

## **Course Accessibility**

This course is a recording of an e-Learning training. Audio narrations play throughout the course. You will not be able to navigate through the recording using the seekbar, however, you will be able to select Closed Captions, if needed. All external links, as well as resources provided, as part of the training will be available in the YouTube description.

## **Welcome**

Welcome to this course titled, **Purpose and Fundamentals**.

This course is developed as part of the Washington State Department of Children, Youth, and Families (DCYF's) efforts to prepare Group Care Licensors for their roles and responsibilities as it pertains to interpreting, understanding, and applying the Washington Administrative Code (WAC) in licensing Group Care Facilities (GCF).

## **Course Introduction**

This course is designed to introduce group care, DCYF's scope of licensing authority to create and regulate group care rules, explain why the group care chapter 110-145 WAC has been revised and the positive impacts it will have, provide an overview of the D.S. Settlement and implementation plan, and provide an overview of the new group care WAC chapter.

## **Learning Outcomes**

This course will help professionals who work in group care understand the reasons behind the revisions to the group care WAC chapter, clearly identify the changes, and how to navigate the chapter to comply with the rules.

Upon completion of this course, participants will:

- Have a shared understanding of the intent of the WAC covered in this module
- Know and understand the Negotiated Rule Making (NRM) and strength-based principles associated with the WAC covered in this module
- Understand what group care is, and the diversity that exists amongst both the types of care provided and the children and youth in care
- Understand DCYF's authority to create and revise the WAC, and to enforce them
- Understand why and how DCYF revised the group care chapter 110-145 WAC



- Understand the Licensing Division’s implementation plan and how it will improve child and youth outcomes

## **Guiding Principles**

As we cover the material in this course, keep in mind the application of the following Guiding Principles. We will expand on these as they apply to the WAC covered in this course and provide you with an opportunity to assess your understanding and application of the course content.

### **General Principles:**

- DCYF prioritizes child and youth safety and well-being and positive outcomes for all children and youth in licensed group care
- Strategic revisions to the WAC create developmentally and culturally appropriate rules that meet the needs of children and youth in care
- New group care regulations minimize barriers and reduce undue burdens for licensees
- Differentiation and flexibility between care settings supports the variety of programs statewide in meeting the diverse needs of the children and youth in licensed group care
- A strength-based approach reduces bias, recognizes strengths, fosters understanding, and achieves collaborative compliance between LD and licensees

### **NRM Principles:**

- Prioritizing youth safety and well-being above all else
- Creating developmentally and culturally appropriate rules that meet the needs of children & youth placed in care
- Minimizing barriers and reducing undue burden on the part of caregivers
- Offering differentiation and flexibility between care settings to help support a variety of programs across the state serving children and youth with diverse needs

### **Strength-Based Approach Principles:**

- Reducing Bias
  - Checking biases helps reduce their influence on decision making and builds fairness and equity in licensing practices
- Recognizing Strengths
  - Acknowledge and value licensee’s expertise, consistent areas of compliance and capabilities to learn, grow, and change
- Fostering Understanding

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- Focus on a shared understanding of WAC intent and approach areas of noncompliance with curiosity to promote safe, thriving environments for children and youth
- Achieving Collaborative Compliance
  - Honor cultural differences and perspectives to identify diverse methods of achieving compliance with WAC intent

### **Collaborative Compliance Principles:**

- Shared Decision Making
  - Collaborative compliance thrives on licensors and licensees working together to meet both WAC intent and child and youth safety and well-being needs
- Encouraging Innovation
  - Collaborative compliance relies on licensors empowering licensees to think creatively about customizing WAC compliance solutions to better meet the developmental and cultural needs of children and youth in care
- Empowering Licensees as Experts
  - Collaborative compliance assumes that licensees are the experts of their facilities, homes, and programs
- Embracing Perspective and Critical Thinking
  - Collaborative compliance requires critical thinking from both licensors and licensees

### **Terms and Definitions**

Take a moment to review and familiarize yourself with the following terms and definitions that will be used throughout the group care WAC 110-145 training series.

**Department** means the Department of Children, Youth, and Families (DCYF).

**Chapter** means 110-145 WAC.

**License** means a permit issued by the department when the licensee meets the licensing requirements established in this chapter.

**Licensing Division (LD)** means the division within DCYF that licenses and monitors foster homes, child placing agencies, and licensed group care facilities.

**Negotiated Rule Making (NRM)** is a way to develop rules by seeking consensus from delegates

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representing groupings of similar parties impacted by the rule.

**RCW** means Revised Code of Washington.

**WAC** means Washington Administrative Code.

## **Slide #6 Purpose and Fundamentals**

Let us begin with the fundamentals. The Department of Children, Youth, and Families describes group care as a type of live-in, out-of-home care placement in which staff are trained to work with children and youth. These placements offer a higher level of structure and supervision than what can be provided in a foster home setting.

Group care programs are operated by private agencies licensed by DCYF and typically provide an array of services, including therapeutic services for children and families, and medical services for children and youth.

Among the group care agencies licensed across Washington state, there is diversity in the type of specialized care they can be licensed to provide. Agencies may be licensed to provide Behavioral Rehabilitation Services (BRS), emergency care and services to youth in crisis at Crisis Residential Centers (CRCs), services to Medically Fragile children and youth, and overnight shelter to youth, among others.

The children and youth placed in group care come from a variety of situations, representing cultural and ethnic diversity, and having varying care needs. Some children and youth are placed in group care by DCYF or the court system. Others are placed in group care by their families because of a specialized care need such as a severe medical condition. Some enter a licensed agency for overnight shelter.

