WAC 110-04-0120 If I have a pending criminal charge, conviction, or negative action may I ever be authorized to be licensed, contracted, certified, authorized to be employed at a group care facility, or authorized to have unsupervised access to children? (1) DCYF must disqualify a person with pending criminal charges or convictions on the DCYF secretary's list that are:

(a) Permanently disqualifying; or

(b) Five-year disqualifying if less than five years have passed since the date of conviction.

(2) DCYF may authorize a person with pending criminal charges, convictions, or negative actions on the DCYF secretary's list that are not listed in subsection (1) of this section. In this situation, DCYF must review your background information and assess your character, suitability, and competence to have unsupervised access to children. In this assessment, DCYF will consider the following factors, among others, related to your background information:

(a) The amount of time that has passed since the pending criminal charge, conviction information, or negative action;

(b) The seriousness of the crime or incident that led to the pending criminal charge, conviction, or negative action;

(c) The number, types, and age of other pending criminal charges, convictions, or negative actions in your background;

(d) Your age at the time of pending criminal charge, conviction, or negative action;

(e) Completion of services or other evidence of rehabilitation since the pending criminal charge, conviction, or negative action; and

(f) Your role or purpose of the background check.

[Statutory Authority: RCW 43.43.832(2), 43.216.065, and 43.216.271. WSR 22-10-022, § 110-04-0120, 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, § 110-04-0120, filed 2/7/20, effective 3/9/20. WSR 18-14-078, recodified as § 110-04-0120, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.43.832. WSR 15-03-071, § 388-06A-0190, filed 1/15/15, effective 2/15/15.]