

HOUSE BILL REPORT

ESHB 1968

As Amended by the Senate

Title: An act relating to licensing standards for before and after-school programs.

Brief Description: Changing licensing provisions for certain before and after-school programs in school buildings.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Kagi, Farrell, Pollet and Fey).

Brief History:

Committee Activity:

Appropriations: 2/28/13, 3/1/13 [DPS].

Floor Activity:

Passed House: 3/7/13, 97-0.

Senate Amended.

Passed Senate: 4/17/13, 48-0.

Brief Summary of Engrossed Substitute Bill

- Requires the Washington State Patrol, through the Fire Marshal's office, to adopt licensing standards that allow children who attend classes in a school building during school hours to remain in the same building to participate in before-school or after-school programs.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Carlyle, Cody, Dahlquist, Dunshee, Fagan, Green, Haigh, Haler, Harris, Hudgins, Hunt, Jinkins, Kagi, Maxwell, Morrell, Parker, Pedersen, Pettigrew, Pike, Ross, Schmick, Seaquist, Springer, Sullivan and Taylor.

Staff: Wendy Polzin (786-7137).

Background:

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 Department of Early Learning (DEL) regulates child care in Washington. The DEL licenses three categories of child care providers: family homes, child care centers, and school-age centers. Separate sets of licensing rules are used to regulate each type of provider. Some features related to each provider type are described below:

- Family-home child care providers care for children up to 11 years of age in a home setting.
- Childcare centers provide care for children up to 12 years of age. These centers operate in commercial, privately owned, school or faith-based facilities.
- School-age centers care for children ages 5 through 12. These centers usually operate in a school setting, but can be located in commercial, privately owned, or faith-based facilities.

Child care centers and school-age centers may operate in a variety of facilities. The DEL's licensing rules operate in accordance with accepted fire and building code standards that apply to any given facility type.

The Washington State Fire Marshal, also known as the Director of Fire Protection, is located within the Washington State Patrol. The Fire Marshal's Office is responsible for providing fire and life safety inspections in licensed care occupancies, including nursing homes, boarding homes, group homes, hospitals, and childcare centers. The Washington State Patrol, through the Fire Marshal's Office, has the statutory responsibility to issue a certificate of compliance to applicants of licensure who comply with minimum standards. If an agency, program, or child care facility does not receive a certificate of compliance, the agency, program, or childcare facility cannot be licensed by the DEL.

Summary of Engrossed Substitute Bill:

The Washington State Patrol is required, through the state Fire Marshal's Office, to adopt licensing standards that allow children who attend classes in a school building during school hours to remain in the same building to participate in before-school or after-school programs.

EFFECT OF SENATE AMENDMENT(S):

The House of Representatives bill directed the state director of fire protection to adopt licensing standards to allow children who attend classes in a school building during school hours to remain in the same building to participate in before-school or after-school programs. The Senate amendment adds language directing the state director of fire protection to adopt licensing standards to allow participation in before-school and after-school programs by children who attend other schools and are transported to attend such before-school and after-school programs.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This legislation is a continuing effort to address the issue of providing child care in a school building before and after school hours. There are many older school buildings that cannot be licensed for child care at this time. This bill gets closer to solving the problem. The Department of Early Learning (DEL) cannot exempt buildings from fire safety requirements. The DEL does not begin licensure of a facility until the Fire Marshal deems it safe. This change will allow more schools to be licensed for child care. Many of the buildings and people this would serve are in low-income areas with minority populations.

(Opposed) None.

Persons Testifying: Representative Kagi, prime sponsor; Josh Sutton, YMCA; and Amy Blondin, Department of Early Learning.

Persons Signed In To Testify But Not Testifying: None.