Depending on why a child or youth enters group care, their experiences while in care, and their outcomes, can vary widely. DCYF is a state agency dedicated to the safety, development, and well-being of children in its state, and among other things, sets the licensing rules for **Group Care Facilities (GCFs)** and facilities that are maintained and operated for a group of children or youth on an overnight basis. DCYF is tasked with the implementation of its duties “anchored in a culture of innovation, transparency, accountability, rigorous data analysis, and reliance on research and evidence-based interventions” (RCW 43.216.005).

You may be wondering why DCYF is authorized to create licensing rules and provide regulatory oversight or how it does so. The Licensing Division (LD) is the division of DCYF tasked, under legislative authority, with creating and maintaining licensing rules and providing regulatory oversight of licensed entities or individuals. Their goal is to ensure the children and youth in

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licensed out-of-home care are safe, healthy, and protected from all forms of child abuse and neglect. We will review LD's scope of authority in more detail later in this module. Next, we will explore revising and improving the licensing rules.

## Revising and Improving Licensing Rules

The current group care WAC chapter, number 110-145, was created in 2004. It received significant revision in 2016, along with limited updates and additions over the years. Now, in 2024 and 2025, the WAC chapter is currently undergoing its first large scale update since 2016. The primary reason for the overhaul of the group care WAC chapter revisions, stems from lived experience youth feedback and action. In 2021, a group of young people who had experienced negative outcomes from foster placements, including group care facilities, brought a legal complaint against DCYF. This matter is known as the D.S. Settlement, and the initials represent one of the youths who brought the complaint.

Although the D.S. Settlement only required that DCYF revise specific rules pertaining to certain youth outcomes discussed in the youth complaint, DCYF decided to revise the entire chapter so it could serve all children and youth in group care more holistically rather than focusing on targeted regulations. Several factors contributed to the decision including:

- The age of the current rules in place
- The shift in best practice standards of care
- A culture shift in licensing and oversight to a strength-based approach centered on child and youth experience, and
- Collaborative compliance between licensors and group care agencies

## Test Your Learning!

Before we continue, let us test your learning. Review the question and select the best response.

### Multiple Choice

	Why have the group care licensing rules in chapter 110-145 WAC been revised?
A	To reflect the current group care industry best practice standards
B	To represent a culture shift in licensing regulation and oversight to more of a strength-based approach centered on child and youth experience as well as collaborative compliance between licensors and group care agencies

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C	To meet DCYF’s obligations as part of the D.S. Settlement Agreement
D	All of these

## Youth Outcomes and the D.S. Settlement

Now it is time to learn more about the D.S. Settlement and its impact on youth outcomes. In January 2021, a group of youth who were involved in the child welfare system in Washington made a legal complaint against Washington DCYF. The focus of their complaint was: “(1) DCYF was not providing foster children and youth with the services and supports they needed to stay with or return to their families; and (2) that many foster children and youth had been moved too many times, or had to stay in hotels, offices, or in one-night or out-of-state placements.”<sup>1</sup> Their complaint became a broader class action comprised of individuals who are now or will be, under the age of 18 and in DCYF’s placement during a dependency proceeding or a pending dependency proceeding.

Not all children and youth in group care are involved in the child welfare system; however, those involved are often the most vulnerable and at risk and suffer more significant and negative impacts from their placements in group care. In the settlement agreement, the department agreed to make significant revisions to improve group care experiences and outcomes for all children and youth.

Separation from parents and family can be challenging for children and youth, even if the separation is for a brief period or voluntary. Placement in a group home or some specialized group care facility can have a variety of impacts for children and youth. For those involved in child welfare who experience group care, they often experience worse outcomes. According to the organization Children’s Rights, in their 2021 report recommending family placements over facilities, “institutional care exposes youth to numerous harms that cause them to deteriorate physically, mentally, and emotionally.” Family foster homes can provide a level of mitigation for children in out-of-home care. Strategic updates to the licensing rules for group care facilities can also mitigate negative impacts and ensure safety and well-being for all children and youth in care.

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<sup>1</sup> Fathallah, S., Myers, A., Bergstrasser, N., and Steve, S. (2023) Engagement for the Washington State Settlement: Report of Findings and Recommendations, p. 4.

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## Addressing Systemic Areas of Improvement

As previously discussed, the current group care regulations within chapter 110-145 WAC are

undergoing major revisions to improve group care licensing, and policies and practices. These revisions account for the culture shift towards a focus on positive youth outcomes through a strength-based approach and collaborative compliance.

Revising the group care licensing rules is also essential to DCYF's responsibility to address the requirements of the D.S. Settlement. Revising the group care WAC chapter ensures DCYF's compliance with the D.S. Settlement Agreement while also improving the standards of care for all children and youth served in licensed group care facilities.

To achieve its goals of the D.S. Settlement Agreement, DCYF agreed to implement the following eight system improvements to address specific areas of practice and support:

- 4.6 Emerging Adulthood,
- 4.7 Professional Therapeutic Foster Care,
- 4.8 HUB Home Model Program,
- 4.9 Revise Licensing Standards,
- 4.10 Kinship Engagement,
- 4.11 Family Group Planning,
- 4.12 Referrals and Transitions, and
- 4.13 Qualified Residential Treatment Programs

The goal of revising licensing standards was to create more developmentally appropriate foster care placements and to provide more flexibility in the regulations so licensees can better meet the needs of the children and youth they serve. At a minimum, the amendments required LD to address the following standards in the amended group care licensing rules under System Improvement 4.9 Revise Licensing Standards, according to the *D.S. Implementation Plan*, created by DCYF and finalized in May 2023:

- Developmentally appropriate autonomy and privacy including developmentally typical access to mobile phones, and support and resources to engage in normal social activities with peers;
- An obligation to facilitate connections to immediate, extended, and chosen family members;
- A responsibility to support youth to remain in their school of origin;
- Expectations to provide education, training, and coaching to families of origin or caregivers about how to best support the child;
- Expectations to engage in service or discharge planning;

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- Standards for providing sufficient nutrition and satisfaction of dietary needs;
- Training requirements and expectations for providing culturally responsive, Lesbian, Gay, Bisexual, Questioning, Intersex, Asexual (LGBTQIA+) affirming and trauma-informed care.<sup>2</sup>

Next, we will discuss how LD revised the WAC chapter.

