

My story and involvement with CARE began in early 2006. July 5, 2006 at 1:00 PM I answered my door and found my licenser, 2 detectives and a DLR/CPS investigator.

The issue was with my 19 year old son. They would not tell me what they were there for but kept saying "you know why we're here don't you?" I didn't have a clue!

My son had committed a crime and even though his crime had nothing to do with my childcare business, did not occur during childcare hours my family childcare business was being Summarily Suspended, closed immediately.

My son was arrested and is paying for his crime even though I had absolutely nothing to do with his actions, I too am paying for his crime. I had remembered a training I attended and contacted Sandi Clemans. Sandi's calming voice, knowledge of the process and her ability to relate to my horrible situation gave me solace. From this point on I must do everything correctly and according to WAC.

I was able to win an Expedited Stay which this allowed me to reopen my childcare. By then I lost all of my subsidy clients and several of my private pay. On November 9, 2006 I received a revocation of my FCC license. Sandi had forewarned me to expect this.

DEL is like a pit bull, once they get their teeth into you, every little thing you have ever done is under a microscope. My full hearing was for May 7, 8, 8, and 10 2007. The expedited stay allowed me to remain open until the final decision.

My hearing took 3 full days. On August 3, 2007 I received notice that I had won! DEL had the right to request a review of the Initial Order and on January 28, 2008 and my FCC license was revoked. I refused to give up what was happening to me was wrong.

My next step was a request for reconsideration of the Final Order. No surprise the same review judge denied the request for reconsideration.

It was time to find an attorney who was willing to take my case pro-bono and help me at the Superior Court level. CARE and I did most of the written work and my attorney made sure all of the work was in the correct format and filed.

My attorney was so angry at the decisions made in my case that she agreed to take my case to the Court of Appeals. CARE and I once again helped with the preparation. At the Court of Appeals decision they agreed with DEL. This decision was very damaging because it stated that a child care license is a site license rather than an operators license and we have a occupational license rather than a professional license.

DEL made a motion that the Court of Appeals opinion be published, the Court granted their request; this means that the opinion is **now law**.

I have been denied my constitutional right to due process and the "Appearance of Fairness" that is our right as citizens. This could happen (and has) to any child care provider. I have lost everything; except for the love and support of family, friends and childcare providers. As the law stands now a child care license is only a "site" license.

Providers are not professionals and are seen as having the same interest in a license as an erotic dancer. Currently, as a child care provider one is not entitled to the same constitutional right to due process as other care giving positions in this state. DEL only had to have the lowest level of evidence, "more likely than not" in order to revoke my license and add my name to the growing list of providers who, for the rest of their lives, can not work with vulnerable people in Washington State. I have been treated like a criminal without the protections of the criminal justice system or the level of evidence, "clear, cogent, and convincing" that is required in criminal proceedings.

Former Senator and Supreme Court Justice, Phil Talmadge has agreed to represent me in Washington State Supreme Court. My petition for review was accepted by the Supreme Court on February 9, 2010

and I am awaiting the date for oral arguments to be set.

Since 2008 I have been working for CARE on a subcontractor basis. Childcare used to be my passion; now supporting and advocating for childcare providers has become my passion.

I truly believe with all of my heart and being that family child care is the best for the children; this is why I have gone further in the judicial system than any other provider. I can not allow this opinion to remain law. I will take this to the Washington Supreme Court and pray we will win.

Kathleen Hardee

CARE Vice President

