
**Children & Family Services
Committee**

SSB 6266

Brief Description: Excluding kindergartens from the definition of child care agency.

Sponsors: Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators B. Sheldon, McAuliffe, Shin, Berkey, Fairley, Kline, Kohl-Welles, Thibaudeau, Eide, Keiser, Spanel, Franklin and Jacobsen).

Brief Summary of Substitute Bill

- Exempts kindergartens engaged primarily in educational work with children 5 years of age or older in which no child is enrolled on a regular basis for more than seven hours per day from licensure by the Department of Social and Health Services.

Hearing Date: 2/23/04

Staff: Cynthia Forland (786-7152).

Background:

The Department of Social and Health Services (DSHS) is required to license agencies providing care for children outside of their homes as identified by state law. The purpose of this licensure requirement is to assure the users of those agencies, their parents, the community at large, and the agencies themselves that adequate minimum standards are maintained by all agencies caring for children in order to safeguard the health, safety, and well-being of those children receiving care.

Nursery schools or kindergartens, which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day, are specifically excluded from the identified agencies subject to licensure by the DSHS.

Summary of Bill:

A kindergarten engaged primarily in educational work with children who have reached at least 5 years of age by August 31st and in which no child is enrolled on a regular basis for more than seven hours per day does not need to be licensed as a child care center if it certifies to the DSHS that it meets only the following specified requirements:

- submit proof that all employees who have regularly scheduled unsupervised access to children and applicants have undergone background checks, with associated costs to be paid for by the kindergarten, the employee, or the applicant. The kindergarten may waive the

background check if the employee or applicant has had a background check within the previous two years; and

- submit proof of compliance with applicable state and local building codes, fire codes, and health requirements.

The exclusion of nursery school or kindergartens from licensure by the DSHS is expanded to include kindergartens that meet the requirements specified in the bill and that are engaged primarily in educational work with children who have reached at least 5 years of age by August 31st and in which no such child is enrolled on a regular basis for more than seven hours per day.

Appropriation: None.

Fiscal Note: Available for original bill. New fiscal note requested on February 13, 2004.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.