## **Negotiated Rule Making**

LD set out to revise licensing standards through the Negotiated Rule Making (NRM) process. NRM is a process used to develop rules by seeking consensus from delegates representing groups with similar interests impacted by the rule. In group care negotiations, these groups included youth with lived experience, parents with lived experience, provider representatives from each facility type, and representatives from LD.

In addition to the delegates represented during negotiations, the Group Care NRM Team met formally with members of the Office of Tribal Relations (OTR) to solicit and provide feedback on the WAC from tribal partners. The Group Care NRM Team additionally engaged and incorporated feedback on the WAC from the following six community partners:

- Youth Advocates (CASAs, GALs)
- Developmental Disabilities Administration (DDA) staff
- Office of Homeless Youth (OHY)
- Health Care Authority
- Department of Health and Child Welfare

The Group Care NRM Team and representatives began the process of virtual negotiations and solicitation of feedback from additional stakeholders in December 2023. The new rules, once finalized, will be implemented in January 2026.

Before the work of reviewing the WAC chapter and revising the rules began, the Group Care NRM Team identified a list of intended goals for their work.

Goals for NRM process:

- Avoid duplication

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<sup>2</sup> D.S. Implementation Plan, WA DCYF, May 31, 2023. Retrieved October 6, 2023, from: [www.dcyf.wa.gov/sites/default/files/pdf/FinalDSImplementationPlan.pdf](http://www.dcyf.wa.gov/sites/default/files/pdf/FinalDSImplementationPlan.pdf)

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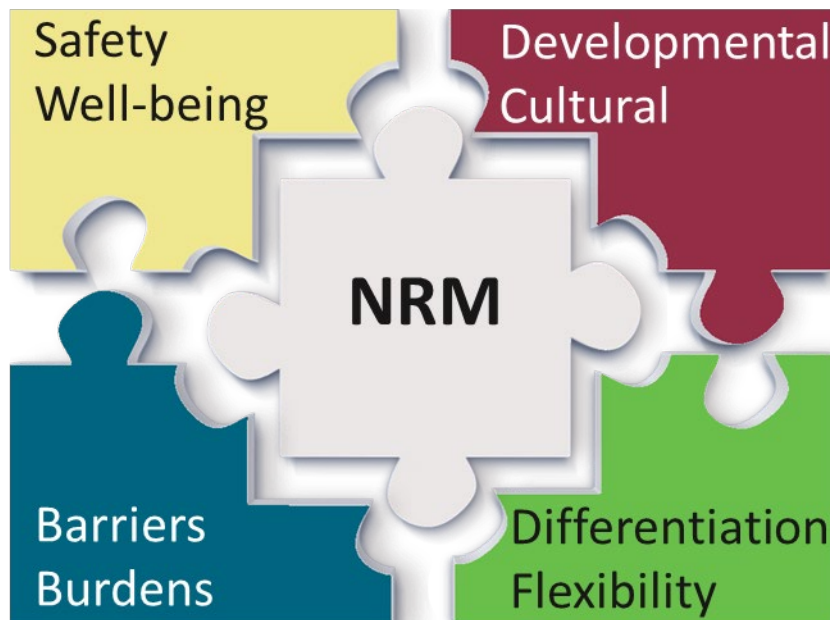
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- Resolve conflicting rules
- Ensure rules are equity based
- Update language
- Align terminology
- Meet all federal, state, and D.S. requirements
- Focus on the youth voice
- Create a collaborative environment for engagement in negotiation

Throughout this group care NRM process, participants were engaged in collaboration, both as separate stakeholder groups and together as the larger representative group, to ensure all voices were heard and considered. Because of this process, the new group care WAC chapter is more inclusive, holistic, flexible, and centered on the child and youth voice.

### **NRM Principles**



Now we turn our attention to the principles of NRM. The NRM process in group care brought the licensing rules into alignment with feedback and recommendations as part of the D.S. settlement process. It also provided a platform for LD to meet its obligations to improve the care provided to children and youth in licensed group care as well as their overall outcomes. NRM principles emerged from the revision process, themes that summarize the focus of the improvements. For children and youth, the new licensing rules focus on safety and well-being

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and meeting their developmental and cultural needs. For licensees, the rules focus on reducing barriers and burdens by recognizing differentiation between licensing types and allowing flexibility in compliance with the new rules.

### Principles of a Strength-Based Approach

The revised rules and procedures utilize a strength-based approach, which is an engagement and communication process that emphasizes abilities, knowledge, and capacities rather than deficits or shortcomings. This approach leads to collaborative compliance, which is achieving compliance by focusing on shared decision making, innovation, empowerment, perspective and critical thinking to meet the intent of any given licensing rule. Utilizing a strength-based approach to achieve collaborative compliance strengthens relationships between DCYF, group care agencies, and the children, youth, and families served.

