



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Early Learning (DEL)

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 15-16-046 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) **WAC 170-06-0010** Purpose and scope.; **WAC 170-06-0020** Definitions.; **WAC 170-06-0040** Background clearance requirements.; **WAC 170-06-0041** Licensee requirements.; **WAC 170-06-0042** Departmental investigation and redetermination.; **WAC 170-06-0043** Failure to report nonconviction and conviction information.; **WAC 170-06-0050** Department action following completion of background inquiry.; **WAC 170-06-0060** Additional information the department may consider.; **WAC 170-06-0070** Disqualification.; **WAC 170-06-0080** Notification of disqualification.; **WAC 170-06-0115** Reconsideration of disqualification.; **WAC 170-06-0120** Director's list.

WAC 170-100-090 Staff qualifications.

Hearing location(s):

Three hearing locations: October 27, 2015 – Tacoma, WA; October 28, 2015 – Spokane, WA; October 29, 2015 – Pasco, WA

See attached sheet for specific information.

Date: October 27th through 29th, 2015 Time: Each at 10:00 A.M.

Submit written comments to:

Name: Rules Coordinator, Department of Early Learning

Address: PO Box 40970

Olympia, WA 98504-0970

e-mail rules@del.wa.gov

fax (360) 725-4925 by (date) October, 29, 2015.

Assistance for persons with disabilities: Contact

DEL Rules Coordinator _____ by 10/22/2015

TTY () _____ or (360) 725-4670

Date of intended adoption: Not earlier than 10/29/2015

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this proposed rulemaking is to ensure that the department's background check rules are applicable to and include the early childhood education and assistance program (ECEAP).

Reasons supporting proposal: The Washington state legislature passed the Early Start Act during the 2015 legislative session. The act directs the department to adopt fingerprint background check rules for ECEAP employees who have access to children. Those employees must submit to a fingerprint background check, and the procedures to do so must be the same as the department already has established. The Early Start Act requires that these rules be in place by January 1, 2016, and are needed to enhance and promote the health and safety of children participating in these programs.

Statutory authority for adoption: RCW 43.215.070; chapter 43.215 RCW

Statute being implemented: Chapter 43.215 RCW

Is rule necessary because of a:

Federal Law?

Yes No

Federal Court Decision?

Yes No

State Court Decision?

Yes No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **September 23, 2015**

TIME: **11:40 AM**

WSR 15-19-169

DATE September 23, 2015

NAME (type or print)

Ross Hunter

SIGNATURE

TITLE

DEL Director

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Early Learning

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Mary Kay Quinlan, St. Licensing Admin and Nicole Rose, Asst. Dir for QPPG	DEL State Office, PO Box 40970, Olympia, WA 98504	(360) 725-4665
Implementation.... DEL Licensing Offices	Statewide	()
Enforcement..... DEL Licensing Offices	Statewide	()

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules are not expected to impose new costs on businesses that are required to comply. If the rules result in costs, those costs are not expected to be “more than minor” as defined in chapter 19.85 RCW.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: DEL is not among the agencies listed as required to comply with RCW 34.05.328

DEL Rules Hearing Location Information
October 27-29, 2015

1. Tuesday, October 27, 2015 at 10:00 A.M.

Location: Tacoma DSHS/DEL Office
Conference Room # 390
1949 South State Street
Tacoma, WA 98405

2. Wednesday, October 28, 2015 at 10:00 A.M.

Location: NEW ESD 101
Conference Center – Classroom 2
4202 South Regal Street
Spokane, WA 99223

3. Thursday, October 29, 2015 at 10:00 A.M.

Location: Educational Service District 123
Grand Ronde Room
3918 W. Court St.
Pasco, WA 99301