



WASHINGTON STATE Department of Children, Youth, and Families

Exhibit A: Outdoor Preschool Pilot Standards – “The Touchstone Standards”.

INTENT AND AUTHORITY

0005 Definitions.

The definitions in this section apply throughout these standards unless the context clearly requires otherwise.

- (1) **“Accessible to children”** means items, areas, or materials of an outdoor preschool program that a child can reasonably reach, enter, use, or get to on their own.
- (2) **“Accommodations”** means program curriculum and instruction, activities, spaces, and materials that have been adapted to help children and adults with special need function within their surroundings.
- (3) **“Active supervision”** or **“actively supervise”** means a heightened standard of care beyond supervision. This standard requires an outdoor preschool provider to see and hear the children they are responsible for during higher risk activities. The provider must be able to prevent or instantly respond to unsafe or harmful events.
- (4) **“ADA”** means the Americans with Disabilities Act, as now and hereafter amended.
- (5) **“Aide”** means a person who offers support to the outdoor preschool program staff.
- (6) **“Allergy”** or **“allergies”** means an overreaction of the immune system to a substance that is harmless to most people. During an allergic reaction, the body’s immune system treats the substance or **“allergen”** as an invader. The body over reacts by releasing chemicals that may cause symptoms ranging from mildly annoying to life threatening. Common allergens include certain foods (milk, eggs, fish, shellfish, common tree nuts, peanuts, wheat, and soybeans) pollen, mold, or medication.
- (7) **“Annual”** means the calendar year, January 1 through December 31.
- (8) **“Applicant”** means an individual who has made a formal request for a child care license, certification, exemption, or portable background check.
- (9) **“Appropriate”** when used to refer to child care or educational materials means that the materials will interest and challenge children in terms of their ages and abilities.
- (10) **“Appropriately”** means correct or properly suited for a particular situation.
- (11) **“Assistant Director”** means a person responsible for the overall management of the outdoor preschool program including the facility and operation.

- (12) **“Assistant Teacher”** means a person whose work is to assist a lead teacher or licensee in providing instructional supports to children and implementing a developmentally appropriate program. The assistant must carry out assigned tasks under the supervision of a lead teacher, program supervisor, director, assistant director, or licensee.
- (13) **“ASTM”** means the American Society for Testing and Materials.
- (14) **“Bathroom”** means a room containing a built-in flush-type toilet.
- (15) **“Benefit-risk assessment”** means, for purposes of outdoor, nature-based early childhood education, a process of identifying hazards and risky play elements in early childhood outdoor play and making plans to mitigate children’s risk of injury while maintaining the developmental benefits for children. This process includes identifying the type(s) of risk present in a location or activity, the likelihood and severity of potential injury, the potential benefits to children, methods of mitigating hazards (e.g. elimination, substitution, isolation, safeguards) and managing risk (e.g. heightened supervision, scaffolding, intervention), and making a plan for who is responsible for implementing the appropriate methods and when.
- (16) **“Bias”** means a tendency to believe that some people or ideas are better than others that usually results in treating some people unfairly.
- (17) **“Body of water”** or **“Bodies of water”** means a natural area or human-made area or device that contains or holds a depth of more than two inches of water. Examples include swimming pools, ditches, canals, fish ponds, water retentions, excavations, and quarries.
- (18) **“CACFP”** means the Child and Adult Care Food Program established by Congress and funded by the United States Department of Agriculture (USDA).
- (19) **“Campfire”** means an outdoor fire that is used for cooking, personal warmth, lighting, ceremonial, or esthetic purposes. Campfire does not mean a fire within any building, mobile home, motor vehicle, or recreational vehicle.
- (20) **“Campfire activities”** means outdoor preschool program activities in which enrolled children have access to a campfire that poses a risk of burns to children.
- (21) **“Cannabis”** (also known as **“marijuana”**) refers to all parts of the Cannabis plant, whether growing or not, including but not limited to the seeds the resin or concentrate extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant.
- (22) **“Capacity”** means the maximum number of children an early learning provider is authorized by the department to have in care at any given time. This includes any children on site at the early learning program and any children in transit to or from the program or other activities such as field trips while the children are signed in to the care of the program.