### Test Your Learning!

Before we continue, let's test your learning. Review the question and select the best response.

#### Multiple Choice

	What is one of the goals for the intended outcome of the revised group care WAC chapter?
A	To make licensing rules more complicated
B	To promote collaboration between the children and youth in care and group care providers
C	Focus on the child and youth voice and ensure rules are equity based
D	To make it easier for providers to make their own rules

### Test Your Learning!

Review the question and select True or False?

#### True/False

	Negotiated Rule Making (NRM) is a process designed to develop rules by seeking consensus from delegates representing groupings of similar parties impacted by the rule.
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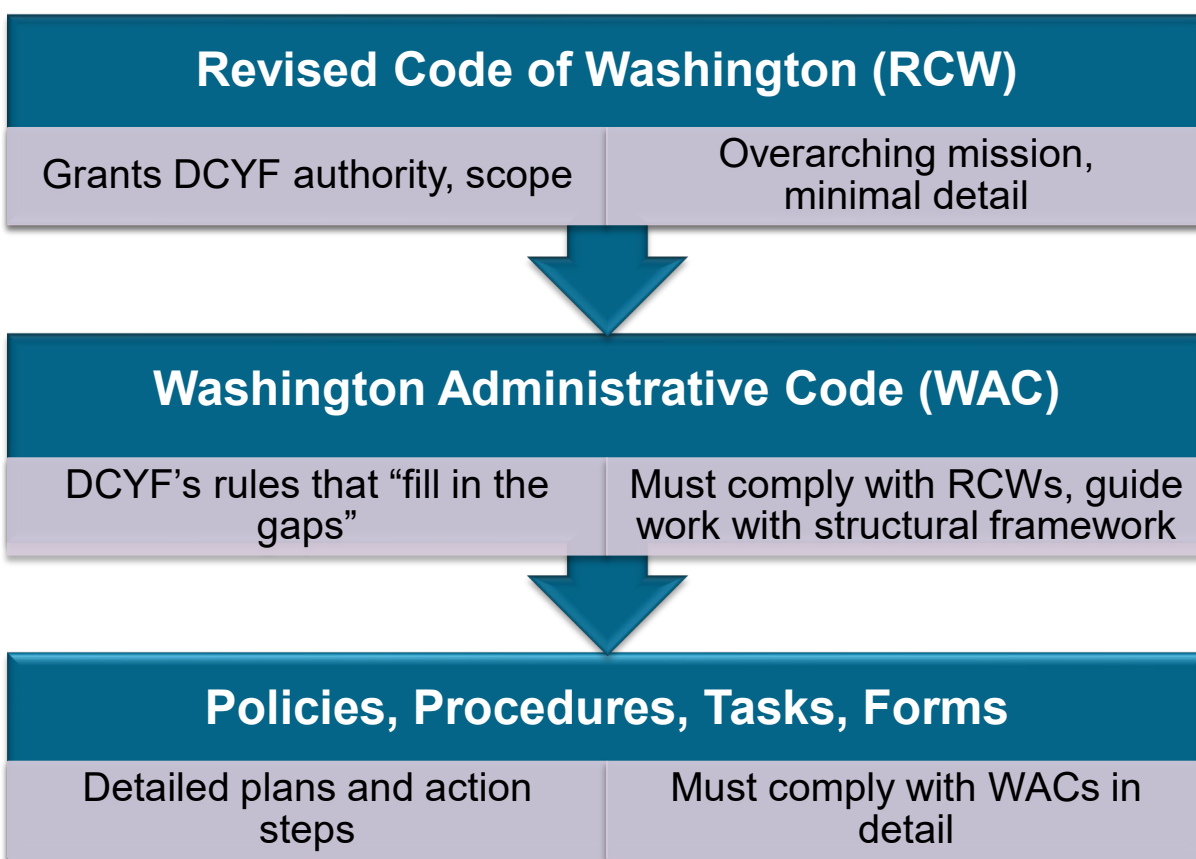
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True	
False	

## Scope of Authority

Now, let us review DCYF's and LD's scope of authority to create, amend, and enforce licensing rules. Understanding the scope of authority can help LD staff and group care licensees better meet and demonstrate compliance with the rules.



Consider how the Revised Code of Washington (RCW) establishes DCYF's Scope of Authority, duty, and obligation to the children, youth, and families it serves. The Revised Code of Washington (RCW) is a set of permanent laws now in place. They were enacted by the Legislature or via the initiative process and are signed by the Governor. Chapter [43.216](#) RCW establishes DCYF's responsibility and authority to set and enforce licensing requirements and standards, including for group care agencies. You can review the RCW by visiting the DCYF website.

The licensing requirements and group care standards are written as regulations and are

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considered part of the WAC. These regulations provide clarity and “fill in the gaps” of the RCW. The chapter of WAC related to Group Care licensing is chapter 110-145.

