

# SENATE BILL REPORT

## SB 6371

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As Passed Senate, February 10, 2016

**Title:** An act relating to the definition of agency for purposes of early learning programs.

**Brief Description:** Concerning the definition of "agency" for purposes of early learning programs.

**Sponsors:** Senators Litzow, Mullet, Dammeier, Hargrove, Fain, Hobbs, Hill and McAuliffe; by request of Department of Early Learning.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/28/16, 2/02/16 [DP].  
Passed Senate: 2/10/16, 49-0.

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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; Billig, Fain, Hill, Mullet and Rolfes.

**Staff:** Ailey Kato (786-7434)

**Background:** The Department of Early Learning (DEL) oversees child care licensing, which includes some school-age care programs. School-age care refers to programs that operate before and after school, during the summer, and over holiday breaks.

Under state law, it is unlawful for any agency to care for children unless the agency is licensed by DEL. Agency means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes certain entities irrespective of whether there is compensation to the agency.

The term "agency" does not include schools, including boarding schools, that are (1) engaged primarily in education, (2) operate on a definite school year schedule, (3) follow a stated academic curriculum, (4) accept only school age children, and (5) do not accept custody of children.

**Summary of Bill:** Within the agency exemption, the definition of schools is modified. The fifth requirement that schools do not accept custody of children is removed.

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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.*

**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: This bill takes DEL out of the business of licensing a particular type of before and after school program. Licensing regulations do not add value to these programs or ensure child safety. School-age before- and after-school programs sign students in and are watching them. Currently, state law says that these programs have to let students go in order to be a school and exempt from licensing. These programs do not want to do that.

OTHER: There are a lot regulations that do not make sense for school-age programs. The Legislature and DEL should reconsider some of these regulations.

**Persons Testifying:** PRO: Frank Ordway, Department of Early Learning; Suzie Hanson, Washington Federation of Independent Schools; Donna Christensen, Washington State Catholic Conference.

OTHER: David Beard, School's Out Washington.

**Persons Signed In To Testify But Not Testifying:** No one.