- (23) **“Center early learning program”** means, pursuant to RCW 43.216.010(1)(a), a facility providing regularly scheduled early childhood education and early learning services for a group of children birth through twelve years of age for periods of less than twenty-four hours per day (“child day care center”).
- (24) **“Center early learning program licensee”** or **“center licensee”** means an entity licensed and authorized by the department to operate a center early learning program.
- (25) **“Certificate of exemption (COE)”** means a form that is approved by the Washington state department of health and consistent with the requirements described in WAC 246-105-050, or an immunization form produced by the state immunization information system.
- (26) **“Certificate of immunization status (child)”** means a form that is approved by the Washington state department of health and consistent with the requirements described in WAC 246-105-050, or an immunization form produced by the state immunization information system.
- (27) **“Certification”** means department approval of a person, home, or facility that is exempt from licensing but requests evidence that the program meets these foundational licensing standards.
- (28) **“Child”** means an individual that is younger than age thirteen, including any infant, toddler, preschool-age child, or school-age child as defined in these standards.
- (29) **“Child abuse or neglect”** or **“abuse or neglect”** means, pursuant to RCW 26.44.020, sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW [9A.16.100](#); or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child.
- (30) **“Child care”** means the supervision of children outside the child's home for periods of less than 24 hours a day.
- (31) **“Child Care Basics”** or **“CCB”** means a curriculum designed to meet the initial basic training requirement for early learning program staff working in licensed or certified programs in Washington State. It serves as a broad introduction for professionals who are pursuing a career in the early care and education field.
- (32) **“Chromated copper arsenate (CCA)”** means a wood preservative and insecticide that contains roughly 22% arsenic, a known carcinogen. The United States restricted the use of CCA on residential lumber in 2003, but it can still be found on older decks and playground equipment. Information about the health hazards or arsenic can be found on the Washington state department of health website.
- (33) **“Clean”** or **“cleaning”** means to remove dirt and debris from a surface by scrubbing and washing with a detergent solution and rinsing with water. This process must be accomplished before sanitizing or disinfecting a surface.

- (34) **“Confidential”** means the protection of personal information, such as the child's records, from individuals that are not authorized to have access to such information.
- (35) **“Consistent care”** means providing steady opportunities for children to build emotionally secure relationships by primarily interacting with a limited number of early learning program staff.
- (36) **“Contagious disease”** means an illness caused by an infectious agent of public health concern which can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission through an intermediate host or vector, food, water, or air. The Washington state department of health publishes a list of contagious diseases.
- (37) **“Continuous”** means without interruptions, gaps, or stopping.
- (38) **“Core Competencies”** means standards required by the department that detail what early learning providers need to know and are able to do to provide quality care and education for children and their families.
- (39) **“CPSC”** means the United States Consumer Product Safety Commission.
- (40) **“Cultural”** or **“culturally”** means the ideas, habits, beliefs, customs, and social behavior of different societies.
- (41) **“Curriculum philosophy”** means a written statement of principles developed by an outdoor preschool provider to form the basis of the learning program activities, including age appropriate developmental learning objectives for children.
- (42) **“DCYF”** or **“the department”** means the Washington State department of children, youth, and families.
- (43) **“Developmentally appropriate”** means:
- (a) When an outdoor preschool provider interacts with each child in a way that recognizes and respects the child's chronological and developmental age;
 - (b) An action based on knowledge about how children grow and learn; and
 - (c) Providing interactions and activities consistent with the developmental level or needs of the individual child;
- (44) **“Developmental screening”** means the use of standardized tools to identify a child at risk of a developmental delay or disorder. (Source: American Academy of Pediatrics, *Healthy Child Care America*, 2009)
- (45) **“Director”** means the person responsible for the overall management of an outdoor preschool program including the facility and operation.
- (46) **“Discipline”** means a method used to redirect a child in order to achieve a desired behavior.

