



# FAIR START FOR KIDS ACT | TEMPORARY LICENSING SUBCOMMITTEE | RECOMMENDATIONS TO DCYF



Washington State Department of  
**CHILDREN, YOUTH & FAMILIES**

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Washington State Department of  
**CHILDREN, YOUTH & FAMILIES**

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## Background

The Fair Start for Kids Act (FSKA), SB 5237, is a \$1.1 billion investment to make child care and early learning more affordable for Washington families by expanding access, capping copays, and providing resources to support child care, school-age, and early learning providers.

The changes made under the FSKA support and grow the integrated system of child care and early learning for children birth to 12 years old in Washington State that is accessible, affordable, and in which providers and child care workers can have the support they need to provide quality care.

## Legislative Directives and Tasks

The Temporary Licensing Subcommittee (TLS) was established in section 104(11) of the FSKA as a subcommittee of the Early Learning Advisory Council (ELAC). The legislation directed the subcommittee to:

- i. Examine strategies to increase the number of licensed child care providers in the state, including meeting with prospective licensees to explain the licensure requirements and inspect and provide feedback on the physical space that is contemplated for licensure.
- ii. Develop model policies for licensed child care providers to implement licensing standards including, but not limited to, completing the child care and early learning licensing guidebook, to be made available to support providers with compliance.
- iii. Develop recommendations regarding incentives and financial supports to help prospective providers navigate the licensing process.
- iv. Provide feedback and recommendations to the Department of Children, Youth, and Families (DCYF) by Dec. 1, 2022.

## Introduction

The child care system in Washington State was in crisis in the years leading up to the COVID-19 pandemic. The goals of the FSKA include taking a holistic look at the entire system and defining strategies for improvement that will lay the foundation for a sustainable and thriving child care sector.

The TLS met for the first time on Jan. 12, 2022. Throughout 2022, the subcommittee met every two to three weeks. As a result of the first meeting, 66 individuals completed an interest form to receive TLS updates and participate in the group. On Jan. 27, the Parent Advisory Group (PAG) was provided an update on the group.

Over the next 10 months, the TLS met a total of 14 times. Each meeting focused on specific topics and typically included related items presented by subject matter experts (SMEs) from DCYF and external partners.

Attendance at each meeting ranged from 11 to 37, with an average 14 attendees per meeting. As of Oct. 25, 2022, there are 71 participants. A full subcommittee timeline is available in Appendix B.

The overarching theme that arose in the FSKA TLS was a concern about the breadth and complexity of licensing regulations, where numerous providers expressed a feeling of being overregulated by DCYF requiring trainings, education, experience, and components of child care programming that go above and beyond health and safety requirements.

The subcommittee also explored the intersection between regulating the child care sector and the significant financial investments that are needed to stabilize, sustain, and meet the goal of increasing the number of licensed care providers.

## Recommendations

### Themes

- Translation, Interpretation, and Language Access
- Transparency and Trust
- Overregulation
- Compensation/Provider Supports

### Translation, Interpretation, and Language Access

To reduce barriers to becoming licensed, providers identified a need for increased translation, interpretation, and language access. Many providers across the state have trouble accessing licensing materials and resources due to a lack of translated materials and interpretive services.

The DCYF Licensing Division releases all licensing materials in English, Spanish, and Somali. Non-English-speaking and limited English proficiency providers should have the same access to information, webinars, and meetings as English-speaking providers. This includes investing time and energy into developing community and shared learning. DCYF should honor language diversity in a way that supports and enriches providers, including hosting webinars and meetings with simultaneous translation or in native language format for all who are participating.

#### Recommendation:

*There should be a process where providers who don't speak any of those specified languages can request translated information and documents in their preferred language.*

#### Temporary Licensing Subcommittee Additional Feedback:

- DCYF has identified “inclusion” and “transparency” as two values of the agency. Providers feel that these values need to be incorporated into Language Access.
- Information is not consistently or readily available in languages other than English, which makes it difficult for current/interested providers to access.
- Having better language access would help reduce barriers for incoming providers and allow current providers to be partners with the agency.

#### Parent Advisory Group Additional Feedback:

- There should be a process where providers who don't speak any of those specified languages can request translated information and documents in their preferred language.
- How about digital translation?

#### Recommendation:

*The Licensing Division should engage providers as experts in creating a tool, in place of the current checklist, that can be translated and used as a trial run with incoming providers and providers who would like more clarity on what is expected during monitoring visits.*

#### Temporary Licensing Subcommittee Additional Feedback:

- DCYF and their legal counsel have said they cannot translate the text of the Washington Administrative Code (WAC). This is a barrier for non-English speaking providers.
- Materials need to be translated, as does the WAC, to reduce barriers to entering the field, especially for providers whose native language is not English.
- Providers feel uncertain about the checklist in its current form and how that process relates to monitoring visits.

