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SENATE BILL 5438

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State of Washington

53rd Legislature

1993 Regular Session

By Senators McAuliffe, Moore, Winsley, Pelz, Prentice, M. Rasmussen, Erwin, Loveland, Drew, Franklin, McDonald, Moyer and Deccio

Read first time 01/28/93. Referred to Committee on Education.

1 AN ACT Relating to before-and-after-school child care; amending RCW  
2 74.13.085 and 74.13.095; adding a new section to chapter 74.13 RCW; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that a significant  
6 number of school age children in the state of Washington are not under  
7 the care and supervision of an adult during the hours before and after  
8 school, on school holidays, during the summer when school is not in  
9 session, and while their parents work or are engaged in job training  
10 and professional preparation programs. The legislature finds that  
11 these children are at risk and that the provision of before-and-after-  
12 school child care will promote not only the safety and welfare of these  
13 children, but their ability to learn and develop into healthy and  
14 productive citizens.

15 (2) It is the intent of the legislature to promote the growth,  
16 development, and safety of school age children by supporting the  
17 establishment of high quality before-and-after-school child care  
18 programs, in partnership with local governments and the private sector.

1       **Sec. 2.** RCW 74.13.085 and 1989 c 381 s 2 are each amended to read  
2 as follows:

3       It shall be the policy of the state of Washington to:

4       (1) Recognize the family as the most important social and economic  
5 unit of society and support the central role parents play in child  
6 rearing. All parents are encouraged to care for and nurture their  
7 children through the traditional methods of parental care at home.  
8 However, there has been a dramatic increase in participation of women  
9 in the workforce which has made the availability of quality, affordable  
10 child care a critical concern for the state and its citizens. There  
11 are not enough child care services and facilities to meet the needs of  
12 working parents, the costs of care are often beyond the resources of  
13 working parents, and child care facilities are not located conveniently  
14 to work places and neighborhoods. Parents are encouraged to  
15 participate fully in the effort to improve the quality of child care  
16 services.

17       (2) Promote a variety of culturally and developmentally appropriate  
18 child care settings and services of the highest possible quality in  
19 accordance with the basic principle of continuity of care. These  
20 settings and services shall include, but not be limited to, family day  
21 care homes, (~~mini-centers,~~) centers, and before-and-after-school  
22 child care programs located in or near school((s)) buildings. For the  
23 purposes of this chapter "near school buildings" means within one  
24 radius mile of the child's school, so long as no "hazardous walking  
25 condition" as defined in RCW 28A.160.160, exists between the child care  
26 facility and the school.

27       (3) Promote the growth, development and safety of children by  
28 working with community groups including providers and parents to  
29 establish standards for quality service, training of child care  
30 providers, fair and equitable monitoring, and salary levels  
31 commensurate with provider responsibilities and support services.

32       (4) Promote equal access to quality, affordable, socio-economically  
33 integrated child care for all children and families.

34       (5) Facilitate broad community and private sector involvement in  
35 the provision of quality child care services to foster economic  
36 development and assist industry.

37       NEW SECTION. **Sec. 3.** A new section is added to chapter 74.13 RCW  
38 to read as follows:

1 (1) The department, in consultation with the child care  
2 coordinating committee and the superintendent of public instruction,  
3 shall adopt rules under chapter 34.05 RCW, setting forth the minimum  
4 requirements for the operation of before-and-after-school child care  
5 programs. The rules shall include, but are not limited to the  
6 following:

7 (a) Availability of care to all children in grades kindergarten  
8 through six;

9 (b) Standards for care;

10 (c) Standards for program content and activities;

11 (d)(i) Provisions for sliding-fee scales including waivers or  
12 reductions in tuition or fees for low-income families;

13 (ii) At a minimum, all tuition or fees shall be waived for students  
14 whose family income is at or below one hundred eighty-five percent of  
15 the federal poverty line; and

16 (e) Address the transportation needs of the children.

17 (2) Each school district board of directors shall provide an area,  
18 within each elementary school, for before-and-after-school child care  
19 for children enrolled in grades kindergarten through six. The board  
20 may offer space jointly with more than one school if there is an  
21 insufficient need for the child care program within one school. The  
22 school shall offer the space, at a fee to cover the school's expenses,  
23 to child care providers to operate a before-and-after-school child care  
24 program.

25 **Sec. 4.** RCW 74.13.095 and 1988 c 213 s 3 are each amended to read  
26 as follows:

27 (1) The legislature recognizes that a severe shortage of child care  
28 exists to the detriment of all families and employers throughout the  
29 state. Many workers are unable to enter or remain in the work force  
30 due to a shortage of child care resources. The high costs of starting  
31 a child care business create a barrier to the creation of new slots,  
32 especially for children with special needs.

33 (2) A child care expansion grant fund is created in the custody of  
34 the secretary of the department of social and health services. Grants  
35 shall be awarded on a one-time only basis to:

36 (a) Persons, organizations, or schools needing assistance to start  
37 a child care center (~~(or mini-center as defined by the department by~~  
38 ~~rule,))~~);

1        (b) Public school districts, educational service districts, or  
2 other governmental or nongovernmental organizations for expanding  
3 existing before-and-after-school child care programs or establishing  
4 new programs located in or near elementary schools; or ((~~to~~))

5        (c) Existing licensed child care providers, including family home  
6 providers, for the purpose of making capital improvements in order to  
7 accommodate handicapped children as defined under chapter 72.40 RCW,  
8 sick children, or infant care, or children needing night time care.

9        ((~~No~~)) (3) A grant may not exceed ten thousand dollars and may not  
10 be used to support more than seventy-five percent of the costs of  
11 establishing the program. A grantee may meet the local matching  
12 requirement under this subsection through contributions by private or  
13 public entities of materials, supplies, in-kind services, or physical  
14 facilities. Start-up costs shall not include operational costs after  
15 the first ((~~three~~)) six months of business.

16        ((~~3~~)) (4) Child care expansion grants shall be awarded on the  
17 basis of need for the proposed services in the community, within  
18 appropriated federal or state funds.

19        ((~~4~~)) (5) The department shall adopt rules under chapter 34.05  
20 RCW setting forth criteria, application procedures, and methods to  
21 assure compliance with the purposes described in this section.

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