

# SENATE BILL REPORT

## SB 6093

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As Passed Senate, February 17, 2014

**Title:** An act relating to allowing valid portable background check clearance cards issued by the department of early learning to be used by certain educational employees and their contractors for purposes of their background check requirements.

**Brief Description:** Allowing valid portable background check clearance cards issued by the department of early learning to be used by certain educational employees and their contractors for purposes of their background check requirements.

**Sponsors:** Senators Rolfes, Dammeier, Billig, Kohl-Welles and McAuliffe; by request of Department of Early Learning and Superintendent of Public Instruction.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/31/14, 2/03/14 [DP].  
Passed Senate: 2/17/14, 48-0.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Rolfes, Assistant Ranking Member; Billig, Brown, Cleveland, Fain, Hill, Mullet and Rivers.

**Staff:** Katherine Taylor (786-7434)

**Background:** The Department of Early Learning (DEL) was created in 2006. DEL oversees many programs and services, including but not limited to licensing and monitoring of family home child care facilities and child care centers; the Early Childhood Education and Assistance Program; the Early Support for Infants and Toddlers Program; home visiting services; the Washington Kindergarten Inventory of Developing Skills; Medicaid Treatment Child Care; the Early Learning Advisory Council; and Early Achievers, Washington's quality rating and improvement system.

DEL is required by law to conduct background checks of applicants for employment in any licensed child care facility. According to DEL, in state fiscal year 2013, 42,490 applicable background checks were performed. Cleared background checks are good for three years in Washington, and are portable, which means the individual may use the individual's clearance to work in multiple child care settings.

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*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.*

Anyone over 16 years of age who is new to the child care field or has lived in Washington for less than three consecutive years must also have a fingerprint check done. DEL contracts with a vendor that collects the electronic fingerprints and sends them to the Washington State Patrol (WSP), which works with the Federal Bureau of Investigation (FBI) to process the fingerprints. The results are sent to DEL. The fees paid to the vendor for a fingerprint-based background check are \$44 for licensees, employees, and household members, and \$42.50 for volunteers.

The Office of Superintendent of Public Instruction (OSPI) is the primary agency charged with overseeing K-12 public education in Washington State. OSPI works with the state's 295 school districts.

**Summary of Bill:** Individuals who hold a valid portable background check clearance card issued by DEL can meet certain requirements that allow them to be employed in an educational setting in a position where they have regular unsupervised access to children by providing a true and accurate copy of their WSP and FBI background report results to OSPI.

To become a certified employee in common schools of this state, an applicant who holds a valid portable background check clearance card issued by DEL is exempt from OSPI's fingerprint background check if the individual provides a true and accurate copy of the individual's WSP and FBI background report results to OSPI.

**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:** PRO: OSPI supports this. This is a perfect little bill. It reduces government duplication and increases efficiencies. This simplifies things. People will need to pay less. We strongly support this.

**Persons Testifying:** PRO: Lucinda Young, WA Education Assn.; Robert McLellan, DEL, Senior Assistant Director; Robert Butts, OSPI, Assistant Superintendent of Early Learning.