



Policy Changes Included in the Early Start Act 8/11/2015

In 2015, Washington’s legislature passed and Governor Inslee signed the [Early Start Act \(HB 1491\)](#). The bipartisan, historic Early Start Act enacts unprecedented policies and resources to help ensure all children get the great start they need. The Early Start Act includes numerous provisions designed at increasing access to quality care for all children, particularly children in low-income families and children of color.

This document highlights policy changes included in the Early Start Act. It is organized by six categories:

- Early Achievers
- Continuity of care
- ECEAP
- Licensing
- Evaluation and oversight
- Other

Early Achievers

The Early Start Act establishes unprecedented new resources for providers including scholarships, grants, annual quality awards, and free training and coaching. The bill provides focused supports for providers serving children in low-income communities and recognizes the value of culturally and linguistically competent care that meets the unique needs of children and families in Washington State. State funding for these and other quality improvement activities is now in the maintenance level of the state budget. Providers receiving Working Connections Child Care will be required to participate in Early Achievers and demonstrate that they are providing quality care.

Policy Change Included in HB 1491	Implementation Date	Page & Section
School-age care		
DEL and OSPI will design a plan to incorporate school-age providers into Early Achievers or another quality improvement system. DEL and OSPI will implement a pilot program.	July 1, 2017	Pg 3 Sec 2(3)(d)
Availability of ratings for parents and caregivers		
DEL will publish Early Achievers ratings for all subsidized child care, ECEAP and Head Start programs online. Ratings must be easily accessible and take into account the linguistic needs of parents and caregivers. New program ratings must be posted within 30 days of licensing, certification, or rating. Ratings for voluntary programs not receiving subsidy must also be posted online.	November 1, 2015	Pg 4 Sec 2(7)
Rating cycle		
DEL has the authority to determine the rating cycle for Early Achievers. DEL will streamline and eliminate duplication between Early Achievers standards and state child care rules in order to reduce costs associated with the rating cycle and licensing.		Pg 3 Sec 2(5)
Supports for providers (professional development, coaching, technical assistance, resources, etc.)		

<p>DEL will, in collaboration with tribes and partners, implement a protocol to maximize and encourage participation in Early Achievers from culturally diverse and low-income providers. At a minimum:</p> <ul style="list-style-type: none"> • Substitute pool • Needs-based grants to assist with purchasing curriculum, instructional materials, supplies and equipment. Priority will be given to culturally diverse and low-income providers. • Translation and timely distribution of materials • Flexibility in technical assistance and coaching structures based on individual need and cultural context <p>Amounts appropriated for this section will be appropriated separately from other funds, are the only funds that may be used for the protocol, and may not be used for any other purposes. Funds for the protocol are ongoing for the purposes of future DEL budget requests.</p> <p>For the first 30 months, resources will be prioritized to assist providers at level 2 to move to level 3 wherever access to subsidize care is at risk.</p>		Pg 9 Sec 5
<p>DEL will create a professional development pathway for Early Achievers participants to obtain a high school diploma or equivalency or higher education credential. The professional development pathway must include opportunities for scholarships and grants and must address cultural and linguistic diversity.</p>		Pg 5 Sec 2(8)
<p>Early Achievers quality improvement awards will be reserved for participants offering programs with at least 5 percent of children receiving state subsidy</p>		Pg 5 Sec 2(9)
<p>DEL will review available research and best practices literature on cultural competency in early learning settings and review K-12 components for cultural competence developed by Professional Educator Standards Board to identify components appropriate for early learning. DEL will provide recommendations to legislature and ELAC on research-based cultural competency standards for early learning professional training</p>	July 31, 2016	Pg 17-18 Sec 13(3)
<p>DEL will implement tiered reimbursement for programs rated at level 3 or above</p>		Pg 11 Sec 6(7)
Requirements for child care providers to participate and demonstrate quality		
<p>Existing child care providers serving non-school age children and receiving state subsidy must enroll in Early Achievers</p>	August 1, 2016	Pg 10 Sec 6(3)(a)
<p>Existing child care providers serving non-school age children and receiving state subsidy must complete level 2 activities in Early Achievers</p>	August 1, 2017	Pg 10 Sec 6(3)(b)
<p>Existing child care providers serving non-school age children and receiving state subsidy must rate at level 3 or higher</p>	December 31, 2019	Pg 10 Sec 6(3)(c)
<p>Existing child care providers serving non-school age children and receiving state subsidy who do not rate at level 3 or above by December 31, 2019 must complete remedial activities and rate at level 3 or higher</p>	June 30, 2020	Pg 10 Sec 6(3)(c)
<p>New child care providers serving non-school age children and receiving state subsidy must: 1) enroll in Early Achievers within 30 days of receiving payment; 2) complete level 2 activities within 12 months of enrollment; 3) rate at level 3 or higher within 30 months of enrollment; and 4) if</p>	July 1, 2016	Pg 10-11 Sec 6(4)