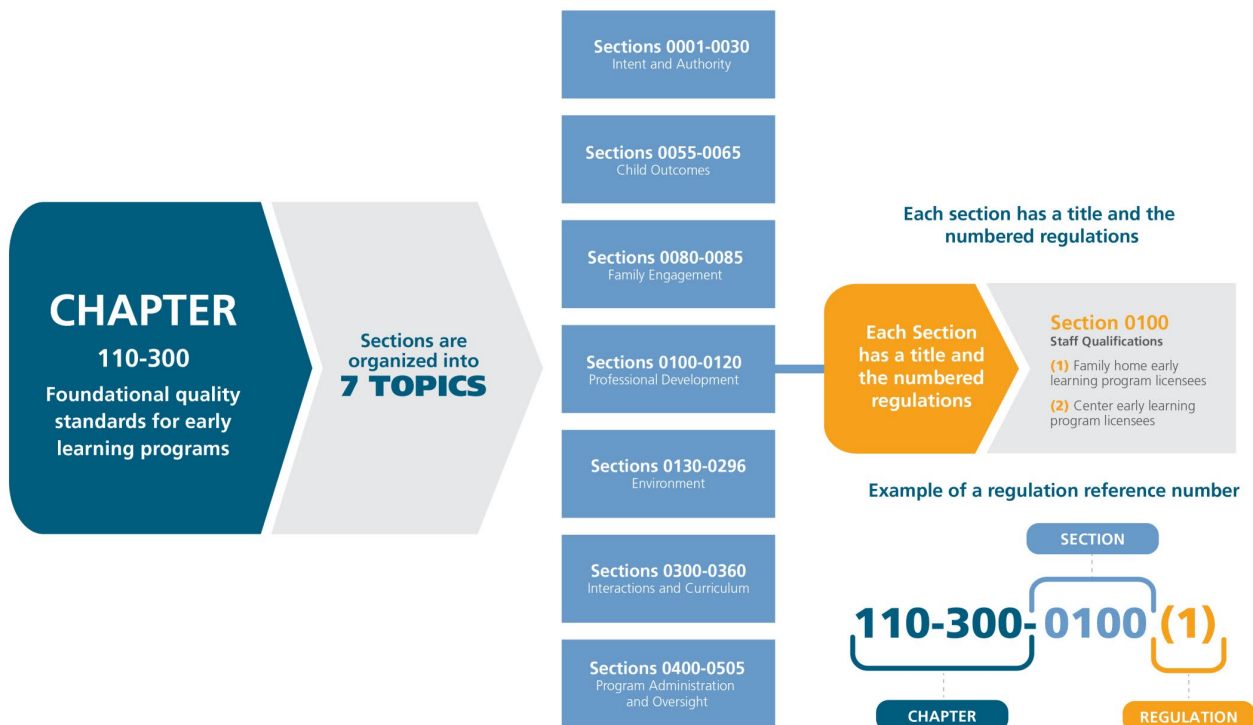
To provide direction and guidance to those using the WAC, DCYF may also develop policies, procedures, tasks, or forms related to the WAC.

A group care provider must also develop policies and procedures to help their personnel and the children and youth they serve better understand how the program operates to meet WAC requirements.

The changes to the group care chapter 110-145 WAC are extensive and include a new overall organization, revised language, and updated practice standards. To maintain the quality of your work with vulnerable children and youth, it is critical to thoroughly understand the updated group care chapter 110-145 WAC. As an LD staff member or group care licensee, your understanding and application of the rules in the updated WAC chapter and updated policies and procedures are essential to achieving positive child and youth outcomes.

Next, we will show you how to navigate the revised WAC chapter.

## Navigation



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As you review chapter 110-145 WAC, you will certainly recognize many things. The WAC are organized into sections, followed by a clear numbering sequence. Many of the WAC present a requirement followed by a list of items that must be included to fulfill that requirement.

However, you may notice that many changes have been made to the chapter, especially the format. The first change you may notice is the reorganization of the sections. Most of the sections have new titles, and rules have been moved around for improved clarity and to better align with practice standards. Another change you will notice is that the titles of individual rules no longer appear as questions, following a rule-writing standard set by DCYF's Policy and Rules Office. Finally, all WAC have been assigned new numbers to reduce confusion.

Chapter 110-145 WAC has been organized into the following 16 distinct sections:

- Purpose, Definitions, and Nondiscrimination
- Required Licenses
- Licensing Process
- Environment, Space, and Furnishings
- Emergency Practices and Fire Safety
- Duties and Qualifications for Licensees and Personnel
- Training Requirements
- Reporting
- Staffing Ratios and Supervision
- Admission and Retaining Children and Youth
- Records for Children and Youth
- Health Practices
- Daily Care
- Behavior Management
- Additional Requirements for Specific License Type or Providing Specialized Services
  - CRCs
  - ERCs
  - GRCs
  - OYSs
  - RACs
  - SRHs
  - Medically fragile children and youth
  - Pregnant and parenting services
- Compliance and Enforcement

The subsections within each section contain regulations applicable to all group care provider types as well as to a specific license type or that identify an exception for a specific license type. Within a subsection, the regulations are numbered (1, 2, 3) and may contain further

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subsections (a, b, c). The number of subsections varies by section. Additionally, some subsections have many details that follow as separate regulations and even smaller subsections.

To reference a specific regulation, it can be written using chapter number 110-145, followed by a dash and the section number, then followed by the regulation number in parenthesis. If desired, you can include the subsection letter by having it follow the regulation number in parenthesis. *Example: 110-145-2300 (1)(a).*

## **Purpose, Definitions, and Nondiscrimination**

Now that you have a better understanding of how the chapter is organized, it is time for an overview of each section. Starting with Purpose, Definitions, and Nondiscrimination, this section defines the authority and purpose of all regulations in the group care WAC chapter and provides definitions for key terms that are used throughout. Finally, this section lays the foundation for equity and its application throughout the chapter as outlined in the Nondiscrimination subsection. This section provides the platform for all other categories to follow - the umbrella of authority.

Within Purpose, Definitions, and Nondiscrimination, you will find the following subsections:

- Purpose
- Definitions
- Nondiscrimination

This section includes new subsections that were previously located elsewhere in the chapter. For example, if you are trying to locate the nondiscrimination regulation, previously WAC 110-145-1710 in the Service Planning section, you would now find it within Purpose, Definitions, and Nondiscrimination, as WAC 110-145-2320. The purpose of the Nondiscrimination regulation is to align with state and federal laws prohibiting licensees from discrimination while caring for children and youth in group care settings and mandating that they are treated with dignity and respect.