- (47) **“Disability”** or **“disabilities”** shall have the same meaning as the definition of disability under RCW 49.60.040(7), Washington’s Law Against Discrimination.
- (48) **“Disinfectant”** means a chemical liquid used to destroy bacteria. The term **“disinfectant”** includes:
- (a) A chlorine bleach and water solution of one tablespoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes; or
 - (b) Other disinfectant products registered with the EPA, if used strictly according to the manufacturer's label instructions including, but not limited to, quantity, time the product must be left in place, adequate time to allow the product to dry or rinsing if applicable, and appropriateness for use on the surface to be disinfected. Any disinfectant used on food contact surfaces or toys must be labeled **“safe for food contact surfaces”**.
- (49) **“Disinfect”** means to eliminate virtually all germs from inanimate surface areas by using a disinfectant to clean and rinse the inanimate surface area.
- (50) **“Drinking water”** or **“potable water”** means water that is suitable for drinking by the public as determined by the Washington state department of health or a local health jurisdiction.
- (51) **“Dual language learners”** means children that are learning two or more languages at the same time. This term includes children who learn two or more languages from birth, and children who are still mastering their home language when they are introduced to and start learning a second language. (Source: the *Washington State Early Learning and Development Guidelines*.)
- (52) **“Early Achievers”** a state-wide system of high quality early learning that connects families to early learning programs with the help of an easy-to-understand rating system and offers coaching, professional development, and resources for early learning providers to support each child’s learning and development
- (53) **“Early Childhood Education (ECE) Initial Certificate”** means Washington’s Initial Certificate in Early Childhood Education and is the point of entry for a career in early learning. The ECE Initial Certificate covers foundational content for early learning professionals, and requires the early learning professional to earn twelve quarter credits.
- (54) **“Early Childhood Education (ECE) Short Certificate”** means Washington’s Short Certificate in Early Childhood Education. The ECE Short Certificate offers areas of specialization, and builds on the State’s Initial Certificate. The ECE Short Certificate requires the early learning professional to obtain the ECE Initial Certificate and complete eight quarter credits.
- (55) **“Early Childhood Education (ECE) State Certificate”** means Washington’s State Certificate in Early Childhood Education and is the benchmark for the Early Achievers Level 2 Core Competencies for Early Care and Education Professionals. The ECE State Certificate prepares the early care and education professional for obtaining an associate’s degree in Early Childhood Education. The ECE State Certificate requires the early care and education professional to obtain the ECE Short Certificate, and twenty-seven quarter credits.

- (56) **“Early learning program”** means regularly scheduled care, including an outdoor preschool program, for a group of children birth through twelve years of age for periods of less than twenty-four hours, licensed by the department.
- (57) **“Early learning program space”** means the licensed indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care.
- (58) **“Early learning program staff”** refers to all persons who work, substitute, or volunteer in an early learning program, including an outdoor preschool program, during hours when children are or may be present, excluding licensees.
- (59) **“ECEAP” or “Early Childhood Education and Assistance Program”** is a comprehensive preschool program that provides free services and support to eligible children and their families.
- (60) **“Emergent Curriculum”** means a philosophy of teaching and way of planning curriculum that focuses on being responsive to children's interests to create meaningful learning experiences. This philosophy prioritizes active participation, relationship building, flexible and adaptable methods, inquiry, and play-based learning. Curriculum is child-initiated, collaborative and responsive to the children's needs, and teachers come prepared with information and/or resources to support children's explorations.
- (61) **“Electronic record”** means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.
- (62) **“Electronic signature”** means a signature in electronic form attached to or logically associated with an electronic record including, but not limited to, a digital signature. An electronic signature is a paperless way to sign a document using an electronic sound, symbol, or process, attached to or logically associated with a record, and executed or adopted by a person with the intent to sign the record.
- (63) **“Electronic workforce registry”** means the Washington state department of children, youth, and families' current database of professional records of individual early learning providers.
- (64) **“Emergency preparedness”** means a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action in an effort to ensure effective coordination in case of emergencies or during incident response.
- (65) **“Enforcement action”** means the denial, suspension, revocation, modification, or nonrenewal of a license to participate in the Pilot Project. An outdoor preschool provider may challenge an enforcement action and request an adjudicative proceeding pursuant to chapter 43.216 RCW and chapter 170-03 WAC.
- (66) **“EPA”** means the United States Environmental Protection Agency.

