



70.70 Child Care Services for Children of State Employees

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70.70.10 These policies establish minimum requirements

May 1, 1999

The purpose of this policy is to establish minimum requirements for the contracting of child care services for state government employees consistent with [Chapter 41.04 RCW](#) and RCW [43.88.160\(4\)\(c\)](#) as amended by Laws of 1993, Chapter 194.

70.70.20 Identifying suitable space for a child care facility

Jan. 1, 2012

70.70.20.a

At the request of an [organization of state employees](#) interested in establishing a [child care facility](#), an [agency](#) may work with the owner of the state-owned or state-leased building it occupies in whole or in part to identify space that is, or can be made, suitable for use as a child care facility.

70.70.20.b

Suitable space is defined as space that is, or, with an identified financial resource, can be made, sufficient to meet licensing requirements as a child care facility. The space must be able to be set aside exclusively for use as a child care facility, including provision for a food preparation area, storage areas sufficient for the program, and restroom and changing facilities. It must be able to be made secure and must be convenient to the place of employment of the state employee parents or guardians of children enrolled in the program.



70.70.30.c

If suitable space cannot be identified in the building, the agency shall work with the Department of Enterprise Services to identify other suitable space. Nothing in this policy precludes agreements between agencies to identify suitable space for a child care facility that would serve employees of two or more agencies.

70.70.30 Determining the rental rate for the space

Jan. 1, 2012

The Department of Enterprise Services shall establish or negotiate the rental rate at which the identified suitable space would be made available for operation of a child care facility, a portion of which may be used by non-state employees for care of their children.

70.70.40 Child care facility contracting requirements

Jan. 1, 2012

A contract is required between the owner of a building in which space for a child care facility is to be established and an agency whose employees will use services provided by the child care facility. This contract shall be negotiated by the Department of Enterprise Services (DES), under the provisions of [RCW 43.82.010](#), and shall include, but not be limited to, the following provisions:

70.70.40.a

DES, in consultation with the agency and an organization of state employees, will identify and specify the renovations and/or modifications to the building needed to support operation of a child care facility and negotiate with the owner of the identified suitable space the lowest price for those renovations or modifications. No moneys shall be committed to renovation or modification of the building until all of the following are complete:

1. A viable business plan for self-supporting operation of the child care facility has been prepared and agreed to by the agency, the organization of state employees, and the [child care provider](#). The business plan should include at a minimum, a definition of the scope of services to be provided, their estimated costs (including any agency subsidy), and a projection of revenues based upon specific assumptions related to total average annual enrollment, fee structure, and proportion of children in care who are not dependents of state employees, if any.
2. The child care provider commits to meeting all licensing requirements.
3. Funding for the child care facility has been allocated to the agency for renovation or modification of suitable space in a state-owned building, or the director of the Office of Financial Management (OFM) has approved agency payment of higher lease costs reflecting the cost of renovation or modification to suitable space financed by the owner of a leased building.



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- The director of the OFM has approved the amount of the subsidy related to operation of the child care facility. Subsidy is defined as the difference between an annual rental rate established as a result of [Subsection 70.70.30](#) and a lower annual rental rate for suitable space made available to the child care provider that is approved by the director of the OFM. The monthly value of this subsidy for state employees with children in the facility's care equals the annual subsidy divided by twelve months divided by the projected monthly average enrollment of children of state employees.

70.70.40.b

The owner is obligated to maintain the space in a condition that is safe for use as a child care facility.

70.70.50 Child care program contracting requirements

Jan. 1, 2012

Either an agency or an organization of state employees may contract with a child care provider. A contract with a child care provider shall include, but not be limited to, the following provisions:

70.70.50.a

The dates and hours that the facility will be open and operating will be stated.

70.70.50.b

The child care provider will provide reimbursement for repairs of any damage to the facility beyond wear and tear related to normal use of space.

70.70.50.c

The provider shall be responsible for providing and maintaining equipment, furniture, or appliances in the facility or, if originally provided by the agency, the provider shall replace equipment, furniture and appliances at the termination of the contract. Supplies, program materials, and other related items are the sole responsibility of the child care provider.

70.70.50.d

The provider shall plan, and accept responsibility, for maintaining adequate security of the children in its care, including keeping the children within the space allocated to the facility.

70.70.50.e

The agency shall not be responsible for day-to-day management, monitoring, quality control, dispute resolution or other like activities related to the child care provider. These responsibilities shall be assigned to the organization of state employees or to the child care provider, as appropriate.



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70.70.50.f

Rates and the factors affecting them are to be explicitly stated. If the agency is subsidizing facility costs, the monthly rate for children of state employees and others requiring similar care will differ by the size of the average monthly subsidy divided by the projected average number of children of state employees in care each month as assumed in the business plan. No less than quarterly, the provider will reimburse the agency in the amount of the average subsidy times the number of child-months of non-state employee children in care in excess of the projection.

70.70.50.g

The provider shall carry sufficient insurance and provide indemnification of the state and the agency from any liability associated with activities of the child care provider.

70.70.50.h

The provider shall maintain books, records, documents and other evidence of accounting procedures and practices which sufficiently and properly reflect all costs of any nature expended in the performance of the contract. These records shall be subject at all reasonable times to inspection, review, or audit by personnel duly authorized by the agency and the Office of the State Auditor.

70.70.50.i

The provider shall provide right of access to its facilities to the agency, the Department of Enterprise Services, the organization of state employees, or to any other authorized agent or official of the state of Washington in order to monitor and evaluate performance, compliance, and quality assurance under the contract.