnership with DCYF, Provider Supports, ELAC, WCCA, SEIU 925, FFN, etc.?



- This Bill of Rights was not intended to clarify any confusion around licensing rules and regulations. It was to clarify our rights as providers.
 - When you're dealing with the government, they will want to have a WAC. If it's now a law then who is going to enforce it?
 - Is there any RCW WAC that lists out a provider's rights other than the responsibility of being licensed?
 - We might be creating something that needs to be in law.
- [Utah Child Care Bill of Rights Example](#)
- Have yet to see any estimated cost attached to new mandates. I believe Oregon has a provider bill of rights - or they did during the WEEL days.
 - I haven't heard of any Oregon providers who are aware of a bill of rights.
- Instead of a bill of rights, maybe it can be rights and responsibilities?
 - Our responsibility is we adhere to the WACs. I just learned that I have the right to an appeal; I should have been told that during orientation.
 - The problem is there is no state policy for complaint investigations.
 - Maybe it's provider rights and resources.
 - I would read a provider rights and resources document more so than a bill of rights.
 - We need a Bill of Rights
- Can we list everything we want a bill of rights for? Then find do they already have a WAC and decide if we need a bill of rights.
- ELAC should articulate the details of processes and procedures that a licensed provider must navigate with DCYF including, but not limited to, means of requesting a re-evaluation of licensing decisions (the appeals process).
 - We want to know where the boundaries are. I'm not sure that explains the purpose of the rights and resources.
- Does the group have an organization they want to recommend to create this document or is this something provider supports decides on a different day?
 - This group should be able to figure this out.
 - Washington Communities for Children (WCFC), a neutral party, has access and the ability to engage stakeholders. Also, DCYF already has a contract in place to pay WCFC to do the work.
 - What is the diversity of the group, languages, etc.?
 - In comparison to other groups, we have a diverse group of stakeholders; we have a Spanish-speaking population and the meetings are hosted simultaneously in English and Spanish.
 - I think the suggestion for WCCA is good because they have experience with Liberatory design.
 - Both utilize Liberatory Design.
 - Maybe instead of naming organizations, we say we want them to use Liberatory Design for the process of creating this document.
 - A lot of these groups aren't reflective of the community and that can become problematic. There are a lot of inequities that need to be addressed. We need to go in knowing that this is a problem and make sure everyone is represented at the table.
 - I appreciate that. And even if you identify one organization to create it, it leaves it open to a lot of feedback and partnership.



	<ul style="list-style-type: none">• All the organizations listed there are childcare organizations except SEIU 925. Did you mean family home providers or did you mean SEIU 925?<ul style="list-style-type: none">○ I was thinking more of family providers whether or not they were union members but also have a union rep present.<ul style="list-style-type: none">▪ I understand, what you mean is represented or unrepresented family home providers.• Provider Rights and Resources document should be created by an outside organization utilizing the Liberatory Design process in partnership with DCYF, Provider Supports, ELAC, WCCA, represented and non-represented family home providers, FFN, WCFC, etc.<ul style="list-style-type: none">○ This should not be a list of WAC, this should be a list of rights for providers. (Appeals process)○ Include OLP, ONBAG, and Tribal in creating the rights and responsibilities document
--	---

Internal Review Process (IRP)

Providers engaged in a feedback-seeking activity to identify specific recommendations around the IRP Process

Discussion	<ul style="list-style-type: none">• We request an update on the status of this panel process since some providers applied, and were selected to join, but have yet to be contacted.<ul style="list-style-type: none">○ https://dcyfoversight.wa.gov/irp-panel• Is a violation the same thing as non-compliance when a licensor comes to your center?<ul style="list-style-type: none">○ Yes, it is.• I know a provider who asked to go to the next step after an appeal and they were told there was no next step. That seems odd, knowing that there is an internal review panel that was piloted, people applied, and it was legislatively created.• I'm on that panel and I've not once been communicated with. I've talked to three different providers that asked for the same thing, to go to the next step and there is nothing.• How long ago did this panel get created?<ul style="list-style-type: none">○ It originally started in 2018. It is supposed to function where once you request a higher level beyond an appeal, it goes to this panel. However, nobody's yet to get this review process to happen even though it was set up in the legislation.• I'm fortunate to have government connections when an issue comes up that needs resolving. But not everyone does and it shouldn't be that way.• I don't think this panel does exist. I don't get answers from licensing. I'd love to see this work.<ul style="list-style-type: none">○ Who else is on the panel?<ul style="list-style-type: none">▪ We've never convened so I don't know.<ul style="list-style-type: none">• Can we find out who's on it?<ul style="list-style-type: none">○ That's something we can add to this recommendation: an update on participants, who serves, when do they meet, a history of previous meetings, and where is this information documented.• Can we ask about the financials? If it was in legislation then it must have been in a decision package. If it was funded then where have those funds been spent?<ul style="list-style-type: none">○ I doubt it was funded but we can ask.
-------------------	--



Next Meeting Planning

Discussion	<ul style="list-style-type: none">• Is this the last meeting?<ul style="list-style-type: none">○ This is the last presentation-style meeting. The hope is to finalize the recommendations. The final report would then be submitted to Secretary Hunter. The next step would be to present ELAC with the final recommendations so that ELAC can put them into their FSKA report which is submitted to the governor's office and the legislature.• Has this process included input from the parent advisory group (PAG)?<ul style="list-style-type: none">○ Yes, we've spoken with PAG and their input is embedded.• Can we invite the authors of the legislation that created this group and created the recommendations to come and talk with this group?<ul style="list-style-type: none">○ What would be the goal of having them come to an FSKA meeting?<ul style="list-style-type: none">▪ DCYF is not obligated to put any of our recommendations in place unless it's legislative so that would be the reason for me.<ul style="list-style-type: none">• Please partner with ELAC; some of those legislators are members of ELAC and you could have a separate special meeting.• Is there a scheduled presentation on this report at ELAC?<ul style="list-style-type: none">○ Yes, it will be on the December agenda with ELAC.• Would we have access to this report to share externally ahead of session?<ul style="list-style-type: none">○ Yes, as soon as this report is final, it will be sent to FSKA. We will also have you review another draft before sending it to ELAC. The report will be submitted to Secretary Hunter by December 1 and ELAC will be presented the report at their December 6 meeting.○ So this report from this committee gets submitted independently and then ELAC submits their report where they might incorporate some of the FSKA report into theirs correct?<ul style="list-style-type: none">▪ Yes, that's correct.
-------------------	--

2022 Meetings, Closing Remarks, and Adjourn

Discussion	• The next meeting is scheduled for October 19, 2022.
-------------------	---