**Recommendation:**

*Providers should be able to request a hard copy of the Child Care and Early Learning Licensing Guidebook in English, Spanish, Somali, Arabic, Chinese (simplified), and Russian, free of charge for each classroom in the program and administration.*

**Temporary Licensing Subcommittee Additional Feedback:**

- The online version is printable and usable.
- The DCYF Licensing Division incorporates WAC changes into the guidebook at the same time each year (outside of emergency WAC changes), so providers can prepare for changes and adjustments.
- Searching through a 400-page online document is not accessible to many providers. It would be easier to digest the information if providers could ask for a hard copy of the document and if WAC changes were incorporated within 60 days or at the same time each year to allow providers to plan and prepare.
- Providing hard copies meets the various learning styles of our state's provider base.
- Create a link on the online guidebook page to request a hard copy or request additional support with the guidebook (like technical support from a licensor or other staff).
- Past versions were very useful for answering staff questions and for training. I have not used this new version for those purposes yet.
- This profession is not remote, so time to go online during the workday is limited for staff – only having the guidebook accessible online creates barriers for providers unable to easily access the tool. A hard copy would benefit many.
- The guidebook explains very clearly the intent behind a WAC, which is why hard copies are so useful for the classrooms.
- The length of the guidebook is overwhelming and the fact that it is a live document makes it hard to know what is old versus new.
- It doesn't seem that providers had any input into the creation. We need an opportunity for discussion of each section for feedback.

**Transparency and Trust**

Providers identified the need for transparent communication to build trust between DCYF and providers. It is believed that trust is a critical strategy toward the goal of increasing the number of licensed child care providers across Washington State. Child care providers want to be partners with DCYF and be respected for the vital work they do, for every sector of our economy.

**Recommendation:**

*Schedule quarterly meetings between the Licensing Division, including leadership, and Washington State providers. These meetings should be an opportunity for providers to inform DCYF on what they are facing in the child care sector and include a question and answer session with concrete follow-through on unanswered questions.*

**Temporary Licensing Subcommittee Additional Feedback:**

- A lack of consistent communication from the Licensing Division contributes to mistrust and misunderstandings.
- Communication is totally lacking. Licensing feels like the segment of the agency that has a moat and huge walls around it.
- A monthly meeting between licensing and providers would be helpful. We are often told that things are handled by the region, but it should not be different between regions and licensors. Things should

be the same and we should have the time for a Q&A with licensors. Licensing is very closed off from provider communication.

**Recommendation:**

*DCYF should create a call line staffed by licensors, or those with licensing knowledge, to answer providers' questions, including anonymous questions. The call line staff should not just direct providers to their specific licensor, but be able to answer questions consistently with the licensing staff in the field.*

Temporary Licensing Subcommittee Additional Feedback:

- Hiring more licensors to meet the needs of providers and having them available to answer questions (i.e., dedicated call line for anonymous question).

**Recommendation:**

*Improve the Licensing Division CPS Investigation process by creating as much transparency as possible. Identify a standard for allegations, so that providers are not being investigated without merit. Accusations are put into writing and DCYF provides a redacted copy of allegations to providers.*

Temporary Licensing Subcommittee Additional Feedback:

- Providers should not have to get an attorney involved (at their expense) to get clarity on DCYF's process.
- Providers are not included in communication during a CPS investigation. CPS follows up/notifies the individuals involved, but there is no follow-up with the provider so it is hard to know what the outcome of the investigation is in a timely way.
- Accusations are not facts. The burden of proof should not be the responsibility of the provider.
- Complaints against a provider are problematic when they should be against a specific employee.
- Some complaints should be documented in the employee MERIT account, so potential employers can be forewarned.
- Providers do not know what the process is, what their rights are, or what is required versus what is requested.
- It would also be helpful to have clear guidelines for when administrative leave needs to occur.

Parent Advisory Group Additional Feedback:

- This seems very harmful to the parent-provider relationship. When people hear an allegation that might not be true, it can poison the view of that person.
- Providers should be able to spot actual abuse and are already mandated reporters.
- As a parent, allegations get the same treatment as a conviction.
- If an allegation is made and proved toward the provider, all parents should be also given copies.

**Recommendation:**

*The Provider Supports Subcommittee of ELAC should be a partner in creating the outline of the Licensing Division CPS Investigation process.*

Temporary Licensing Subcommittee Additional Feedback:

- This should be better outlined for providers overall and especially when there is an active investigation.
- Clearly defined written protocols provided in native languages.
- Convene a group to write the protocols collaboratively, not only DCYF/CPS created.
- Providers need to know what is required of them versus what is sometimes requested, but cannot be required of them.

- The lack of partnership and communication throughout the investigation process leads to mistrust, creates barriers for new providers, and pushes current providers out of the field.
- Providers/employers need to be included and informed during investigations.

**Recommendation:**

*Providers should get a report of what feedback influenced policy decisions, funding requests, and programmatic decisions so that they can see how their hard work is affecting DCYF policy.*

Temporary Licensing Subcommittee Additional Feedback:

- Providers are unsure of how their feedback is considered by DCYF. This is a barrier for new providers who may not trust the system and impacts current provider/agency relationships.
- Taking advice and doing nothing with it is not collaboration or compromise.
- DCYF should make all stakeholder feedback readily available during meetings. Instead of saying "based on stakeholder feedback," they could say, "here is the feedback we received."
- Stakeholder feedback on every DCYF policy feels like it goes into the garbage. Show the feedback so everyone can see if anything was implemented.
- Name sources when making blanket statements about how groups were consulted to guide policies that impact early learning.

