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HOUSE BILL 2658

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State of Washington

62nd Legislature

2012 Regular Session

By Representative Kagi

Read first time 01/20/12. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to exempting qualified licensed child care  
2 providers from school district and educational service district records  
3 check requirements; and amending RCW 28A.400.303.

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

5 **Sec. 1.** RCW 28A.400.303 and 2009 c 381 s 29 are each amended to  
6 read as follows:

7 (1) School districts, educational service districts, the Washington  
8 state center for childhood deafness and hearing loss, the state school  
9 for the blind, and their contractors hiring employees who will have  
10 regularly scheduled unsupervised access to children shall require a  
11 record check through the Washington state patrol criminal  
12 identification system under RCW 43.43.830 through 43.43.834, 10.97.030,  
13 and 10.97.050 and through the federal bureau of investigation before  
14 hiring an employee. The record check shall include a fingerprint check  
15 using a complete Washington state criminal identification fingerprint  
16 card. The requesting entity shall provide a copy of the record report  
17 to the applicant. When necessary, applicants may be employed on a  
18 conditional basis pending completion of the investigation. If the  
19 applicant has had a record check within the previous two years, the

1 district, the Washington state center for childhood deafness and  
2 hearing loss, the state school for the blind, or contractor may waive  
3 the requirement. Except as provided in subsection (2) of this section,  
4 the district, pursuant to chapter 41.59 or 41.56 RCW, the Washington  
5 state center for childhood deafness and hearing loss, the state school  
6 for the blind, or contractor hiring the employee shall determine who  
7 shall pay costs associated with the record check.

8 (2) Federal bureau of Indian affairs-funded schools may use the  
9 process in subsection (1) of this section to perform record checks for  
10 their employees and applicants for employment.

11 (3) Licensed child care providers who are contracted to provide  
12 child care through school districts and educational service districts  
13 are exempt from the provisions in this section if such providers hold  
14 a valid portable background check clearance card issued by the  
15 department of early learning consistent with RCW 43.215.215.

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