

Department of Early Learning

<b>Policy Title:</b>	10.5.2 Qualification Policy		
<b>Procedure:</b>	Attached		
<b>References:</b>	RCW 43.215, WAC 170-06; WAC 170-06-0090; 170-296A-1050; 170-296A-1200; 170-296A-1225; 170-296A-1275; 170-296A-1325; 170-296A-1450; 170-296A-2075; 170-296A-2100; 170-296A-8175		
<b>Applies To:</b>	Licensing Staff	<b>Contact:</b>	Licensing Oversight Division
<b>Effective Date:</b>	5/1/13	<b>Review Date:</b>	5/1/16 <b>Created on:</b> 1/1/09
<b>Reviewed:</b>	<input checked="" type="checkbox"/> RAs <input checked="" type="checkbox"/> CCSLA <input checked="" type="checkbox"/> AD		
<b>Other Review (list)</b>			
<b>Director Approval:</b>	<i>Elyse M. King</i>		

DEL is responsible for licensing activities to ensure that standards of health and safety are present in child care facilities in accordance with RCW and WAC regulations. The term “child care facility” is used to indicate licensed family child care homes, child care centers and school age facilities.

**Purpose**

The purpose of this policy is to clarify the requirements for processing background checks and qualifying individual applicants to have unsupervised access to children in child care settings. Clarify the requirements to reconsider applicants who have been disqualified to provide care in a child care setting. This policy also provides direction to licensing staff, support staff, supervisors, Regional Administrators (RA) and the Child Care Statewide Licensing Administrator (CCSLA) regarding noncriminal and criminal background checks and reconsiderations. DEL expectations are clarified in this policy and the attached Qualification Procedure.

**Policy**

- I. An applicant who is authorized to care for or have unsupervised access to children in a licensed child care facility must have a background check processed to ensure WA qualifications are met.
- II. A fingerprint check must be requested when:
  - a. There is no current background check clearance in the last three years;
  - b. The applicant lives in a different state;
  - c. The applicant has resided in WA less than three consecutive years.;
  - d. The applicant has a current DEL background check clearance, but has moved out of WA for more than 6 months since submission date of current clearance.
- III. Fingerprints are not required if the applicant has resided in WA for less than three consecutive years if the applicant has a recent background check clearance with a clearance date prior to 07/01/12.
- IV. All background checks must be processed accurately and according to the timelines and processes in the attached Qualification Procedure.
- V. A disqualification may be reconsidered if the applicant provides clear and convincing evidence that they are qualified to care for children.
- VI. Reconsiderations may only be approved by the CCSLA or designee.

**Attachments**

Qualification Procedure

Department of Early Learning

Background Check Authorization Form  
Request for Additional Information Letter  
Disqualification Letter  
Rejection Letter  
Reconsideration Request Form  
Reconsideration Review Form  
Reconsideration Decision Notice Reverse Letter  
Reconsideration Decision Notice Upheld Letter  
Hearing Request Form