Parent Advisory Group Additional Feedback:

- Love this idea if it's fully done and not cherry-picked to suit DCYF in a positive way.
- If people are going to take their time to provide feedback, the state should at least take the time to provide that explanation.
- People providing feedback are volunteering their time, effort, and experience. Feedback sessions should be compensated, but if they are not the very least that can be done is that the action (or inaction) following feedback is described.
- Love more accountability of DCYF on decision-making.
- Instead of using the entire name of someone. How about their first name and last initial only? For example, James O. after what they said.

**Recommendation:**

*Offer a survey so that providers can review the licensor after the licensing visit.*

Temporary Licensing Subcommittee Additional Feedback:

- Provide a survey so that providers can review the licensor after the licensing visit. It is not ethical that your licensing result depends on your relationship with the licensor.
- Providers feel that licensors interpret the WACs differently, and there is no clear process for providers who are unhappy with their licensor.

**Recommendation:**

*DCYF needs to share more information about the Inter-Rater Reliability (IRR) training tool for licensors. IRR should be clearly communicated to providers as optional, and DCYF sends a survey to providers to evaluate IRR visits.*

Temporary Licensing Subcommittee Additional Feedback:

- I like the idea of having a form for providers to read when licensing shows up for a monitoring visit – it should clearly say that IRR is optional.
- Providers should be made aware that they can opt-out of an IRR opportunity during the monitoring visit.

- Is there any way for providers to comment/complete a survey about how IRR went at their center after a monitoring visit?
- Licensors may not share that IRR participation is not required.
- There is concern that an additional licensor could have an impact on your compliance agreement without being a documented part of the process.

## Overregulation

DCYF requirements and guidelines are in line with requirements from other state agencies, like the Fire Marshall, the Department of Social and Health Services (DSHS), the Department of Health (DOH), etc. It is the responsibility of DCYF to align with other agencies, and providers are responsible for aligning with DCYF requirements.

### Recommendation:

*Licensors should be trained in expectations from other agencies and able to provide information in writing so that they can be a resource to providers who have questions.*

### Temporary Licensing Subcommittee Additional Feedback:

- In speaking with providers who are in the process of trying to open new sites or are remodeling, there seems to be an issue with how various agencies interact (fire inspectors, local building folks, etc.).
- Being aligned with the Fire Marshall is not just a pre-licensing issue. Early Achievers requirements sometimes bump up against the Fire Marshall.
- At times, DCYF encourages practices that cause problems for providers. For example: putting up art on the walls is important for Early Achievers, but the Fire Marshall's rules/recommendations don't align.

### Recommendations:

- *Build in a growth period for incoming providers who wish to be licensed, with gradual requirements.*
- *Establish clearly defined timeline goals. Assign a licensor as a technical support representative and a current provider as a mentor.*
- *Create a stipend program for mentor organizations to assist new providers. Basic health and safety needs should be in place upon opening a new center (First Aid/CPR, Food Handler Card, background checks).*
- *Professional development and education should be a very gradual requirement unless concerns are raised.*

### Temporary Licensing Subcommittee Additional Feedback:

- Providers have to have everything in place before the initial license is granted. This is not feasible for all providers and is a barrier to becoming licensed.
- A barrier to new licenses: Requiring staff to get higher education but still making minimum wage. Compensation is needed to meet the demands of these WACs.
- We want to have the WACs, they are helpful, but it is not sustainable as we can see with the collapse of child care that is occurring.
- Remove the Early Childhood Education (ECE) college requirements. Lower the number of years required to receive an employment waiver.
- A barrier to new licenses: Licensing now requires all classrooms to be set up with all materials and furniture before licensing. There should be a growth period during the Initial License that allows for fewer materials and furniture in the beginning.
- To increase statewide capacity, we are tasked with identifying barriers to new providers, but many of the WACs are barriers to existing providers.



**Recommendations:**

- *Eliminate unnecessary training and education requirements that may not be necessary to successfully perform the job and do not align with staff compensation. DCYF should only require minimum safety standards, and identify other avenues for recognizing and incentivizing providers who go above and beyond.*
- *DCYF should eliminate mandates that do not come with funding for providers. The costs for unfunded mandates are passed on to families or absorbed by providers through low wages and few, if any, benefits.*
- *Required trainings should qualify for STARS hours and DCYF should create a stipend system for substitutes who fill in for staff attending training.*

**Temporary Licensing Subcommittee Additional Feedback:**

- WACs: so much regulation. It is a barrier to new and existing providers.
- Staff requirements and a 30-hour basic training are really hard (especially during COVID-19). There should be a test for those that have been working in the field for years but have no formal education.
- Requiring staff to get higher education but still making minimum wage is not sustainable.
- The timeline of getting licensed is a barrier.
- Compensation is needed to meet the demands of these WACs to sustain the child care sector.

**Parent Advisory Group Additional Feedback:**

- Makes sense to eliminate them if they are truly unnecessary for some.
- By and large, child care centers don't adequately serve kids with disabilities. Often, it's because they have no idea how to accommodate those kids. There needs to be more training around those type of issues, whether it is funded by the state or not, as a matter of inclusion and equity. There must be many topic areas like that. The real issue is the fact that the state doesn't want to fund it.
- Just because something isn't funded doesn't mean it isn't necessary.
- I am of the mindset that there should be more training for providers.
- Sometimes more training is necessary, but there should be more funding to support this.

