

**WAC 110-04-0020 What definitions apply to this chapter?** The following definitions apply to this chapter:

**"Authorized"** or **"authorization"** means not disqualified by the department to work in a group care facility or have unsupervised access to children. This includes persons who are certified, contracted, allowed to receive payments from department funded programs, or volunteer.

**"Certification"** means department or child placing agency (CPA) approval of a person, foster home, or facility that is exempt from licensing but meets the licensing requirements.

**"Certificate of parental improvement (CPI)"** means a certificate issued under chapter 74.13 RCW.

**"Certificate of restoration of opportunity (CROP)"** means a certificate issued under chapter 9.97 RCW.

**"Child," "children," or "youth"** means a person who is one of the following:

- (a) Under 18 years of age;
- (b) Up to 21 years of age and enrolled in services through the department of social and health services (DSHS) developmental disabilities administration (DDA) the day prior to their 18th birthday and pursuing either a high school or equivalency course of study (GED/HSEC) or vocational program;
- (c) Participating in the extended foster care program;
- (d) Up to 21 years of age with intellectual and developmental disabilities; or
- (e) Up to 25 years of age and under the custody of DCYF in juvenile rehabilitation.

**"Civil adjudication proceeding"** is a judicial or administrative adjudicative proceeding that results in a finding of, or upholds an agency finding of, domestic violence, abuse, sexual abuse, neglect, abandonment, violation of a professional licensing standard regarding a child or vulnerable adult, or exploitation or financial exploitation of a child or vulnerable adult under any provision of law, including but not limited to chapter 13.34, 26.44 or 74.34 RCW, or rules adopted under chapters 18.51 and 74.42 RCW. "Civil adjudication proceeding" also includes judicial or administrative findings that become final due to the failure of the alleged perpetrator to timely exercise a legal right to administratively challenge such findings.

**"Department"** or **"DCYF"** means the department of children, youth, and families.

**"I"** and **"you"** refers to anyone who has unsupervised access to children in a home, facility, or program. This includes, but is not limited to, persons seeking employment, a volunteer opportunity, an internship, a contract, certification, or a license for a home or facility.

**"Licensing division"** or **"LD"** means the licensing division within DCYF. LD licenses and monitors foster homes, child placing agencies, and licensed group care facilities.

**"Licensor"** means either:

- (a) An LD employee who recommends approvals for, or monitors licenses or certifications for facilities and agencies that provide or certify foster family homes or group care facilities under chapters 110-145, 110-147, and 110-148 WAC; or
- (b) An employee of a child placing agency who certifies or monitors foster homes supervised by the child placing agency.

**"Negative action"** means a court order, court judgment or an adverse action taken by an agency, in any state, federal, tribal or for-

eign jurisdiction, which results in a finding against the subject individual reasonably related to the subject individual's character, suitability, and competence to care for or have unsupervised access to children receiving child welfare services. This may include, but is not limited to:

(a) A decision issued by an administrative law judge.

(b) A final determination, decision or finding made by an agency following an investigation.

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification or contract in lieu of the adverse action.

(d) A revocation, denial, or restriction placed on any professional license.

(e) A final decision of a disciplinary board.

**"Pending criminal charge"** means a criminal charge for a crime that has not yet resulted in a final judgment, acquittal, conviction, plea, dismissal, or withdrawal.

**"Secretary's list"** means a list of crimes or negative actions that are federally disqualifying or may relate directly to child safety, permanence, or well-being and require DCYF to assess a subject individual's character, suitability, and competence to care for or have unsupervised access to children receiving child welfare services. The secretary's list is available at <https://www.dcyf.wa.gov/sites/default/files/pdf/secretaryslist.pdf>.

**"Unsupervised"** means will not or may not be in the presence of:

(a) The licensee, another employee, or volunteer from the same business or organization as the applicant who has not been disqualified by the background check; or

(b) Another individual who has been previously approved by DCYF.

**"We"** refers to the department, including licensors and caseworkers.

**"WSP"** refers to the Washington state patrol.

[Statutory Authority: RCW 43.43.832(2), 43.216.065, and 43.216.271. WSR 22-10-022, § 110-04-0020, filed 4/25/22, effective 5/26/22. Statutory Authority: RCW 43.43.832, 74.13.031, 74.15.030 and P.L. 115-12. WSR 20-05-024, § 110-04-0020, filed 2/7/20, effective 3/9/20. WSR 18-14-078, recodified as § 110-04-0020, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.43.832. WSR 15-03-071, § 388-06A-0020, filed 1/15/15, effective 2/15/15.]