



# Fair Start for Kids Act (FSKA) Temporary Licensing Subcommittee Meeting Minutes

May 25, 2022- 1:00pm to 4:00 pm  
Virtual Meeting

## Welcome, Virtual Meeting Protocols & Introductions

DCYF Deputy Director of Community Engagement, Deanna Stewart welcomed attendees, walked through virtual meeting protocols and initiated introductions.

## DCYF Communications and Social Media

DCYF Communications Director, Jason Wettstein provided an overview of DCYF Communications and Social Media. Members had an opportunity for Q & A and provided feedback.

<b>Discussion</b>	<ul style="list-style-type: none"> <li>• The search does not always work when using what should be a key word.</li> <li>• Merit page should have the link to the portal higher on the side menu.</li> <li>• There is confusion between what is in the DCYF Training Portal versus MERIT.</li> <li>• For new providers there is a lot of different places they need to go to access different things. There should be links to access each other.</li> <li>• Improvement on making it easier for providers to update their facility information in MERIT.</li> <li>• Send out communications letting new providers know their license is approved rather than waiting for something in the mail from DCYF.</li> <li>• There should be a clear link directly to the licensing guidebook. This is almost impossible to find. Also, they should show a revision date since it is my understanding it is a live document that can be changed at any time.</li> <li>• There can be a problem on someone’s MERIT account when a provider’s middle name is mixed up with their last name or vice versa if the provider has two last names.</li> <li>• My MERIT is using my personal email. As director of a licensed center I would prefer to get licensing notices to my work email. I missed an important notice asking for verification of my Early Achievers Award once and then missed notices about fingerprinting. We should be able to use two email addresses.</li> <li>• I did not get the understanding of what the topic is about, in regards to communications and social media. <ul style="list-style-type: none"> <li>○ I was mainly trying to address the questions from the survey and introduce the Communications team. We do provide media relations and consulting in regards to policy changes. We are heavily involved in web writing and social media writing.</li> </ul> </li> <li>• When I look at the DCYF website, I lose sight of who the audience is. The website comes across as for someone who would like to know more about DCYF rather than information to help a provider and the website does not seem provider centric. As a provider, I do not find it helpful when it comes to support and haven’t felt like providers are the audience. Improve messaging for providers.</li> <li>• I would like all the providers emails to receive the communications from DCYF, and not need to register themselves. Any update and new information from DCYF is very important for us providers.</li> <li>• How is social media used by DCYF? Who is your intended audience? I hear lots of need for DCYF website improvements. I think a meeting specifically about the portals, MERIT, etc. might be more useful.</li> </ul>
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	<ul style="list-style-type: none"> <li>○ Our May 4 meeting covered MERIT and WA Compass. If there is more specific information the group would like from MERIT or WA Compass we can always bring them back for a future meeting. If anyone missed the May 4 meeting the recording and minutes are posted to the FSKA TLS webpage found <a href="#">here</a>.</li> <li>● This is our first look at communications work at DCYF so I don't have a basis in the system. We could use a one-pager about the area or can cover.</li> <li>● Anyone in the classroom is not dealing with social media. I will go to a website before I go to social media.</li> <li>● When COVID hit, there was an email in regards to hair dressers filling in for child care while waiting for COVID to calm down. This was a huge misstep on DCYF's part, implying we do not have skills as a provider.             <ul style="list-style-type: none"> <li>○ Although, I was not on board with DCYF then, I want to apologize for that. Being a provider does take skill and experience and you can see the trajectory of how providers change children's lives.</li> <li>○ People were encouraged to start a temporary pop up childcare.</li> <li>○ Then we had to argue to be included in vaccination along with K-12. We were originally forgotten. We were the ones in the classrooms while most K-12 (public schools) were working remotely.</li> </ul> </li> <li>● We do not have enough colleges with bilingual teachers and materials in Spanish. We need more funding for child care providers to help build their strengths. We are doing the hard work with less money and less support.</li> <li>● I think font needs to not look like crayons or scribble when talking about childcare. This comes across as disrespectful when all other writing appears professional.</li> <li>● The exemptions are unclear for assistants given assistants were not required to do many of the things listed for the exemption until the new Washington Administrative Code (WAC) went into effect.</li> </ul>
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**Background Checks**

DCYF Childcare Administrator Matt Judge and DCYF Provider Supports Administrator Chris Parvin provided an update on the Background Check process. Providers had an opportunity to ask questions and provided feedback.