providers rate below level 3 at 30 month mark, they must rate at level 3 or above within 6 months of beginning remedial activities.		
Child care or early learning programs operated by tribes and receiving state funds will participate in Early Achievers. Tribes may choose to participate through an interlocal agreement with DEL. The interlocal agreement must provide that: tribal programs are not required to be licensed, are not required to have ratings published and must provide notification to parents that Early Achievers program ratings are available upon request.		Pg 6 Sec 2(13)
Exceptions		
DEL, in collaboration with tribal governments, partners and the Early Achievers Review Subcommittee, will develop a protocol for granting Early Achievers participants under exceptional circumstances an extension in meeting rating level requirement timelines. Extensions may not exceed 6 months. Participants are only eligible for 1 extension. Participants must have demonstrated engagement in Early Achievers to qualify.		Pg 5 Sec 2(10)
DEL will accept national accreditation that meets requirements as a qualification for Early Achievers program ratings		Pg 5 Sec 2(11)
DEL will explore the use of alternative quality assessment tools that meet the culturally specific needs of tribes		Pg 6 Sec 2(12)

Continuity of Care

The Early Start Act improves continuity for families so that parents have stability and children receive the consistent care essential for bonding and attachment.

Policy Change Included in HB 1491	Implementation Date	Page & Section
12-month authorization regardless of changes in circumstances	July 1, 2016	Pg 11 Sec 7
<p>DEL will calculate a number of targeted contracted slots with a balance of family homes and centers, geographic distribution and distribution of slots between ages 0 to 5. Contracted slots are prioritized for low-income neighborhoods and programs with at least 50% of children receiving subsidy. Until August 1, 2017, DEL will assure an even distribution of contracted slots for children birth through 5. Remaining slots will be distributed through competitive process to programs with at least one of these characteristics:</p> <ul style="list-style-type: none"> • High-need geographic area; • Partnering with elementary schools to transition children; • Serving children in child welfare system; and/or • Serving children with special needs <p>Remaining contracted slots will be awarded through a competitive process, prioritizing:</p> <ul style="list-style-type: none"> • Programs located in a high-need geographic area • Programs partnering with elementary schools to offer transition planning • Programs serving children involved in the child welfare system; or 		Pg 18-19 Sec 14

<ul style="list-style-type: none"> Programs serving children with special needs 		
Contracted slots are available only to providers rated at level 3 or above in Early Achievers. DEL will pay a provider for each contracted slot, unless a slot is not used for 30 days.		Pg 19 Sec 14(5)
DEL will include the number of contracted slots that use both ECEAP and WCCC funding in the annual report to the legislature		Pg 19 Sec 14(6)
DEL will account for a child care co-payment collected by the provider from the family for each contracted slot and establish the co-payment fee by rule		Pg 11 Sec 6(8)

ECEAP

The Early Start Act recognizes the value of a mixed delivery system for ECEAP by requiring the development of a pathway for licensed centers and family homes to become ECEAP providers.

Policy Change Included in HB 1491	Implementation date	Page & Section
Requirements for ECEAP providers to participate and demonstrate quality		
Existing ECEAP providers must enroll in Early Achievers	October 1, 2015	Pg 13 Sec 9(4)(a)
Existing ECEAP providers must rate at level 4 or 5 in Early Achievers. If an existing provider rates below a level 4, the provider must complete remedial activities and rate at level 4 or 5 within six months of beginning remedial activities.	March 1, 2016	Pg 13 Sec (9)(4)(b)
New ECEAP providers must enroll in Early Achievers within 30 days of the start date of the contract. New ECEAP providers must rate at level 4 or 5 in Early Achievers within 12 months of enrollment. If provider rates below level 4 within 12 months, provider must complete remedial activities and rate at level 4 or 5 within 6 months of beginning remedial activities.	October 1, 2015	Pg 13 Sec (9)(5)(a)- (b)(i)
Licensed or certified centers and homes administering ECEAP must rate at level 4 or 5 within 18 months of contract start date. If provider rates below level 4 within 12 months, provider must complete remedial activities and rate at level 4 or 5 within 6 months of beginning remedial activities.	October 1, 2015	Pg 14 Sec 9(5)(b)(ii)
If an ECEAP provider has successfully completed all the required Early Achievers activities and is waiting to be rated by the deadline, the provider may continue to participate in Early Achievers as an approved ECEAP provider and receive state subsidy pending the successful completion of level 4 or 5 rating		Pg 14 Sec 9(6)(a)
To avoid disruption, DEL may allow for ECEAP providers who have rated below a level 4 after completion of the six-month remedial period to continue to provide services until the current school year is finished.		Pg 14 Sec 9(6)(b)
Full-day programming		
DEL will collect data periodically to determine demand for full-day ECEAP programming. DEL will analyze this data by geographic region and will include the findings in the annual report to the legislature.		Pg 14 Sec 9(7)
Pathway for centers and homes to administer ECEAP		
DEL will develop a pathway for licensed or certified child care centers and homes to administer ECEAP. The pathway will include accommodation for	December 1, 2015	Pg 14 Sec 9(8)