**Recommendation:**

*Notify providers that a licensing visit will take place within 30-60 days.*

**Temporary Licensing Subcommittee Additional Feedback:**

- We are told as a provider the licensor will come unannounced. It would be better for providers to have an idea closer to when the monitoring visit will be, rather than the provider feeling reactive for the visit.
- Providers are not looking different on a day-to-day basis. The state should have more faith in what providers are doing.
- As a private organization, I understand the compliance expectation of the unannounced visit, but I am struggling with understanding the assumption that providers would act in a safer approach if they were given notice. If we are doing this from a partnership approach, the idea of the unannounced visit is unprofessional in the business world. It would be nice to get some guidance from Region 10. Being able to have a time frame would give providers a chance to accomplish tasks outside of work, especially family home providers. Family home providers might forget to update their licensor about vacation time, and then there is worry about ramifications. This might help to encourage more of a partnership.
- Can there be a window? Is unannounced defined? This is such a burden. Every other agency (food program, EA) gives a window.
- Technical support should be on all initial finds. Create an opportunity for the provider to correct the initial finds. Punitive steps should only be taken if corrections are not made or if it is a repeat offense.

**Parent Advisory Group Additional Feedback:**

- When it comes to the health and safety of the kids, it should be mandatory.
- As a parent, I recommend no window of time. Show up randomly.
- There should be announced and unannounced checks. When you have unannounced they are unprepared which can provide insight.
- It's a business. Unannounced visits happen in other industries.
- They should stay at unannounced.
- As a parent, this is a no.
- I don't think they should have a "heads up." They should always be ready.
- If the concern is being on vacation etc., language should be added so that they can call. For example: provider would call and inform the licensor that the facility would be closed from this date to this date.

**Recommendations:**

- *Separate violations that are against an individual (employee) from true violations or complaints against the facility.*
- *Violations directly related to a staff person should follow that staff and be viewable by other potential employers.*

**Temporary Licensing Subcommittee Additional Feedback:**

- This part should be split between true violations or complaints against the facility and ones that should be against a person (a staff member).
- Early learning organizations must be proven negligent to identify their involvement in an offense committed by an individual. Providers have the right to have any accusation placed into writing and addressed by the owner of the early learning organization.
- I believe that complaints that are found valid should appear on the employee's MERIT account. However, sometimes a lack of good management could cause more complaints. Not enough assistance through the complaint process could also cause a complaint to be found valid if the employer doesn't provide support or assistance to the employee. Licensees and individuals should have resources available to help them understand the process and be able to have support through the process. Licensing tries to find a way to make every claim valid or fit. One is guilty unless they prove their own self-innocence. The whole process needs changed.
- If someone is "program hopping" and they were let go (for a large issue, for a finding, or not a concern at all), and there was a character judgement that showed up, we do not have a way to collect that information.
- If there was an incident that occurred at the center but did not rise to the level of abuse/neglect, it lives on the center's record for up to seven years, which parents can see. This is a source of frustration for providers when these types of issues should be tied to the staff member not the employer/center.
- We do not want to breach employees' privacy/confidentiality, however, when the focus is child safety, providers need to be aware of any past concerns.
- Employees do not tend to share complete resumes, sometimes picking and choosing which jobs they want to list. If MERIT listed all early learning employment, it would be very helpful.

**Parent Advisory Group Additional Feedback:**

- This sounds like it's treading a line.
- We need more tracking.

- There should be a way to prove that an agency completed full checks on employees. If someone is hired with multiple violations, they should be held accountable.

**Recommendation:**

*Eliminate the emergency WAC around reporting openings.*

Temporary Licensing Subcommittee Additional Feedback:

- DCYF must show why this emergency WAC is a health and safety concern for children in early learning. DCYF does not influence who we enroll or accept into our private businesses.
- I think this subcommittee could recommend removing the “emergency” WAC around reporting our openings. It’s not useful and is redundant.

**Recommendation:**

*Ensure staff members’ full names are not listed in Child Care Check to protect employee privacy.*

Temporary Licensing Subcommittee Additional Feedback:

- We should recommend that staff members’ full names are not listed in Child Care Check.

Parent Advisory Group Additional Feedback:

- From a teacher's perspective, lots of us have abbreviated names on our social media since our whole names are listed on the district website. This way, families can't find us as easily.
- How about using just their initials?
- Schools list the full names of members. Don’t feel it would be different for child care facilities.
- I want to know that ALL staff dealing with my children are not child abusers.
- Maybe it's too much turnover for a child care center so they don't want to redo the staff list every time.
- Staff at our hospital have the option of only having first names on our name badge for safety concerns.
- I want every staff member to be listed.
- The school district has a full staff directory.
- So many other jobs list their staff members, and we're talking about people working with a very vulnerable population.
- There should be a form of protection, such as a domestic violence situation, however, I want to know about everyone around my child.

**Compensation and Provider Supports**

**Recommendations:**

- *Use Quality Improvement funds to support the Early Achievers Review Process and develop a different avenue to demonstrate quality child care to receive subsidy, not Early Achievers as the only option.*
- *Look at all of the Early Achievers requirements with an equity lens.*

Temporary Licensing Subcommittee Additional Feedback:

- The Early Achievers review process is changing with the onus of responsibility for the review now on the early learning provider. This is an unfunded mandate, so I’m wondering what consideration has been given to the use of Quality Improvement funds to support this work. Maybe funds can be directed to provide more financial supports to the field.
- Early Achievers should not be a requirement for accepting Working Connections Child Care (WCCC) families. It limits access in some communities. Participation in Early Achievers is required to accept subsidy. There should be a different avenue to show quality and receive subsidy.

