

---

HOUSE BILL 1621

---

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Orwall, Kagi, and Maxwell; by request of Department of Early Learning

Read first time 01/27/11. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to technical corrections to department of early  
2 learning statutes; and amending RCW 43.215.495, 43.215.532, and  
3 43.215.555.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.215.495 and 2006 c 265 s 202 are each amended to  
6 read as follows:

7 It shall be the policy of the state of Washington to:

8 (1) Recognize the family as the most important social and economic  
9 unit of society and support the central role parents play in child  
10 rearing. All parents are encouraged to care for and nurture their  
11 children through the traditional methods of parental care at home. The  
12 availability of quality, affordable child care is a concern for working  
13 parents, the costs of care are often beyond the resources of working  
14 parents, and child care facilities are not located conveniently to work  
15 places and neighborhoods. Parents are encouraged to participate fully  
16 in the effort to improve the quality of child care services.

17 (2) Promote a variety of culturally and developmentally appropriate  
18 child care settings and services of the highest possible quality in

1 accordance with the basic principle of continuity of care. These  
2 settings shall include, but not be limited to, family day care homes,  
3 mini-centers, centers and schools.

4 (3) Promote the growth, development and safety of children by  
5 working with community groups including providers and parents to  
6 establish standards for quality service, training of child care  
7 providers, fair and equitable monitoring, and salary levels  
8 commensurate with provider responsibilities and support services.

9 (4) Promote equal access to quality, affordable, socio-economically  
10 integrated child care for all children and families.

11 (5) Facilitate broad community and private sector involvement in  
12 the provision of quality child care services to foster economic  
13 development and assist industry (~~through the department of early~~  
14 ~~learning~~)).

15 **Sec. 2.** RCW 43.215.532 and 2005 c 509 s 1 are each amended to read  
16 as follows:

17 (1) Notwithstanding RCW (~~74.15.030~~) 43.215.020, counties with a  
18 population of three thousand or less may adopt and enforce ordinances  
19 and regulations as provided in this section for family day-care  
20 providers as defined in RCW (~~74.15.020(1)(f)~~) 43.215.010 as a twelve-  
21 month pilot project. Before a county may regulate family day-care  
22 providers in accordance with this section, it shall adopt ordinances  
23 and regulations that address, at a minimum, the following: (a) The  
24 size, safety, cleanliness, and general adequacy of the premises; (b)  
25 the plan of operation; (c) the character, suitability, and competence  
26 of a family day-care provider and other persons associated with a  
27 family day-care provider directly responsible for the care of children  
28 served; (d) the number of qualified persons required to render care;  
29 (e) the provision of necessary care, including food, clothing,  
30 supervision, and discipline; (f) the physical, mental, and social well-  
31 being of children served; (g) educational and recreational  
32 opportunities for children served; and (h) the maintenance of records  
33 pertaining to children served.

34 (2) The county shall notify the department (~~of social and health~~  
35 ~~services~~) in writing sixty days prior to adoption of the family day-  
36 care regulations required pursuant to this section. The transfer of  
37 jurisdiction shall occur when the county has notified the department in

1 writing of the effective date of the regulations, and shall be limited  
2 to a period of twelve months from the effective date of the  
3 regulations. Regulation by counties of family day-care providers as  
4 provided in this section shall be administered and enforced by those  
5 counties. The department shall not regulate these activities nor shall  
6 the department bear any civil liability (~~((under chapter 74.15 RCW))~~) for  
7 the twelve-month pilot period. Upon request, the department shall  
8 provide technical assistance to any county that is in the process of  
9 adopting the regulations required by this section, and after the  
10 regulations become effective.

11 (3) Any county regulating family day-care providers pursuant to  
12 this section shall report to the governor and the appropriate  
13 committees of the legislature concerning the outcome of the pilot  
14 project upon expiration of the twelve-month pilot period. The report  
15 shall include the ordinances and regulations adopted pursuant to  
16 subsection (1) of this section and a description of how those  
17 ordinances and regulations address the specific areas of regulation  
18 identified in subsection (1) of this section.

19 **Sec. 3.** RCW 43.215.555 and 1988 c 213 s 3 are each amended to read  
20 as follows:

21 (1) The legislature recognizes that a severe shortage of child care  
22 exists to the detriment of all families and employers throughout the  
23 state. Many workers are unable to enter or remain in the workforce due  
24 to a shortage of child care resources. The high costs of starting a  
25 child care business create a barrier to the creation of new slots,  
26 especially for children with special needs.

27 (2) A child care expansion grant fund is created in the custody of  
28 the (~~((secretary of the department of social and health services))~~)  
29 director. Grants shall be awarded on a one-time only basis to persons,  
30 organizations, or schools needing assistance to start a child care  
31 center or mini-center as defined by the department by rule, or to  
32 existing licensed child care providers, including family home  
33 providers, for the purpose of making capital improvements in order to  
34 accommodate (~~((handicapped))~~) children (~~((as defined under chapter 72.40~~  
35 ~~RCW, sick children, or infant care, or children needing night time~~  
36 ~~care))~~ with disabilities. No grant may exceed ten thousand dollars.

1 Start-up costs shall not include operational costs after the first  
2 three months of business.

3 (3) Child care expansion grants shall be awarded on the basis of  
4 need for the proposed services in the community, within appropriated  
5 funds.

6 (4) The department shall adopt rules under chapter 34.05 RCW  
7 setting forth criteria, application procedures, and methods to assure  
8 compliance with the purposes described in this section.

--- END ---