- (67) **“Equivalency”** means, when referring to staff qualifications, an individual that is allowed to meet the requirements of these standards through a department recognized alternative credential, or demonstration of competency, that indicates similar knowledge as the named credential.
- (68) **“Exempt”** or **“exemption”** means with regard to immunizations a type of immunization status approved by the Washington state department of health where a child has not been fully immunized against one or more vaccine-preventable diseases due to medical, religious, philosophical or personal reasons.
- (69) **“Expel”** or **“Expulsion”** means to end a child’s enrollment in an early learning program. An early learning provider will end a child’s enrollment if the provider is unable to meet a child’s needs due to the child’s challenging behavior.
- (70) **“Family home early learning program”** means an early learning program licensed by the department where a family home licensee provides child care or education services for twelve or fewer children in the family living quarters where the licensee resides as provided in RCW 43.216.010(1)(c)(“family day care provider”).
- (71) **“Family home early learning program licensee”** or **“family home licensee”** means an individual licensee authorized by the department to operate a family home early learning program within the licensee’s family living quarters.
- (72) **“Family living quarters”** means a family home licensee or applicant's residence and other spaces or buildings on the licensee’s or applicant’s family home premises.
- (73) **“Food Worker card”** means a card issued by the Washington state department of health that permits a trained individual to safely and appropriately handle food served to the public.
- (74) **“Good repair”** means that eighty percent or more of the materials and components are unbroken, have all their pieces, and can be used by the children as intended by the manufacturer or builder.
- (75) **“Hazard”**, means a source of harm that is not obvious to the child, such that the potential for injury is hidden; or a source of harm that is greater than a child can manage to avoid.
- (76) **“Health care provider”** means a person who is licensed, certified, registered, or otherwise authorized by the laws of the State of Washington to provide health care in the ordinary course of business or practice of a profession.
- (77) **“Immunization”** means the process of administering a vaccine to make that person immune or resistant to an infectious disease.
- (78) **“Inaccessible to children”** means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of an outdoor preschool program.

- (79) **“Inactive”** means, when used by the department, a licensing status, or means early learning providers who have requested and have been approved to temporarily stop caring for children and close their early learning program.
- (80) **“Individual Care Plan”** means a specific plan to meet the individual needs of a child with a food allergy, special dietary requirement due to a health condition, other special needs or circumstances.
- (81) **“Infant”** means a child birth through eleven months of age.
- (82) **“In-service training”** means professional development requirements for continuing education delivered or approved by the department to maintain staff standards and qualifications while employed as an outdoor preschool provider.
- (83) **“Internal review process”** has the same meaning in these standards as in RCW 43.216.395, as now or hereafter amended.
- (84) **“Lead Teacher”** means an outdoor preschool provider who works as the lead staff person in charge of a child or group of children and implements activity programs.
- (85) **“License”** means a permit issued by the department legally authorizing an applicant to operate an early learning program.
- (86) **“Licensed space”** means the indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care.
- (87) **“Licensee”** means an individual or legal entity listed on a license issued by the department that is authorized to provide child care or early learning services in a center, family home setting, or an outdoor, nature-based early learning and child care program.
- (88) **“Lockdown”** means restricted to an interior room with few or no windows while the facility or building is secured from a threat.
- (89) **“Locking mechanism”** means a lock that requires a key, tumbler, dial, passcode, touchpad, or similar device or method to lock and unlock.
- (90) **“Modification”** when used in reference to an early learning provider’s licensing status, means an enforcement action by the department to change the conditions identified on a licensee’s current license.
- (91) **“Moisture-wicking”** means a fabric that draws moisture away from the body, such as polyester or wool. Cotton is not a moisture-wicking fabric.
- (92) **“Natural space”** means land that is natural, semi-natural, or planted and includes plants, animals, and other features and products of the earth.

- (93) **“Non-expiring pilot license”** means, pursuant to chapter 43.216 RCW, a license that is issued to an outdoor preschool provider following the initial licensing period. For the purposes of this pilot project all licenses, including non-expiring pilot licenses, shall become void at the conclusion of the pilot project unless otherwise extended due to additional legislative action.
- (94) **“Operating hours”** means the hours listed in an early learning program parent handbook when the program is open and providing care and services to children.
- (95) **“Outdoor preschool”, or “outdoor, nature-based early learning and child care program”** means an entity-offered program operated primarily outdoors in which children are enrolled on a regular basis for three or more hours per day. For purposes of this section, “primarily” means a participant must operate an outdoor classroom for more than fifty percent of the program hours per day. Such programs may be offered as:
- (a) An outdoor component of a licensed early learning program; or
 - (b) A program operating entirely outdoors on private or public park land, with or without a permanently located outdoor classroom.
- (96) **“Outdoor preschool provider” or “provider”** refers to an outdoor preschool licensee or a designee who works in an outdoor preschool program during hours when children are or may be present. Designees include Outdoor Preschool Directors, Assistant Director, Program Supervisors, Lead Teachers, Assistant Teachers, Aides, and Volunteers.
- (97) **“Parent” or “guardian”** means birth parent, custodial parent, foster parent, legal guardian or those authorized by the parent or other entity legally responsible for the welfare of the child.
- (98) **“Peer interaction”** means the relationships children have with one another including, but not limited to, how infants and toddlers play near one another and how preschoolers play together, communicate, and whether they fight or get along.
- (99) **“Permanently located outdoor classroom”** means an outdoor area that is allocated to an outdoor preschool program for daily use, and the outdoor preschool provider or public park installs permanent or semi-permanent equipment for the program’s use, such as storage containers, portable chemical toilets, or child-sized furniture.
- (100) **“Personal needs”** means an outdoor preschool provider’s toileting or medication needs. Personal needs do not include smoking or use of tobacco products, illegal drug use or misuse of prescription drugs, conducting business or related activities, sleeping or napping, screen time, or leaving children in unattended care.
- (101) **“Pest”** means an animal, plant, or insect that has a harmful effect on humans, food, or living conditions.
- (102) **“Pesticide”** means chemicals used to kill pests.
- (103) **“Pet”** means a domestic or tamed animal or bird kept for companionship or pleasure.