- Legislators want providers to accept subsidy, but there are too many requirements to taking subsidy. Lessen those and it will likely result in more accepting subsidy.
- Example: Requiring electronic attendance – another barrier to taking subsidy. It's costly to maintain – tablets, laptops, etc. Time consuming to train families and remind, update software, etc. and internet access which is expensive.

**Recommendation:**

*To incentivize all providers to accept WCCC subsidies, DCYF should increase subsidy payments to 100% now and identify a goal for family participation.*

Temporary Licensing Subcommittee Additional Feedback:

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**Recommendation:**

*To meet the FSKA goal of increasing provider participation in WCCC subsidies, we recommend eliminating participation in Early Achievers as the requirement to serve children on WCCC subsidies.*

Temporary Licensing Subcommittee Additional Feedback:

- WCCC rates need an increase and should be based on what a provider charges – especially those who have gone through Early Achievers hoops.
- We recognize that a recommendation will be coming from the Child Care Collaborative Task Force.

**Recommendations:**

- *We recommend making Early Achievers voluntary. In addition, WCCC rate increases for those who achieve Early Achievers ratings of 3-5 should remain, and fund the rate increase for level 3.5, as already mandated.*
- *DCYF also needs to make funding more equitable between regions, as identified in the Cost of Quality Care study commissioned by the Legislature through the Child Care Collaborative Task Force.*

Temporary Licensing Subcommittee Additional Feedback:

- WCCC rates need an increase and should be based on what a provider charges – especially those who have gone through EA hoops.
- We recognize that a recommendation will be coming from the Child Care Collaborative Task Force.

**Recommendation:**

*MERIT needs to be fixed to better support providers.*

Temporary Licensing Subcommittee Additional Feedback:

- Staff records are not required to be in MERIT if providers have paper records accessible. DCYF collaborates with providers to troubleshoot MERIT and improve the process. If providers have paper copies but have not entered them in MERIT, this should have a different weight than out of compliance.
- Create an Organizational Access level in MERIT, so centers with multiple sites can approve directors, view center dashboards across multiple sites, etc., and employers can submit records, including education records, on behalf of employees; list all early learning employment for individuals in MERIT; create an inactive status for employees who work on summer breaks or only occasionally; create a link to WA Compass within MERIT to help providers access WA Compass.
- It is great that we can see background checks in MERIT, but not so great that there's an expectation that all staff records be in MERIT. The WAC states paper records can be thrown out after being verified in MERIT, however, providers can be written up for not having everything up to date in MERIT, and I feel there is a benefit of having paper records.

- Is there going to be a time when employers can submit records on behalf of their employees? There have been concerns with delays and staff cannot always be accessible to answer phone calls while they are working. There are still concerns about the employer being written up for not complying when the employer does not have access to the records. Some staff members do not know how to navigate the system. Employers should be able to submit records when necessary.
- We've experienced a lot of turnover and continue to run into issues with the change of management process, so directors have access to the Facility Site tab. I would love to see admin access (organizational/corporate) so we can approve directors and view center dashboards across multiple sites.
- Employees do not tend to share complete resumes, sometimes picking and choosing which jobs they want to list. If MERIT listed all early learning employment, it would be very helpful.
- I will often have people in MERIT who no longer work for me (coming back from breaks from college) or someone who substitutes occasionally and might have an expired CPR license.
- Include a link to WA Compass in MERIT and vice versa.

### Recommendations:

- *Increase supports for providers to allow more guidance and accessibility to become licensed.*
- *Make licensing requirements more achievable by focusing only on the health and safety of children and fund any additional requirements. Should this recommendation be adopted, we further recommend that any new licensing rules that may have a financial impact should also be supported with funding from DCYF.*
- *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.*
- *Require all care of children, regardless of hours provided, in Washington State to be licensed and follow the same rules and regulations of DCYF.*
  - *If exemptions are allowed, a registry of license-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 and maintained regularly and made publicly available.*

### Temporary Licensing Subcommittee Additional Feedback:

- Unlicensed care is out of control.
- Have an agency with the power to enforce consequences to people providing unlicensed care.
- Reduce licensing requirements so more will become licensed.
- Have support like Early Achievers to give guidance to become licensed.
- Inform the community about the benefits of licensed versus unlicensed care.
- Create a registry that includes Licensed Exempt Preschools.
- Any person providing any amount of child care should have to apply to be Licensed Exempt. Require minimum requirements of background checks and CPR/First Aid.
- There needs to be a small division within licensing that handles unlicensed care.
- There needs to be a number to call to report unlicensed care that is not CPS.
- The agency needs a law that gives them the ability to deal with unlicensed care.
- It needs to specify that all care should be licensed.
- Create a small division within licensing with the ability to impose fines or other action against child care that is reported as unlicensed.