these providers to rate at a level 4 or 5 in Early Achievers according to the timelines and standards in Section 9.		
ECEAP expansion		
Full implementation of ECEAP is delayed from 2018-2019 to 2020-2021	2020-2021 school year	Pg 16 Sec 12(2)
ECEAP expansion will prioritize programs in low-income neighborhoods with high-need geographical areas. Following neighborhood and geographical priority, preference will be given to programs meeting at least one of these characteristics: 1) extended day programs; 2) programs serving children with special needs; 3) programs serving children in the child welfare system	2015-16 school year	Pg 15 Sec 11(3)
Background check		
DEL will adopt rules requiring ECEAP employees with access to children to submit fingerprint background check	January 1, 2016	Pg 12 Sec 8(3)

Licensing and Standards

The Early Start Act calls for regulatory systems to be streamlined to better meet the needs of providers and the children they care for.

Policy Change Included in HB 1491	Implementation Date	Page & Section
DEL will implement a single set of licensing standards for child care and ECEAP. The new standards must: provide minimum health and safety standards, rely on Early Achievers standards to address quality, take into account the separate needs of family child care providers and child care centers, and promote the continued safety of child care settings. Private schools that operate early learning programs and do not receive state subsidy will be subject only to minimum health and safety standards and the requirements necessary to assure a sufficient early childhood education to meet usual requirements for transition into elementary school.	November 1, 2016	Pg 7 Sec 3
Requirements of Section 4, subsection 2 (“In consultation with the state fire marshal’s office, the director shall use an interagency process to address health and safety requirements for child care programs that serve school age children and are operated in buildings that contain public or private schools that safely serve children during times in which school is in session”), as they relate to physical facility, including outdoor playgrounds, do not apply to before-school and after-school programs that serve only school age children and operate in the same facilities used by public or private schools.		Pg 8 Sec 4(2)(b)

Evaluation and Oversight

The Early Start Act includes data collection and evaluation provisions that will provide current information about the impact of the Act on quality and access. Over time, disaggregated, student-level data will also show the impact of the Act on closing the opportunity gap. This data will inform the recommendations of two oversight bodies: the Early Learning Advisory Council’s Early Achievers Review Subcommittee and a joint select committee of the legislature.

Policy Change Included in HB 1491	Implementation Date	Page & Section
Data collection		
WA Education and Data Center (WEDC) will collect longitudinal, student-level data on children in ECEAP and WCCC (upon completion of electronic time and attendance system) capturing: 1) daily attendance; 2) classroom and teacher; 3) Early Achievers rating; 4) program hours; 5) program duration; 6) WaKIDS results; and 7) distinct ethnic categories within racial subgroups of children and providers. Data will be provided to providers.		Pg 17 Sec 13(1)-(2)
WSIPP will conduct a longitudinal analysis of the relationship between Early Achievers rating levels and outcomes for children in ECEAP and WCCC. Final report will include cost-benefit analysis.	Annually, beginning December 31, 2019 and ending 2022	Pg 18 Sec 13(4)
Oversight		
<p>ELAC will convene an Early Achievers Review Subcommittee to provide feedback and guidance on strategies to improve the quality of instruction and environment for early learning and provide input and recommendations on the implementation and refinement of Early Achievers. This review will be part of the annual progress report required in Section 18. At a minimum, the review will address:</p> <ul style="list-style-type: none"> • Adequacy of data collection procedures; • Coaching and technical assistance standards; • Progress in reducing barriers to participation for low-income providers and providers of diverse cultural backgrounds, including a review of Early Achievers rating tools, quality standard areas and components and how they're applied; • Strategies in response to data on the effectiveness of program standards in relation to providers and children from diverse cultural backgrounds; • Status of exemption protocols; and • Analysis of Early Achievers program data trends <p>The subcommittee will include consideration of cultural and linguistic responsiveness when analyzing these areas for review.</p>		Pg 22 Sec 16(9)(a)-(b)
<p>ELAC Early Achievers Review Subcommittee will include representatives from:</p> <ul style="list-style-type: none"> • Child care centers • Family child care • ECEAP • Early Achievers contractors (technical assistance and coaching) • Tribal governments • Organization responsible for conducting ratings • Parents of children in WCCC or ECEAP <p>The Committee will include representatives from diverse cultural and linguistic backgrounds.</p>		Pg 22 Sec 16(9)(c)
DEL must consult with the Early Achievers Review Subcommittee on all substantial policy changes to Early Achievers		Pg 6 Sec 2(14)
Annual Progress Report		

