



DEPARTMENT OF EARLY LEARNING  
P.O. Box 40970, Olympia, Washington 98504-0970  
(360) 725-4665 • FAX (360) 586-0533

TO: Interested Stakeholders

FROM: Matt Judge, Department of Early Learning Rules Coordinator

SUBJECT: **Concise Explanatory Statement**  
**Final Adoption of Amended WAC section 170-296A-1725.**

RCW [34.05.325](#)(6) requires that when a state agency adopts a permanent rule (known as Washington Administrative Code or WAC), the agency must prepare a “*Concise Explanatory Statement*” (CES). This statement is a public document that summarizes:

- Comments, summarized by category, received at public hearings or in written form on the proposed version of the rule;
- Whether the final rule was changed as a result of the comments; and
- Changes from the proposed to the final version of the rule.

The Department of Early Learning (DEL) sends the Concise Explanatory Statement to everyone who testified at public hearings, sent a written comment, or asks to receive the CES. The CES is also posted on the DEL website (see <http://www.del.wa.gov/laws/development/Default.aspx>, *DEL Rules Under Development*).

This document also serves as the summary of public hearing comments to the agency head required under RCW [34.05.325](#)(4).

## I. Background

Effective May 9, 2014, DEL adopted emergency rules allowing family home child care applicants another means of meeting the requirement to have education equivalent to a high school diploma, by completing the Department of Early Learning (DEL) approved early childhood education initial certificate. Emergency rules are effective 120 days.

The proposed rules were filed on June 18, 2014, contain the same WAC language as the emergency rules, and are intended to permanently adopt those changes.

**Public Comment.** DEL filed proposed rules on June 18, 2014 as WSR 14-13-112. A public hearing was held on July 22, 2014 in Olympia. No one attended or testified at the hearing but one written comments was received before the July 22, 2014 comment deadline. The comment on the proposed rules is summarized in section II of this document.

## II. Summary of Issues Raised in Public Comments, and DEL’s Responses, Noting if the Proposed Rule was Changed as a Result

**II. Summary of Issues Raised in Public Comments, and DEL’s Responses, Noting if the Proposed Rule was Changed as a Result**

<p><b>A. Public Comments regarding WAC sections 170-296A-1725.</b></p>	<p><b>B. 1. DEL Response; and 2. Was the proposed rule changed as a result of the comment? If yes, how?</b></p>
<p>I thought they could also meet this requirement by achieving level 3 in Early Achievers? I thought that was what the legislature decided last year? So now the providers that worked all year on that they have to do the initial certificate too?</p>	<p>1. The proposed rules make no change to WAC 170-296A-1725(3) which states that “...a family home child care licensee licensed prior to March 31, 2012, and continuously maintaining the license may meet the "equivalent education" requirement by achieving a level three rating in the early achievers program, Washington state's quality rating improvement system, prior to March 31, 2017.” The proposed rules simply add one additional means of meeting minimum education requirements.</p> <p>2. The proposed rules were not changed as a result of this comment.</p>

**III. Changes to the final rule compared to the proposed rule.**

The proposed rules were not changed as a result of the above comments.