- [Portable Background Checks](#)

<b>Discussion</b>	<ul style="list-style-type: none"> <li>● The federal language says prospective staff may begin working after the process of getting fingerprints is "completed" and allows for pending individuals to work if supervised at all times. Why has Washington added another layer requiring a "cleared" background check? Completed is not the same as cleared.             <ul style="list-style-type: none"> <li>○ Great question. I can clarify why we are saying cleared. We go through the Department of Social and Health Services (DSHS) system which interfaces with the state patrol system. These systems do not communicate interchangeably. We don't see a benefit separating these and getting the results. When we get the "cleared" result an employee can work in a child care center unsupervised. There is no reason to do the provisional because we are receiving everything that is required at the same time.</li> </ul> </li> <li>● Can we get written communication from the Office of Child Care (OCC) defining "completed" as stated in the rule?             <ul style="list-style-type: none"> <li>○ Yes, we can get that. On the definition of "completed" this is the language from OCC around that: "Pending completion of all background check components in 98.43(b), the prospective staff member must be supervised at all times by an individual who received a qualifying result on a background check described in 98.43(b) within the past 5 years (98.43(c)(4)) and the prospective staff member must have completed and received satisfactory results on either the FBI</li> </ul> </li> </ul>
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fingerprint check or a fingerprint check of the state/territory criminal registry or repository in the state where the prospective staff member resides.”

- (4) A prospective staff member may begin work for a child care provider described in paragraph (a)(2)(i) of this section after completing either the check described at paragraph (b)(1) or (b)(3)(i) of this section in the State where the prospective staff member resides. Pending completion of all background check components in paragraph (b) of this section, the staff member must be supervised at all times by an individual who received a qualifying result on a background check described in paragraph (b) of this section within the past five years.
- I do not understand why the state is choosing to interpret the federal language of "completed" fingerprints as "cleared". Staff receive proof it's been completed at the end of their appointment.
- Are you talking about the language WA state replied to CCDF guidance?
  - The language I posted earlier on clearance is available here at p. 221: <https://www.dcyf.wa.gov/sites/default/files/pdf/CCDFPlan2022-2024.pdf>.
- Other states are able to do this properly and turnaround more quickly than WA. Virginia is 72 hours.
- I just got a background check back after 9 weeks.
- If I was a new potential childcare employee, I would not wait around 19 days to be able to start working and have an income.
- 19 days of waiting is almost funny for someone that has to drive 168 miles to get to the fingerprinting place that may be closed when you get there. Or because there aren't any appointments.
- There is a huge disconnect with what you are saying and our experience. What is the disconnect?
  - I agree with you. Myself and Nicole Rose have asked for people's names and information who have to wait longer than 19 days. Please send your name, birthdate and contact information to us at [dcyf.backgroundcheck@dcyf.wa.gov](mailto:dcyf.backgroundcheck@dcyf.wa.gov) and we can address those situations on an individual basis.
  - Something doesn't make sense. In Yakima, we always have to wait a week for an appointment to get fingerprinted by the vendor. They never gave an appointment right away. So I'm not sure about what they are saying to you
- If the federal and state requirements were separated and we could employ someone after fingerprints, that would part of the solution. But location access is a huge problem. Some places are only open once a week. Some places have closed. You cannot expect someone to wait 2 weeks for an available appointment then commute 3 hours for the appointment.
- In Kittitas County the closest fingerprint location is in Moses Lake (that's a total of 3 hours travel just for staff to get fingerprints).
- What about those in Kittitas County who need to drive three hours to get their fingerprints and they haven't even been hired yet? This is unacceptable.
  - We have been working on adding an additional fingerprint site in Ellensburg.
- There are not enough locations or appointments available.
- When you say it takes providers X number of days to schedule the appointments, it puts the burden on providers. In fact, many staff cannot find appointments nearby, after work hours, or they are only open once a week.
- How can the Office of Superintendent of Public Instruction (OSPI) do this so much more efficiently and quickly? Are we once again considered "less than" the school district?
  - DCYF should contract with the local schools and do the fingerprints through OSPI so we can have the federal part cleared and they can start working supervised.
- How can Yakima comply with no finger print locations available? The closest location to get finger prints done is a three-hour round trip drive. This is discrimination to staff with



disabilities that cannot drive. If an employee is stuck in Merit there is no way to get a hold of them timely and adds an additional week.