## **Required Licenses**

The section on the licensing process from the previous WAC chapter has now been divided into two sections: Required Licenses and Licensing Process. The Required Licenses section provides the foundation for LD's authority to mandate licenses for out-of-home care, provides a platform for multiple license types in the same building, and sets standards for licensees who also hold federal or state contracts. The regulations in this section include:

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- License required to care for children and youth
- Multiple licenses in the same building
- Licensing and contract requirements

## **Licensing Process**

In the Licensing Process section, you will find all necessary information regarding the licensing process; including who can apply, how to apply, determining capacity, and more. It provides the foundation for application requirements and enforcement of the related regulations. More specifically, the Licensing Process section includes the following subsections:

- License application requirements
- Determining applicants' and licensees' suitability
- Disqualification of applicants and licensees
- Determining license capacity
- License renewal requirements
- Department access to facilities

## **Environment, Space, and Furnishings**

The Environment, Space, and Furnishings section has been renamed and reorganized for focus and clarity. In this section are the regulations required for the physical location and premises of a licensed group care facility to provide out-of-home care to children and youth. The premises include any land or outbuilding to be licensed for facility use. It defines the requirements for bedrooms, furniture, sleeping arrangements, recreation areas, security measures, and more. The rules in this section are not only important to ensure a child's or youth's physical safety, but also for their emotional safety and well-being. For example, the rule regulating shared bedrooms and who can share bedrooms may be a significant issue for a specific child or youth. Ensuring that children and youth are physically and emotionally safe in their own bedrooms and personal spaces can mean the difference in their well-being while in care. The regulations found in this section include:

- Certificates, zoning, and codes regulation
- Building and premises general requirements
- Firearms and other weapons
- Storage of dangerous chemicals and toxic substances

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- Electronic monitoring of children and youth
- Time-delay mechanisms on windows and doors
- Water, garbage, and sewer
- Laundry and clothing
- Bathrooms and bathing facilities
- Bedrooms and sleeping areas
- Shared bedrooms
- Sleeping equipment and bedding
- Indoor areas for recreation, informal educational activities, and physical or occupational therapy
- Outdoor recreation areas
- Swimming pools and other bodies of water on the premises
- Pets and animals

## **Emergency Practices and Fire Safety**

This section contains the rules and requirements that applicants and licensees must meet in emergency situations. Emergency situations could include fires, natural disasters, and situations involving hostile individuals on the premises. Guidance is provided on emergency and safety practices and procedures. The sub-sections of Emergency Practices and Fire Safety include:

- Emergency and evacuation plans
- First-aid supplies
- Fire safety
- Smoke detectors
- Carbon monoxide detectors
- Fire extinguishers
- Fire drills

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## **Duties and Qualifications for Licensees and Personnel**

This section sets the expectations for providers in critical areas, including staff qualifications and program policies and procedures for staff supervision and other staff supports. The regulations under Duties and Qualifications for Licensees and Personnel include:

- General requirements for licensees
- Duties and qualifications for executive directors or administrators in GCFs
- Duties and qualifications for program managers in GCFs
- Duties and qualifications for care coordinators in GCFs
- Duties and qualifications of direct care staff and direct care volunteers in GCFs
- Duties and qualifications of non-direct care staff and non-direct care volunteers in GCFs
- Personnel records
- Personnel fulfilling roles in multiple positions
- Additional personnel to support GCFs

In amending personnel qualifications and duties, considerations were made for the differences in group care settings and license types. These changes were made to ensure that personnel have the tools necessary to meet the needs of the children and youth in their care, and to foster a more supportive environment.

Updates include key D.S. Settlement goals, like adequate staffing, lived experience qualifications for an applicant or employee, or other related experience qualifications for staff. This section has been organized to provide universal licensee requirements and requirements for specific groups of personnel, including volunteers working in licensed group care.

DCYF is committed to advancing the professional workforce of group care personnel to improve their practice and care delivery. Research shows that children and youth thrive in high quality settings which supports the need for rules to require knowledgeable and capable staff to care for children and youth in licensed group care.

## **Training Requirements**

The training requirements section, though maintaining a similar structure from the previous WAC chapter, includes negotiated updates and key goals of the D.S. Settlement. For example, all personnel, whether volunteer or paid, or providing direct or non-direct service to children and youth, must complete an in-service training program including training in culturally

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responsive care, LGBTQIA+ affirming care, trauma-informed care, and other topics, within the first year of employment. These requirements aim to ensure that personnel will have the tools necessary to provide respectful and appropriate care to children and youth in licensed group care while meeting their specific needs. The regulations in this section include:

- Pre-service training
- In-service training
- Bloodborne pathogens training
- First-aid and CPR training

## **Reporting**

The Reporting section of the group care WAC provides guidance on the types of reports necessary during a child's or youth's stay in group care. This section includes information on the incidents necessary to report and how to report them, and when and how to make a report on a child or youth who is missing from care. It also outlines additional requirements for licensed facilities serving runaway and homeless children and youth, and the process for reporting changes to a facility, program, or licensee. The regulations in this section aim to allow flexibility for children and youth with special or specific related needs. This section includes the following regulations:

- Reporting incidents
- Reporting children and youth missing from care
- Alternate reporting requirements for licensed facilities serving runaway and homeless children and youth
- Reporting facility, program, and licensee changes