- (104) **“Physical barrier with a locking mechanism”** means a non-climbable fence or wall that is at least five feet tall and has no openings greater than two inches, but may have a gate or door that allows entry into a body of water, or exit from a body of water. In addition to the requirements listed above, the physical barrier shall also have the following additional requirements: all gates must have a locking mechanism, a self-closing or self-latching automatic locking device, and a device used to open the locks which is inaccessible to children but readily available to staff.
- (105) **“Physical restraint”** means holding a child as gently as possible for the minimum amount of time necessary to control a situation where that own child’s safety or the safety of others is threatened.
- (106) **“Poison”** means substances, chemicals, chemical compounds (other than naturally occurring compounds such as water or salt), or similar items, that even in small quantities are likely to cause injury or illness if it is swallowed or comes into contact with a child's skin, eyes, mouth, or mucus membranes.
- (107) **“Premises”** means the licensed and unlicensed space at the licensed address including, but not limited to, buildings, land and residences.
- (108) **“Preschool age children”** means a child thirty months through six years of age not attending kindergarten or elementary school.
- (109) **“Pre-service training”** means professional development standards or requirements for outdoor preschool program staff prior to hiring or within a department specified time frame and delivered or approved by the department.
- (110) **“Private septic system”** means a septic system that is not connected to a public sewer system maintained by a government agency. A private septic system includes, but is not limited to, the septic system’s drain field and tanks.
- (111) **“Probationary license”** shall have the same meaning as described in RCW 43.216.010(22).
- (112) **“Professional Development Support Plan”** means a formal approach by which an individual who is supervising staff sets out the goals, strategies, and outcomes of learning and training.
- (113) **“Program Supervisor”** means the outdoor preschool provider responsible for planning and supervising the learning and activity program.
- (114) **“RCW”** means the Revised Code of Washington.
- (115) **“Readily available”** means able to be used or obtained quickly and easily.
- (116) **“Revocation”** or **“revoke”** when used in reference to an early learning provider’s licensing status, means an enforcement action by the department to close an early learning program and permanently remove the license.

- (117) **“Risk”** when used in reference to “risky play”, means a situation in which a child can recognize and evaluate challenge and decide on a course of action, although there is the potential for injury. In this context, risk can be necessary to support healthy child development.
- (118) **“Risky play”** means physical activity and play that is thrilling and exciting and where there is a risk of physical injury. Risky play for outdoor preschools includes, but is not limited to, play involving heights, speed, dangerous tools, or near dangerous elements (e.g. fall into something), and where children may get lost.
- (119) **“Routine care”** means typical or usual care provided to a child during the time the child is enrolled in the outdoor preschool program (for example: feeding, diapering, toileting, napping, resting, playing, and learning).
- (120) **“Safe route”** means a way, direction, or course taken to get from a starting point to a destination that is protected from danger or risk.
- (121) **“Safety Plan”** means a written plan to implement program changes to bring an outdoor preschool program into compliance with these standards. Safety plans are developed at meetings involving at least an outdoor preschool provider and the outdoor preschool pilot program specialist and supervisor. Safety plans detail changes the provider needs to make to mitigate the risk of direct and indirect harm to children enrolled in the outdoor preschool program. Program changes shall be agreed to in writing and signed by all participants at the meeting. Safety plans expire 30 calendar days after being signed by all parties. Safety plans may only be extended for an additional 30 days and extensions may only be authorized by a department supervisor.
- (122) **“Sanitize”** means to reduce the number of microorganisms on a surface by the process of:
- (a) Cleaning and rinsing with water at a high temperature pursuant to these standards; or
 - (b) Cleaning and rinsing, followed by using:
 - i. A chlorine bleach and water solution of three-quarters teaspoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes; or
 - ii. Other sanitizer product if it is registered with the EPA and used strictly according to manufacturer's label instructions including, but not limited to, quantity used, time the product must be left in place, adequate time to allow the product to dry, and appropriateness for use on the surface to be sanitized. If used on food contact surfaces or toys, a sanitizer product must be labeled as “safe for food contact surfaces.”
- (123) **“School-age children” or “school age child”** means a child not less than five years of age, through twelve years of age that is attending kindergarten or elementary school.
- (124) **“Screen time”** means watching, using, or playing television, computers, video games, video or DVD players, mobile communication devices, or other similar devices.