- Or DCYF can pay for transportation for all of the employees that need a ride to these fingerprinting places.
- It's not equitable. What if the individual doesn't have transportation?
- The data is skewed if it is including all PBC (Performance Based Contracts) applications. New vs. renewal are very different timelines.
- They aren't fixing this because they are telling us that this is our problem not theirs.
- Please don't update a contract with this company. They are terrible.
- Maybe Washington should look for a different company to work with.
- Information on how to become a fingerprint vendor can be found in the Feedback Loop from the January Provider Supports meeting here:  
[https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/120121\\_PS\\_FeedbackLoop.pdf](https://www.dcyf.wa.gov/sites/default/files/pdf/gov/docs/120121_PS_FeedbackLoop.pdf)
- I think the issue is how to get the fingerprint done on day one versus on day 20.
- The reality is that if licensed providers cannot have a new staff work supervised on site "Pending completion" then what will happen is those children will be cared for in unlicensed programs because the licensed program has closed the classroom.
  - This will have unintended consequences. Except for large for profit child cares that can afford fines.
- As business owners, we hear "guidance" and ask what is the actual requirement. Guidance is like best practice.
- We are paying for the services of fingerprints, and the services have to be fast and easy.
- We have been asking for this issue to be corrected for years. We as providers need to know what will be done to implement a process like New Jersey's that clears people in 12-72 hours.
- Foster parents get clearance same day and onsite.
- Why can't we use State Patrol or other organizations?
  - They only do fingerprint checks locally to their station not across the state.
- DCYF should guarantee a monthly contract (not based on appointments made) to keep them in locations that would make more sense. We need to be able to count on fingerprint locations.
- Local police departments should be an option.
- What is the penalty if we fail to comply?
  - If we do not comply, it would cost millions of dollars, and then if we continue to not comply then that would affect the entire grant which is a very large portion of our early learning funding.
  - The penalty is several million or the grant is several million?
    - The penalty is several million and the grant is about \$170 million total. Ultimately we could be disqualified from the whole grant.
    - Since that money doesn't go to us, but this problem impacts us, there is a disconnect.
- Is there a possibility that we can have school districts help with this? Each school district could have chosen vendors in local areas for providers?
  - That is a great concept and something we have looked at before. We were told no to this.
- I'm missing why DCYF doesn't think it would be valuable to separate the state checks from fingerprinting.
- Can't our federal legislators help us? Has anyone gone to them?
  - DCYF has brought the issue up with the congressional delegation but there's been no movement to change the federal rules about this.



- If there were locations in every town with appointments every day, how long would you expect your current process to take? Because if it's more than 72 hours, we need a new solution.
- This needs to be fixed now. We need to try and see if we can work with the school districts and more vendors.
- We need emergency waivers until this system is fixed.
- This needs a systems solution.
- Unfortunately, classrooms will be forced to close without a fix.
- We cannot wait for a statewide enterprise fix. This is an emergency starting July 1. The bottom line is that we have educators/adults in our community that can be hired and cleared very quickly through other systems. It is unacceptable that we are facing this issue when this problem is solved for K-12. We can't keep hearing that it isn't possible.
- This has been a problem for far too long. We can't compete and get employees right now. I don't think people understand how grave this is going to be for the child care industry come July 1.
- Can providers get the fingerprints from staff?
  - DCYF needs to receive the fingerprints and the results directly from Washington State Patrol and OSPI. We wouldn't be able to receive the results from providers. We are trying to make things happen as soon as possible and I am having my staff to process applications within the same hour or day it was received.
- Can providers get training to be able to do fingerprints in house at their center? I see this as a solution. Until DCYF figures out the 30-mile radius, it is not fair for us to close our business and potentially put these kids in harm's way. We need something for Kittitas and Yakima county now, a waiver or extension to an exemption.
  - We will follow up with the CE team and get info out to you. Identogo would need to make you a subcontractor and would provide you with the training, the fee and the fingerprinting equipment. That would put you on their list of their sites for fingerprint locations which wouldn't just be DCYF sites, it could be DSHS or others.
- Will DCYF staff sign on to emergency recommendations this group comes up with?
  - The emergency recommendations are submitted from this subcommittee not DCYF staff.
- If we made excuses for things we would be out of business. We need fast background checks with reasonable access to fingerprints. We feel ignored.
- We have been working with DSHS to see if we can get the fingerprint system improved. We are working on our vendor and again we don't have this contract updated yet. We are piggy backing on the DSHS contract which lists having a fingerprint location within a 30 mile radius of one's center or employer.
- Five days is still not okay. A max of 72 hours is reasonable. Anything longer than that is unacceptable.
- Is Identogo under contract now with DCYF? What is the current radius in the contract right now?
  - Yes, they are and it is a 50-mile radius.
  - That is not being met right now.
- This lack of solution will leave tons of children without child care. The focus does not seem to be on children.
- What can be done onsite at a center? 19 days is too long. Does that mean you can't interview someone on site before those 19 days are up or can they sit down and watch the training film? Labor and Industries saying training is not considered work. What is your definition of "work?"



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	<ul style="list-style-type: none"><li>○ CCDF says one cannot begin work before background check is cleared so interviews should be fine. I can look that up and clarify between work and training and what is acceptable before one's background check is cleared.</li></ul>
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**2022 Meetings, Closing Remarks and Adjourn**

<b>Next Steps/Follow Up</b>	<ul style="list-style-type: none"><li>• The next Fair Start for Kids Act Temporary Licensing Subcommittee meeting will be June 15, 2022.</li></ul>
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