

SENATE BILL REPORT

E2SHB 1776

As Reported by Senate Committee On:
Human Services & Corrections, March 24, 2011

Title: An act relating to licensing requirements for child care centers located in publicly owned buildings.

Brief Description: Regarding licensing requirements for child care centers located in publicly owned or operated buildings.

Sponsors: House Committee on Education Appropriations & Oversight (originally sponsored by Representatives Frockt, Eddy, Dickerson, Carlyle, Maxwell, Fitzgibbon, Roberts, Pedersen, Hudgins, Ryu, Kenney and Stanford).

Brief History: Passed House: 3/02/11, 62-35.

Committee Activity: Human Services & Corrections: 3/18/11, 3/24/11 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter, Carrell, Harper and McAuliffe.

Staff: Kevin Black (786-7747)

Background: The Department of Early Learning (DEL) has the statutory duty to designate categories of child care facilities to be licensed based on the ages and characteristics of the children served, variations in the purposes and services offered by the facilities, and variations in the size or structure of the agencies to be licensed. DEL must develop minimum requirements for the licensure of each category of child care facility, and has the duty to issue, revoke, or deny licenses to child care agencies. DEL currently licenses three types of child care facilities which may serve children who are up to 12 years of age: family home child care providers, child care centers, and school age centers.

Some of the factors which DEL is statutorily directed to consider in the development of minimum licensing requirements are:

- the size and suitability of the premises;
- the character, competence, and conviction records of the staff;
- the number of trained staff which are required to render the type of care;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- the health, safety, and cleanliness of the premises; and
- the financial stability of the agency.

The Fire Marshal has the responsibility to determine minimum standards for the protection against fire hazards in a licensed child care facility.

Summary of Bill (Recommended Amendments): DEL must 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. This process must include consultation with the state Fire Marshal and the Washington State Building Codes Council.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): Existing processes may be used for the review of regulations. DEL must consult with the Washington State Building Codes Council. The focus is changed to health and safety regulations relating to child care programs which serve school age children in buildings operated as public or private schools.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill: PRO: Schools which are deemed safe for school activities during the day are being told that if they want to hold a child care program after school hours in the same facility they are not compliant with child care rules. We want to save taxpayers money in a way that is safe for children. In Seattle, regulations required a \$300,000 retrofit of a public school. There should be uniformity in the way these rules are structured. Usually the same children participate in the child care program that participate in the school. We want to have seamless transitions for our children. A new rulemaking should not be required; we think we can do this within existing rulemaking activities. This is designed only to address health and safety rules.

OTHER: The language should be amended to include the Building Code Council, and the bill should be restricted to programs which serve school-age children. The language in the intent section should be sharpened. An amendment would reduce the fiscal note by allowing the work to go through an existing process.

Persons Testifying: PRO: Representative Frockt, prime sponsor; Clifford Traisman, Kimberly Kinzer, Seattle Public Schools; Lonnie Johns-Brown, Service Employees International Union; Donna Christensen, YMCAs of Washington.

OTHER: Janet Frieling, School's Out Washington.