- The committee was tasked with creating recommendations to increase licensed child care. Providers drop their licenses due to overwhelming rules.
- Create a group that is focused on looking at licensing overregulation to begin to address the many problems the sector faces.
- When DCYF visits a reported unlicensed non-exempt child care, all families who have children in care at the center/home should receive notification and information about unlicensed care, risks, and lack of oversight or regulations regarding health, safety, and quality of care.
- Families enrolled in unlicensed care centers should be notified of the unlicensed status of the center and why being licensed is important – it's the law, there are health and safety benefits, etc.
- There need to be consequences for folks that are willfully ignoring that they need to become licensed.
- If the safety of ALL children is important to DCYF, then ensure that minimum safety measures (like background checks) are required, even for licensed exempt programs.
- Part-day, full-day, seasonal – all types of child care and/or preschool should be listed on a state registry.
- Families should qualify for subsidies, if their salaries are too high, a percentage should be paid by the parent and a percentage by the state. This would avoid parents to take their children to unlicensed child care.
- Unlicensed (unregulated) providers can see the mountain of over-regulation of licensed providers and be discouraged by that – and choose to remain unlicensed.
- The WACs need to focus on practical health and safety rules only, which would likely encourage more unlicensed people to get licensed.
- The general public is largely unaware that people that advertise "Preschool" are not monitored by anyone. A sex offender could put a sign on their residence advertising "Preschool."

### Recommendation:

*A 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.*

### Temporary Licensing Subcommittee Additional Feedback:

- This is including, but is not limited to, means of requesting a re-evaluation of licensing decisions.
- The document should not just be a list of WACs.
- It should include the appeals process.
- Would be great for providers to have a "Bill of Rights," so we know what our rights are.
- Provider bill of rights is the first step in protecting DCYF, CPS, and early learning providers from bad actors and misinformed participants.
- Providers need to be clear that they have the right to dispute licensing rulings.
- We need to have better relationships/rapport between providers and licensors.
- Suggest renaming this "Providers Bill of Rights" and leave "responsibilities" out of the title.
- One or two documents that could list what to expect during and after a licensing visit. The document for during a visit could provide information on knowing your rights, and the after-visit document could provide a timeline of how long before you hear back. I don't think providers know what they will encounter until they get to know their individual licensors.
- Having Licensing Division staff participate in this conversation could be beneficial with their knowledge.
- Providers have the right to request waivers to certain licensing rules.

- I like tying WACs to various definitions. We need WACs to identify home vs center, etc. (all types of care that DCYF covers).
- "You have the right to inform a licensor that you are understaffed today and they need to come back tomorrow."
- Providers have the right to have language support via interpretation and translation and bilingual staff.
- We haven't gotten much training on DCYF's portal and how to use it. That should be a high priority for DCYF, and should be included as a right to training for providers.
- This document should be developed by the Provider Supports subcommittee.
- We expect to hear back on questions to licensors within 72 hours (or something like that). We have some questions that went out to MERIT 20 days ago, and it is pretty frustrating.
- Want the recommendations to reflect what providers want it to say, and then address what recommendations are conflicting with WACs/CCDF.
- Define who the Bill of Rights is for. Needs to be targeted to licensed child care providers.
- Providers have the right to technical support from DCYF on DCYF programs.
- Providers should have the ability to rate their licensors via a survey.
- Provider rights fact sheet that can be posted in the office that has a link to a survey for your licensor.

#### **Recommendation:**

*A status update on the Internal Review Panel process, for which some providers applied, and were selected to join, but have yet to be contacted, should be provided to ELAC, who we recommend determine accountability measures. Quarterly updates should be provided to all providers and ELAC.*

#### **Temporary Licensing Subcommittee Additional Feedback:**

- The committee would like an update on participants, who serves, when they meet, a history of previous meetings, and where is this information documented.
- The committee would like to know about the financials and if the legislation was in a decision package or funded.
- There was a piece of legislation several years ago (I think Rep. Dent sponsored) that mandated the creation of an Internal Review Process (seats included providers). The panel was to be the next step when a provider asked for an appeal on a licensing decision.
- Although DCYF did a pilot, they have not done what the legislation requires. I know of a few providers that were told there is no step after an appeal. The IRP was supposed to be that next (and possibly final) step.

#### **Recommendation:**

*The Rule Making Process should have a step-by-step guide so that providers are made aware of the process, including how to appeal a decision or submit a petition. Recognizing the urgency, the step-by-step guide should be available by March 31, 2023.*

#### **Temporary Licensing Subcommittee Additional Feedback:**

- More proactive transparency and communication on rules that have changed before they are mandated.
- Once the decision is made, it should be public before being in place.
- It is important to include providers before making rule changes so DCYF understands the impact on providers.
- We recommend a presentation and update to ELAC, who can determine whether a subcommittee should be designated.

- We would like to know how DCYF is communicating the Rule Making Petition Process regularly.
- We would like more transparency in the approval/denial records. What is the process for submitting a Public Records Request?
- DCYF should provide annual training so that all providers have access to this information.
- We want to be part of the process.