- (125) **“Serious injury”** means an injury resulting in an overnight hospital stay; a severe neck or head injury; choking or serious unexpected breathing problems; severe bleeding; shock or an acute confused state; sudden unconsciousness; dangerous chemicals that come into contact with the eyes or skin, or dangerous chemicals that are ingested; near drowning; one or more broken bones; a severe burn requiring professional medical care; poisoning; or an overdose from a chemical substance.
- (126) **“Shelter-in-place”** means staff and children staying at the facility due to an external threat such as a storm, chemical or gas leak or explosion, or other event that prohibits the occupants from safely leaving the facility.
- (127) **“Sign”** means an individual formally placing their name or legal mark on a document by physical signature or electronic signature.
- (128) **“Sleeping equipment”** means a bed, cot, mattress, mat, crib, bassinet, play yard or “pack and play”. Sleeping equipment does not include a car seat or infant swing.
- (129) **“Special needs”** is a term used for children who require assistance due to learning difficulties, physical disability, or emotional and behavioral difficulties and who have documentation in the form of an individual educational plan (IEP), individual health plan (IHP), 504 plan, or an individualized family service plan (IFSP).
- (130) **“Staff”** means any outdoor preschool provider providing care in the outdoor preschool program.
- (131) **“Strengthening Families Program Self-Assessment”** means a research-informed approach to increase family strengths, enhance child development, and reduce the likelihood of child abuse and neglect. It is based on engaging families, programs, and communities in building five protective factors:
- (a) Parental resilience;
 - (b) Social connections;
 - (c) Knowledge of parenting and child development;
 - (d) Concrete support in times of need; and
 - (e) Social and emotional competence of children
- (132) **“Supervise”** or **“supervision”** means an outdoor preschool provider must be able to see or hear the children they are responsible for at all times. Outdoor preschool providers must use their knowledge of each child’s development and behavior to anticipate what may occur to prevent unsafe or unhealthy events or conduct, or to intervene in such circumstances as soon as possible. Outdoor preschool providers must also reposition themselves or the children to be aware of where children are and what they are doing during care. An outdoor preschool provider must reassess and adjust their supervision each time child care activities change. See “active supervision” for a heightened standard of care.

- (133) **“Suspend”** when used in reference to an early learning provider’s licensing status, means an enforcement action by the department to temporarily stop a license in order to protect the health, safety, or welfare of enrolled children or the public.
- (134) **“Swimming pool”** means a pool that has a water depth greater than two feet (24 inches).
- (135) **“Technical assistance”** means a service given to outdoor preschool providers by department staff or a contracted third party for the purpose of providing help that is related to providing guidance, information, and resources to help a provider fully comply with the licensing requirements and these standards.
- (136) **“Toddler”** means a child twelve months through twenty-nine months of age.
- (137) **“Tummy time”** means placing an infant in a nonrestrictive prone position, lying on his or her stomach when not in sleeping equipment.
- (138) **“Transition”** is the process or period of time to change from one activity, place, grade level, or sleeping arrangement to another.
- (139) **“Unlicensed Space”** means the indoor and outdoor areas of the premises not approved by the department as licensed space that the outdoor preschool provider must make inaccessible to the children during child care hours.
- (140) **“Unsupervised access”** shall have the same meaning as described in WAC 110-06-0020 as now or hereafter amended.
- (141) **“Usable space”** means the areas that are available at all times for use by children in an outdoor preschool program that complies with the licensing requirements.
- (142) **“USDA”** means the United States Department of Agriculture.
- (143) **“Vapor product”** means any:
- (a) Device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;
 - (b) Cartridge or container of a solution or substance intended to be used with or in such device or to refill such device; or
 - (c) Solution or substance intended for use in such device, including, but not limited to, concentrated nicotine, non-nicotine substances, or supplemental flavorings. This includes any electronic cigarettes, electronic nicotine delivery systems, electronic cigars, electronic cigarillos, electronic pipes, hookahs, steam stones, vape pens, or similar products or devices, as well as any parts that can be used to build such products or devices.
- (144) **“Variance”** means an official approval by the department to allow an outdoor preschool program to achieve an outcome described in these standards in an alternative way than what is described in these standards due to the needs of a unique or specific program approach or