<p>DEL, with CCA & ELAC Early Achievers Review Subcommittee, will submit progress report to Governor and legislature regarding providers' progress in Early Achievers. Each report must contain:</p> <ul style="list-style-type: none"> • The number, and relative percentage, of family child care and center providers who have enrolled in Early Achievers and who have: <ul style="list-style-type: none"> • Completed level 2 activities; • Completed rating readiness consultation and are waiting to be rated; • Achieved the required rating level required to remain eligible for WCCC and ECEAP; • Not achieved the required rating level initially but qualified for are working through intensive targeted support in preparation for a partial re-rate outside the standard rating cycle; • Not achieved the required rating level initially and engaged in remedial activities before successfully achieving the required rating level; • Not achieved the required rating level after completing remedial activities; or • Received an extension • A review of the services available to providers and children from diverse cultural backgrounds; • An examination of the effectiveness of efforts to increase participation by providers serving children and families from diverse cultural and linguistic backgrounds and children from low-income families; • A description of the primary obstacles and challenges faced by providers who have not achieved the required rating level to remain eligible to receive WCCC or ECEAP; • A summary of the types of exceptional circumstances for which extensions have been granted; • The average amount of time required for providers to achieve local level milestones within each level of Early Achievers; • An analysis of the distribution of Early Achievers rated facilities in relation to child and provider demographics, including but not limited to race and ethnicity, home language and geographical location; • Recommendations for improving access for children from diverse cultural backgrounds to providers rated level 3 or higher; • Recommendations for improving Early Achievers standards; • An analysis of any impact from quality strengthening efforts on the availability and quality of infant and toddler care; • The number of contracted slots that use both ECEAP and WCCC funding; and • A description of ECEAP implementation, including: <ul style="list-style-type: none"> • Progress on reaching entitlement; • Examination of the regional distribution of new PreK programming by zip code; 	<p>Annually, beginning December 15, 2015</p> <p>*Note: The first annual report will include a description of the Early Achievers extension protocol</p>	<p>Pg 23-25 Sec 18</p>
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<ul style="list-style-type: none"> • An analysis of the impact of PreK expansion on low-income neighborhoods and communities; • Recommendations to address any identified barriers to access to quality preschool for children in low-income neighborhoods; • An analysis of any impact of extended day ECEAP directives; • An examination of any identified barriers for providers to offer extended day ECEAP; • An analysis of the demand for full-day programming for ECEAP; and • An analysis of the cultural diversity of ECEAP providers and participants <p>*Note: Data for the report must be reported at the county level, and for those counties with a population of 500k or higher, the data must be reported at zip code level.</p>		
<p>If, based on information in the annual report, 15 percent or more of the licensed or contracted providers participating in Early Achievers in a county or in a single zip code have not achieved the required rating levels, DEL must:</p> <ul style="list-style-type: none"> • Analyze the reasons providers in the affected counties or zip codes have not attained the required levels; and • Develop a plan to mitigate the effect on the children and families served by those providers. The plan must be submitted to the legislature as part of the annual progress report along with recommendations for legislative action to address the needs of the providers and the children and families they serve. 		Pg 25 Sec 18(4)

Other

Policy Change Included in HB 1491	Implementation Date	Page & Section
<p>DEL will provide recommendations to legislature on child attendance policies for WCCC and ECEAP, including:</p> <ul style="list-style-type: none"> • Allowable periods of child absences; • Required contact with parents or caregivers to discuss absences and encourage regular attendance; and • De-enrollment procedure when allowable absences are exceeded 	December 1, 2015	Pg 18 Sec 13(5)
<p>Local governments are encouraged to collaborate with DEL when establishing programs. Local governments may contribute funds to DEL to build capacity and quality in local programming and to reduce copayments charged to parents or caregivers. Funds must be deposited into the Early Start Account.</p>		Pg 20 Sec 15(2)-(4)
<p>Early Start Account is created in the state treasury. Expenditures from the account may be used only to improve the quality of early care and education programming. DEL oversees the account.</p>		Pg 23 Sec 17