

# FINAL BILL REPORT

## ESSB 5317

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### C 415 L 07

Synopsis as Enacted

**Brief Description:** Creating additional safeguards for child care.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Brandland, Hargrove, Stevens, Regala and McAuliffe).

**Senate Committee on Human Services & Corrections**  
**House Committee on Early Learning & Children's Services**

**Background:** The Department of Early Learning (DEL) investigates the conviction record and pending charges of day-care providers and their staff as part of its licensing function. Most of these criminal history checks are performed by running the name and date of birth of a person through the criminal history database maintained by the Washington State Patrol (WSP). However, if a person will have unsupervised access to children and has not been a resident of the state of Washington during the three-year period before the criminal history check, then that person is subject to a fingerprint check through the WSP and the Federal Bureau of Investigation. The day-care provider must pay for the criminal history check.

The DEL must also determine whether a particular day-care provider (or person associated with a provider who is expected to be directly responsible for the care of children) has the appropriate character, suitability, and competence to work with very young children. The DEL checks records concerning allegations of child abuse and neglect against providers and their staff. No unfounded allegations of abuse or neglect may be disclosed to a provider.

**Summary:** The DEL and a child care provider must notify parents at the first opportunity, but in all cases within 48 hours, of any report of sexual misconduct or abuse by any employee of the provider.

When determining a person is of appropriate character, suitability, and competence to provide child care services, the DEL is authorized to consider certain child abuse and neglect history information or criminal history information.

Rather than requiring the DEL to disclose information about complaints upon request, as under current law, information must be posted on a web site or in a physical location that is easily accessible by parents and potential employers.

Licensed day care centers must provide proof of insurance to the DEL. Family day care providers must provide proof of insurance or meet certain requirements for informing parents of their insurance status.

**Votes on Final Passage:**

Senate	47	0	
House	98	0	(House amended)

Senate			(Senate refused to concur)
House	97	0	(House amended)
Senate	49	0	(Senate concurred)

**Effective:** July 22, 2007