methodology. The department must grant a request for variance if the proposed alternative provides clear and convincing evidence that the health, welfare, and safety of all enrolled children will not be jeopardized. An outdoor preschool provider does not have the right to appeal the department's disapproval of request for variance under chapter 110-03 WAC. The provider may challenge a variance disapproval on a department form.

- (145) **“Volunteer”** means any person who provides labor or services to an outdoor preschool provider but is not compensated with employment pay or benefits. A volunteer must never have unsupervised access to a child unless the volunteer is the parent or guardian of that child or is an authorized person pursuant to standard 0345(1)(c).
- (146) **“WAC”** means the Washington Administrative Code.
- (147) **“Wading pool”** means a pool that has a water depth of less than two feet (24 inches).
- (148) **“Waiver”** means, unless the context otherwise indicates, an official approval by the department allowing an outdoor preschool provider not to meet or satisfy a rule in these standards due to specific needs of the program or an enrolled child. The department must grant a request for waiver if the proposed waiver provides clear and convincing evidence that the health, welfare, and safety of all enrolled children is not jeopardized. An outdoor preschool provider does not have the right to appeal the department's disapproval of a waiver request under chapter 110-03 WAC. The provider may challenge a waiver disapproval on a department form.
- (149) **“Walking independently”** means an individual is able to stand and move easily without the aid or assistance of holding onto an object, wall, equipment, or another individual.
- (150) **“Washington State Early Learning and Development Guidelines”** means the guidelines published by the department, the Washington state Office of Superintendent of Public Instruction (OSPI), and Thrive Washington for children birth through third grade that outlines what children know and are able to do at different stages of their development.
- (151) **“Water activities”** means outdoor preschool program activities in which enrolled children swim or play in a body of water that poses a risk of drowning for children. Water activities do not include using sensory tables, or playing in temporary puddles at an outdoor preschool.
- (152) **“Weapon”** means an instrument or device of any kind that is used or designed to be used to inflict harm including, but not limited to, rifles, handguns, shotguns, antique firearms, knives, swords, bows and arrows, BB guns, pellet guns, air rifles, electronic or other stun devices, or fighting implements.
- (153) **“Written Food Plan”** means a document that is designed to give alternative food to a child in care because of a child's medical needs or special diet, or to accommodate a religious, cultural, or family preference. A parent or guardian and the outdoor preschool provider must sign a written food plan.

0010 Outdoor Preschool Pilot License.

- (1) In addition to the requirements described in WAC 110-300D-0015, an "outdoor, nature-based early learning and child care program ("outdoor preschool") license may be available to an individual or entity if the individual or entity can provide child care or early learning services under the following conditions:
 - (a) The child care or early learning program must be provided with a philosophy, curriculum, and organizational practices that provide developmentally appropriate early childhood education and environmental education;
 - (b) The child care or early learning program must occur outdoors for more than fifty percent (50%) of the daily service period and more than three hours per day;
 - (c) The child care or early learning program must comply with the requirements contained in chapter 43.216 RCW, chapter 110-06 WAC (background checks), the Child Care Development Fund (45 C.F.R. Part 98), and these Outdoor Preschool Pilot Standards; and
 - (d) The child care or early learning program must be offered on a regular and ongoing basis for one or more pre-school aged children not related to the licensee. For purposes of these Outdoor Preschool Pilot Standards, the individuals listed in RCW 43.216.010(2)(a) are considered related to the licensee.
- (2) The department must not license a department employee or a member of the employee's household if the employee is involved directly, or in an administrative or supervisory capacity in the:
 - (a) Licensing process;
 - (b) Placement of a child in a licensed outdoor preschool program; or
 - (c) Authorization of payment for the child in care.

