



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Department of Early Learning

Emergency Rule Only

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: To allow family home child care applicants another means of meeting the requirement to have education equivalent to a high school diploma, i.e., by completing the Department of Early Learning (DEL) approved early childhood education initial certificate.

Citation of existing rules affected by this order:

Repealed:
 Amended: 170-296A-1725
 Suspended:

Statutory authority for adoption: RCW 43.215.060, RCW 43.215.070; chapter 43.215 RCW

Other authority :

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Emergency rules are needed to preserve the general welfare. Access to child care providers is lacking for many families across the state, with lack of providers a substantial contributing factor. Current education requirements for family home child care providers create a barrier to licensure for providers who demonstrate educational achievement by completing an early childhood education initial certificate, yet do not have a high school diploma or GED, twelve years of elementary and secondary education, a child development associate credential, or forty-five credits of post-secondary education. An emergency rule to allow that initial certificate to serve as "equivalent education" promotes access to care in accord with the general welfare. Observing the requirements of notice and comment rulemaking would be contrary to the public interest by delaying access. Further, emergency rules are needed to implement the appropriations enacted in the 2014 supplemental budget (Chapter 221, Laws of 2014) funding the Collective Bargaining Agreement between the state and SEIU Local 925 specifically regarding scholarships for SEIU 925 members. With that budget currently in effect, observation of notice and comment rulemaking is contrary to the fiscal needs of the agency.

Date adopted: May 9, 2014

NAME (TYPE OR PRINT)
Elizabeth M. Hyde

SIGNATURE

TITLE
DEL Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 09, 2014

TIME: 8:40 AM

WSR 14-11-016

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____