## Appendix A: Temporary Licensing Subcommittee Members and Participants

- Aida Rodriguez | Representative of Licensed Family Home Providers
- Angelia Maxie | Tiny Tots
- Bethany Larsen | Puget Sound ESD
- Brandee Aahz | WCCA Admin
- Brian Trimble | Herzog Family Center
- Carol King | LaPetite ELC
- Christopher Rosenquist
- Colleen Condon | Early Learning Regional Coalition – NE
- Courtney Whitaker | YMCA of Greater Seattle/WA Alliance of YMCAs
- Dana Christiansen
- Dawn Siewert | Edmonds Lutheran Learning Center
- Emily Murphy
- Enrica Hampton | Kindering
- Gary Burris | Child Care Action Council
- Gloria Vasquez | SEIU 925
- Heather Degroot | ESD 112
- Hilary Prentice
- Jennifer Talbert
- Julie Schroath | Creative Kids Learning Center
- Kathy Carman | Representative of Child Care Centers
- Katie Hudkins | Treeptop Village
- Laura Murphey | Taylor Tots Childcare
- Lisa Warren | Another Best Childcare & Learning Center
- Lois Martin | Community Day Center
- Maria Sosa | Maria Sosa
- Mary Curry | Pathways Enrichment Academy
- Mechelle Moran | Creative Kids
- Melissa Moreno | LaPetite ELC
- Nancy Trevena | EOCF
- Nicole Sohn
- Pam Haley
- Rebecca Lee | Green Gable Children's Center
- Representative | CANIC
- Representative | Dee's Mini 3
- Representative | Kix Korner
- Representative | Liberty Learning Centers
- Representative | Montessori Farmhouse School
- Representative | Rainbow Connections
- Rocio Gannaway | Lagarllito's Garden Center
- Sandra Nelson | Primm ABC Child Care
- Susan Brown | Kid's Co.
- Suzie Hanson
- Tammy Cain | DCYF
- Vicki Greger
- Zeinaba Gelchu | Boru Child Care

## Appendix B: Temporary Licensing Subcommittee Recommendation Timeline Process

### Oct. 24, 2022 | TLS | ELAC | PS

- The final draft recommendation was sent to TLS, ELAC, and PS on Oct. 19.
- Members provided final edits and feedback.

### Oct. 19, 2022 | TLS | [Meeting Minutes](#)

- Members met to finalize the last three recommendations.
- Members discussed the final recommendation report.

### Oct. 4, 2022 | ELAC | [Meeting Minutes](#)

- OIAA provided an update on the TLS.
- Members provided feedback on the report.

### Sept. 28, 2022 | TLS | [Meeting Minutes](#)

- The committee met on Wednesday, Sept. 28, and reviewed the recommendation report. Fourteen providers attended. The goal of the meeting was to review and finalize the last four recommendations.
- The committee discussed the recommendations related to Unlicensed Care and the Child Care Provider Bill of Rights. Members broke into small groups, then came together for a larger discussion. Additional feedback was provided on each recommendation before the final language was drafted.
- The two remaining recommendations related to the Internal Review Process (IRP) and the Rule Making Petition process will be reviewed at the Oct. 19 meeting.

### Sept. 7, 2022 | TLS | [Meeting Minutes](#)

- The committee met on Wednesday, Sept. 7, and provided feedback on two main recommendations: the Child Care Provider Rights & Responsibilities and Regulation of Child Care Providers.
- Recommendations were made and added to the recommendation report.
- Providers engaged in a feedback seeking activity to identify specific recommendations around improving agency regulations of Child Care Providers.

### Aug. 17, 2022 | TLS | [Meeting Minutes](#)

- The committee met on Wednesday, Aug. 17, and discussed Unlicensed Care. DCYF Statewide Licensing Administrator Travis Hansen provided an overview of unlicensed care. Members were able to ask questions and provide feedback during the discussion.
- This feedback will be included in the recommendation report.

### July 27, 2022 | TLS | [Agenda](#)

- Fifteen providers attended: eight center providers and seven unspecified providers.
- Attendees reviewed the feedback collected during the June 15 and July 6 FSKA TLS meetings and parent feedback from the PAG meeting held on July 12. Providers then worked to finalize the recommendations developed, thus far, and provided feedback on remaining meeting topics.
- Providers reviewed the feedback received from parents and providers on recommendations developed, to date, and additional work recommendations.
- As of July 27, 71 providers have signed up for updates.
- We have noticed a gap in family home attendees and Family, Friend, and Neighbor (FFN) providers.

**July 12, 2022 | PAG | Meeting Minutes**

- DCYF Community Engagement Manager Emily Morgan provided an overview of the purpose of the FSKA TLS. Parents then provided feedback on recommendations developed, thus far, that relate to parents.

**July 6, 2022 | TLS | [Meeting Minutes](#)**

- Ten providers attended: five center providers and five unspecified providers.
- This meeting repeated the activity from the June 15 meeting and was held in the evening to try to accommodate family home, FFN, and center providers who cannot attend during the day.
- Providers reviewed and discussed the recommendations, identified gaps, shared questions, and provided edits and additional recommendations.

**June 15, 2022 | TLS | [Meeting Minutes](#)**

- Fourteen providers attended: 10 center providers and four unspecified providers (these providers either did not introduce themselves or identified themselves as a “child care provider”).
- Providers engaged in a recommendation tracker activity to provide feedback on recommendations developed, to date.
- Providers broke into small groups to review recommendations developed, to date, and worked in groups to identify gaps and additional recommendations.

**June 7, 2022 | ELAC | [Meeting Minutes](#)**

- Members were provided an update on the TLS and recommendation report.
- Member provided input on the recommendation report.
- Background Checks were discussed and recommendations were made.
- As of June 3, 69 individuals have signed up for updates.
- A provider who has consistently attended FSKA TLS meetings will be presenting to the PAG in July to update and collect feedback from parents.