## **Staffing Ratios and Supervision**

This is a new section in the group care WAC chapter that provides direct guidance on staffing ratios and supervision requirements in group care facilities. This provides clarity on the rules and makes it easier for facilities to meet compliance. The regulations in this section include:

- Staffing ratios
- Supervising children and youth
- Enhanced supervision of high-risk activities including bodies of water

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## **Admission and Retaining Children and Youth**

As part of the D.S. Settlement process, youth and parents with lived experience emphasized how essential it is for facilities to provide more information and communication to children, youth and their families prior to placement, so they have a better understanding of the facility's rules and expectations and the child's or youth's treatment plan. This new section titled Admission and Retaining Children and Youth, provides the foundation for an orientation program. This section provides guidance that is helpful upon admission as well as rules related to the care and storage of personal belongings and recordkeeping. This section also includes specific requirements for when children or youth enter care at ERCs, OYSs, or CRCs, and an additional regulation that provides a facility the right to refuse to admit or retain a child or youth. The regulations in this section include:

- Orientation for children, youth, and parents or guardians
- Admission and general recordkeeping
- Refusal to admit or retain children or youth
- Caring for children's and youth's personal belongings

## **Records for Children and Youth**

This is another new section in the updated WAC chapter designed to clarify what records a facility is required to produce to document a child or youth's care, how those records and information are shared, and what a facility must do with a child's or youth's records after closure. Having a separate section dedicated to child and youth records improves practice and compliance for both personnel in group care facilities and the licensing division. The regulations in this section include:

- Child and youth well-being file requirements
- Sharing records or information about children, youth, or their families
- Medical records requirements
- Retention of children's and youth's records after facility closure

## **Health Practices**

The regulations in this section include:

- Medical consent and care
- Evaluating children's and youth's medical needs at admission

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- Immunization requirements for children and youth
- Prevention of communicable disease
- Accepting, storing, and disposing of medication
- Medication administration and documentation
- Alcohol, marijuana, and illegal drugs
- Smoking and vaping

In the Health Practices section, the regulations set standards for the practices required to ensure children and youth in group care facilities are and remain healthy and safe throughout the entirety of their placement. This includes receiving necessary medical care for daily health and safety and in times of sickness or injury. The section includes guidance on preventing communicable diseases, proper storage and disposal of medication, how to administer medication and properly document it, and guidance on the use of substances including smoking and vaping. This section has been streamlined and reorganized for greater clarity of the rules and ease of compliance.

## **Daily Care**

This section provides the foundation for delivering daily care to children and youth in group care. The topics in this section provide guidance on how the applicant or licensee must meet a child's or youth's cultural needs, the additional requirements when caring for Indian children, communication privacy for children and youth, and maintaining connections with family and supportive individuals. It also includes guidance on education and vocation requirements, personal hygiene, food storage, meals and menus, and travel and transportation and more. This section includes several WAC changes incorporating youth feedback and recommendations including access to and use of mobile phones for youth to maintain contact with family and friends, the support or resources necessary to engage in normal social activities with peers, and the facility's obligation to facilitate connections with a child or youth's family and other supportive individuals. During NRM sessions, great care was taken to use respectful and correct terminology for each regulation with the goal to preserve dignity and autonomy of the children and youth in care. The subsections in Daily Care include:

- Records for each shift
- Communication privacy for children and youth
- Maintaining connections with family and supportive individuals
- Supporting peer relationships and participating in activities

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- Cultural needs
- Additional requirements when caring for Indian children
- Technology use
- Education and vocational requirements
- Allowance, chores, and employment
- Personal hygiene
- Food storage and preparation
- Meals, snacks, and menus
- Milk, breast milk, and formula
- Infant and toddler care
- Diapers, incontinence supplies, and toileting equipment
- Transportation
- Travel
- EFC program

## **Behavior Management**

The Behavior Management section has been separated into the updated WAC chapter to make the information easier to find with clear regulations outlining the requirements for full compliance. The goal is to ensure that all behavior management practices used on children and youth in group care settings maintain their safety and well-being as well as their dignity and respect. As with many sections of the WAC chapter that include updates to meet the D.S. Settlement goals, this section also has changes that incorporate child and youth feedback and recommendations. These changes were negotiated during the Negotiated Rule Making phase of the project and include regulations preventing any form of punishment as a means of behavior management. The regulations in this section include:

- Behavior management
- Physical restraint

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## **Additional Requirements for Specific License Types Including Those Providing Specialized Services**

This section provides guidance on the services offered by each facility type based on the specific population of children and youth they serve. These facility types include Emergency Respite Centers (ERCs), Group Receiving Centers (GRCs), Overnight Youth Shelters (OYS), Resource and Assessment Centers (RAC), Secure Crisis Residential Centers (CRC), Semi-Secure Crisis Residential Centers (CRCs), Staffed Residential Homes (SRHs), and those that provide specialized maternity services. It also regulates hours of operation, maximum length of stay for each license type, and other specialized services such as medically fragile services for children and youth, and pregnant and parenting youth general services. The regulations in this section include:

### **CRCs**

- Staffing qualifications and ratios in CRCs
- CRC age and length-of-stay requirements
- CRC admission requirements
- CRCs transferring youth
- CRC documentation
- CRC intervention services
- CRC multidisciplinary teams
- Building and premises requirements for secure CRCs
- Secure CRCs collocated with juvenile detention centers

### **ERCs**

- ERC admission requirements
- ERC services

### **GRCs**

- GRC staffing
- GRC ages served
- GRC services

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## OYSs

- Ages served in OYSs
- Requirements when admitting youth to an OYS
- OYS hours of operation
- OYS services
- Sleeping areas and equipment in OYSs
- Storage of ammunition and other weapons in OYSs
- OYS citizen board

