

**WAC 110-06-0010 Purpose and scope.** (1) The purpose of this chapter is to establish rules for background checks conducted by the department of children, youth, and families (DCYF).

(2) The department conducts background checks on subject individuals who:

(a) Currently have a background clearance and are seeking to renew the authorization; and

(b) Are seeking a background check authorization for the first time.

(3) A background clearance authorizes subject individuals to:

(a) Work at a child care agency;

(b) Care for children receiving early learning services;

(c) Have unsupervised access to children receiving early learning services;

(d) Reside on the premises of a child care agency or certified facility; or

(e) Care for children in the child's or provider's home. These providers, also known as family, friends, and neighbors (FFN) or in-home/relative care providers are exempt from licensing and receive WCCC subsidies.

(4) The department conducts background checks to reduce the risk of harm to children from subject individuals who have been convicted of certain crimes or who pose a risk to children.

(5) State law requires the evaluation of background information to determine the character, suitability, and competence of persons who will work at an agency, or care for or have unsupervised access to children receiving early learning services or other agency authorized services.

(6) Subject to federal law, if any provision of this chapter conflicts with any substantive provision in any rule relating to background checks and qualifications of individuals who are authorized to care for or have unsupervised access to children receiving early learning services, the provisions in this chapter will govern.

(7) This chapter implements chapters 43.216 and 43.43 RCW including, but not limited to, DCYF responsibilities in RCW 43.216.260, 43.216.270 through 43.216.273, and 43.43.830 through 43.43.832.

(8) This chapter is intended to allow for the increased and continued portability of background check clearances for subject individuals who are authorized to care for or may have unsupervised access to children receiving early learning services.

[Statutory Authority: RCW 43.43.832(2), 43.216.065, and 43.216.271. WSR 22-10-022, § 110-06-0010, filed 4/25/22, effective 5/26/22. Statutory Authority: RCW 43.216.055, 43.216.065, chapter 43.216 RCW and 42 U.S.C. 9858 et seq.; 45 C.F.R. Part 98. WSR 19-01-111, § 110-06-0010, filed 12/18/18, effective 1/18/19. WSR 18-14-078, recodified as § 110-06-0010, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.070 and chapter 43.215 RCW. WSR 15-24-040, § 170-06-0010, filed 11/20/15, effective 1/1/16. Statutory Authority: RCW 43.215.200, 43.215.205, 43.215.215 through 43.215.218, 43.43.830, 43.43.832, chapter 43.215 and 43.43 RCW, and 2011 c 295. WSR 12-12-040, § 170-06-0010, filed 5/30/12, effective 7/1/12. Statutory Authority: Chapter 43.215 RCW, RCW 43.43.832, 2006 c 265 and 2007 c 387. WSR 08-10-041, § 170-06-0010, filed 4/30/08, effective 5/31/08.]