**May 25, 2022 | TLS | [Meeting Minutes](#)**

- Thirty-eight providers were in attendance. (Provider breakdown is not available for this meeting.)
- DCYF Communications Director Jason Wettstein provided an overview of DCYF Communications and Social Media. Members had an opportunity for Q&A and provided feedback.
- DCYF Child Care Administrator Matt Judge and DCYF Provider Supports Administrator Chris Parvin provided an update on the Background Check process. Providers had an opportunity to ask questions and provided feedback.
- The [emergency recommendations](#) were sent to DCYF leadership on May 27.

**May 4, 2022 | TLS | [Meeting Minutes](#)**

- Nineteen providers were in attendance: 14 center providers and five unspecified providers.
- DCYF Professional Development Administrator Angela Abrams and Professional Development & Workforce Registry Lead Erin Schoch provided a presentation on the recently updated MERIT dashboard including pathway options for meeting staff qualifications.
- DCYF’s WA Compass Support Specialists Michele Sampilo and Jennifer Buckley provided an overview of the functionality of the WA Compass Provider Portal.

**April 13, 2022 | TLS | [Meeting Minutes](#)**

- Fifteen providers were in attendance: 12 center providers, one family home provider, and two unspecified providers (these providers either did not introduce themselves or identified themselves as a “child care provider.”)
- DCYF Child Care Administrator Matt Judge provided an overview of the Child Care Development Fund (CCDF) and had an opportunity for a Q&A, and provided feedback.
- As of April 1, 67 individuals have signed up for updates.
- DCYF’s Licensing Division will participate on the subcommittee as a non-voting member. DCYF Statewide Licensing Administrator Travis Hansen and DCYF Child Care Licensing Continuous Quality Improvement Manager Aliza Yair have been attending the meetings.
- Parent input will be provided, as needed, by the PAG.

**March 16, 2022 | TLS | [Meeting Minutes](#)**

- Sixteen providers were in attendance.
- DCYF Statewide Licensing Administrator Travis Hansen and DCYF Senior Administrator Licensing Division Child Protective Services (CPS)/Safety and Monitoring (SAM) Ron Effland provided an overview of the DCYF Investigation Process within a licensed center or family home. Members had an opportunity for Q&A and provided feedback.
- DCYF Workforce Initiatives & Project Administrator Heather West provided information on IRR and gave members the opportunity for a Q&A and collected feedback.

**Feb. 23, 2022 | TLS | [Meeting Minutes](#)**

- Twelve providers were in attendance.
- DCYF Research and Methodology Manager for the Licensing Division Dr. Sonya Stevens provided an overview of the DCYF Licensing Checklist, walked through example checklists with attendees, provided an opportunity for Q&A, and collected feedback.
- DCYF Monitoring Registry Training Analyst Jody Hitchings provided an overview and had a discussion of the Child Care and Early Learning Licensing Guidebook.

**Feb. 8, 2022 | TLS | [Meeting Minutes](#)**

- Eighteen providers were in attendance.
- DCYF Statewide Licensing Administrator Travis Hansen and DCYF Child Care Licensing Continuous Quality Improvement Manager Aliza Yair provided an overview of their organizational structure, the Licensing Division’s scope, provided an opportunity for Q&A, and collected feedback.
- The DCYF’s Licensing Division provided an overview of the licensing processes, an opportunity for Q&A, and collected feedback on additional questions regarding the checklist.
- As of January 24, 66 individuals had completed an interest form to receive updates and participate in this group.
- DCYF’s Licensing Division participated on the subcommittee as a non-voting member. DCYF Statewide Licensing Administrator Travis Hansen and DCYF Child Care Licensing Continuous Quality Improvement Manager Aliza Yair attended the first meeting and intend to stay connected and partner with this group throughout the year.

**Jan. 27, 2022 | PAG | [Meeting Minutes](#)**

- DCYF Deputy Director of Community Engagement Deanna Stewart provided an update on the Temporary Licensing Subcommittee.

**Jan. 11, 2022 | TLS | Meeting Minutes**

- Thirty-four participants attended the launch meeting, and additional one on one meeting's have been scheduled for non-English speaking participants.
- Attendees received an overview of the FSKA legislation, discussed DCYF Licensing Division's connection with the subcommittee, and participated in an activity prioritizing in scope licensing topics to determine the agenda for the upcoming meetings. The Checklist, Child Care Licensing Organizational Structure and Review Process, and the Child Care and Early Learning Licensing Guidebook were the three that rose to the top.
  - DCYF Government Affairs Advisor Genevieve Stokes provided an overview of the FSKA legislation and creation of the FSKA Temporary Licensing Subcommittee of ELAC.
  - DCYF Statewide Licensing Administrator Travis Hansen and DCYF Child Care Licensing Continuous Quality Improvement Manager Aliza Yair provided an overview of the Licensing Division's work and connection with the subcommittee.
  - Deanna Stewart walked through the purpose and scope of the FSKA Temporary Licensing Subcommittee, and members had an opportunity to provide feedback on future meeting licensing topics via Jamboard and a ranking activity.
- Participants reviewed the remaining 2022 meeting dates and were asked to provide feedback on meeting times.