## RACs

- RAC hours of operation and staffing requirements
- RAC services

## SRHs

- SRH capacity

## Medically Fragile Children and Youth

- Staff requirements to serve medically fragile children and youth
- Care and services for medically fragile children and youth
- Dietary needs of medically fragile children and youth
- Diaper use for medically fragile children
- Medical records for medically fragile children and youth

## Pregnant and Parenting Services

- Pregnant and parenting services
- Pregnant and parenting health education
- Determining capacity when caring for pregnant and parenting youth
- Building and premises general requirements when providing pregnant and parenting services

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## **Compliance and Enforcement**

The final section of the WAC chapter on group care includes the regulations for licensee and facility compliance and enforcement. As with other sections where topics have been separated, this section is new and the regulations have been organized to provide clarity on compliance of the regulations, enforcement actions the department can take, and the rights of the licensee to receive notice and appeal an enforcement action. The regulations in this section, though they may have moved from their previous location, maintain the Licensing Division's authority to enforce compliance with the regulations. This section includes the following regulations:

- Compliance agreements and exceptions
- Probationary licenses
- Enforcement actions, notices, and appeals

## **Purpose and Conclusion**

Overall, there is a great need to improve out-of-home care for all children in Washington state, whether they are placed in a general group home, a specialized group care facility to meet a specific care need, or a foster home. Improving group care regulations, procedures, and practice to focus on current best practice standards through a strength-based approach and collaborative compliance ultimately improves the lives of the children and families involved in group care.

A strength-based approach, which emphasizes knowledge and capacities and promotes collaboration between licensing and group care agencies, helps to strengthen mutual understanding and trust among licensors, licensees, and the children, youth, and families they serve. Similarly, collaborative compliance is a Licensing Division-wide approach that allows licensees to comply with the intent of the WAC rules in tailored ways to meet the unique needs of children and youth in care. It promotes collaboration between licensors and licensees and encourages licensees to think creatively for shared problem-solving. This approach promotes sustainable solutions by empowering licensees as experts of their programs and the care they provide to children and youth, while meeting WAC compliance.

## **DCYF LD - Partner and Collaborator in Improving Child and Youth Outcomes**

The Licensing Division has a responsibility to create, maintain, and enforce licensing regulations for every type of licensed group care facility operating in Washington state, to ensure the safety and well-being of the children and youth in care. This is a serious responsibility and requires the highest level of attention and care. At the same time, creating and maintaining strong collaborative relationships between licensors and licensees in support of the care provided to children and youth is essential. Making improvements to the licensing rules, updating

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procedures and processes, practicing a strength-based approach and collaborative compliance in group care serve to center the focus around child and youth safety and well-being and improve their care. The Licensing Division looks forward to implementing the improvements to the revised group care WAC chapter, and to improved child and youth experiences and outcomes across Washington state.

## **Guiding Principles**

This concludes the content portion of this course! Thank you for your participation!

Before this course ends, please take a moment to reflect on the Guiding Principles mentioned at the beginning of this course and start planning for how you will emphasize strength-based approach principles in your work.

### **General Principles:**

- DCYF prioritizes child and youth safety, well-being, and positive outcomes for all children and youth in licensed group care
- Strategic revisions to the WAC create developmentally and culturally appropriate rules that meet the needs of children and youth in care
- New group care regulations minimize barriers and reduce undue burdens for licensees
- Differentiation and flexibility between care settings supports the variety of programs statewide in meeting the diverse needs of the children and youth in licensed group care
- A strength-based approach reduces bias, recognizes strengths, fosters understanding, and achieves collaborative compliance between LD and licensees

### **NRM Principles:**

- Prioritizing youth safety and well-being above all else
- Creating developmentally and culturally appropriate rules that meet the needs of children & youth placed in care
- Minimizing barriers and reducing undue burden on the part of caregivers
- Offering differentiation and flexibility between care settings to help support a variety of programs across the state serving children and youth with diverse needs

### **Strength-Based Approach Principles:**

- Reducing Bias
  - Checking biases helps reduce their influence on decision making and builds fairness and equity in licensing practices

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- Recognizing Strengths
  - Acknowledge and value licensee's expertise, consistent areas of compliance and capabilities to learn, grow, and change
- Fostering Understanding
  - Focus on a shared understanding of WAC intent and approach areas of noncompliance with curiosity to promote safe, thriving environments for children and youth
- Achieving Collaborative Compliance
  - Honor cultural differences and perspectives to identify diverse methods of achieving compliance with WAC intent

### **Collaborative Compliance Principles:**

- Shared Decision Making
  - Collaborative compliance thrives on licensors and licensees working together to meet both WAC intent and child and youth safety and well-being needs
- Encouraging Innovation
  - Collaborative compliance relies on licensors empowering licensees to think creatively about customizing WAC compliance solutions to better meet the developmental and cultural needs of children and youth in care
- Empowering Licensees as Experts
  - Collaborative compliance assumes that licensees are the experts of their facilities, homes, and programs
- Embracing Perspective and Critical Thinking
  - Collaborative compliance requires critical thinking from both licensors and licensees

### **End of Course**

This concludes this course on **Purpose and Fundamentals**.

We hope this course has been helpful in providing information about the licensing role and job expectations.

Our goal is that all Licensing Division and group care facility staff viewing this course have gained an increased understanding of why and how the group care WAC chapter was updated, and a toolkit to navigate the chapter with ease.

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