0015 Licensee absence.

- (1) In an outdoor preschool early learning program, the licensee must have a written plan for when the director, assistant director, and program supervisor will be simultaneously absent but the program remains open for the care of children. If the director, assistant director, and program supervisor are simultaneously absent for more than ten consecutive operating days, an outdoor preschool provider must submit a written notification to the department and each child's parent or guardian at least two business days prior to the planned absence.
- (2) A written notification under this section must include the following information:
 - (a) The time period of the absence;
 - (b) Emergency contact information for the absent outdoor preschool provider; and
 - (c) A written plan for program staff to follow that includes:
 - i. A staffing plan that meets child-to-staff ratios;
 - ii. Identification of a lead teacher to be present and in charge;
 - iii. Outdoor preschool program staff roles and responsibilities;
 - iv. How each child's needs will be met during the absence; and
 - v. The responsibility for meeting licensing requirements.
- (3) If a facility licensing compliance agreement (FLCA) is developed as a result of outdoor preschool program staff failing to comply with licensing regulations during an absence described in this section, an outdoor preschool provider must:
 - (a) Retrain outdoor preschool program staff on the standards documented on the FLCA; and

- (b) Document that the retraining occurred.

0016 Inactive status—Voluntary and temporary closure.

- (1) If an outdoor preschool licensee plans to temporarily close their outdoor preschool program for more than thirty calendar days, and this closure is a departure from the program's regular schedule, an outdoor preschool provider must submit a notification to go on inactive status to the department at least two business days prior to the planned closure. Notifications for inactive status must include:
 - (a) The date the outdoor preschool program will cease operating;
 - (b) The reasons why the licensee is going on inactive status; and
 - (c) A projected date the outdoor preschool program will reopen.
- (2) The requirements of this section do not apply to licensed outdoor preschool programs that have temporary closures beyond thirty calendar days as part of their regular schedule, such as programs based on the school year or seasonal occupation.
- (3) A licensee may not request inactive status during their first initial licensing period (six months) unless for an emergency.
- (4) An outdoor preschool provider must inform parents and guardians that the program will temporarily close.
- (5) An outdoor preschool provider is responsible for notifying the department of changes to program status including voluntary closures, new household members or staff, or other program changes. Program status updates must also be completed in the department's electronic system.
- (6) Background check rules in chapter 110-06 WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.
- (7) After receiving a notice of inactive status, the department will:
 - (a) Place the license on inactive status;
 - (b) Inform the licensee that the license is inactive; and
 - (c) Notify the following programs of the inactive status:
 - i. The department's child care subsidy programs;
 - ii. USDA Child and Adult Care Food Program (CACFP); and
 - iii. Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.
- (8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW 43.216.305.
- (9) If inactive status exceeds six months within a twelve-month period, the department must close the license for failing to comply with RCW 43.216.305(2). The licensee must reapply for licensing pursuant to RCW 43.216.305(3).
- (10) The department may pursue enforcement actions after three failed attempts to monitor an outdoor preschool program if:
 - (a) The outdoor preschool provider has not been available to permit the monitoring visits;
 - (b) The monitoring visits were attempted within a three-month span to the monitoring due date; and
 - (c) The department attempted to contact the provider by phone during the third attempted visit while still on the outdoor preschool premises.
- (11) When a licensee is ready to reopen after a temporary closure, the licensee must notify the department in writing. After receiving notice of the intent to reopen, the department will:
 - (a) Conduct a health and safety visit of the outdoor preschool program within ten business days to determine that the provider is in compliance with these standards;

- (b) Activate the license and inform the licensee that the license is active; and
- (c) Notify the following programs of the active status:
 - i. The department's child care subsidy programs;
 - ii. CACFP; and
 - iii. Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.

0030 Nondiscrimination.

- (1) Early learning programs are defined by state and federal law as places of public accommodation that must:
 - (a) Not discriminate in employment practices or client services based on race, creed, ethnicity, national origin, marital status, gender, sexual orientation, age, religion, or ability; and
 - (b) Comply with the requirements of the Washington law against discrimination (chapter 49.60 RCW) and the ADA.
- (2) An outdoor preschool program must have a written nondiscrimination policy addressing at least the factors listed in subsection (1) of this section.

CHILD OUTCOMES

0055 Developmental screening and communication to parents or guardians.

- (1) An outdoor preschool provider must inform parents or guardians about the importance of developmental screenings for each child from birth through age five.
- (2) If not conducted on-site, an outdoor preschool provider must share information with parents or guardians about organizations that conduct developmental screenings such as a local business, school district, health care provider, specialist, or resources listed on the department web site.

0065 School readiness and family engagement activities.

- (1) At least once per calendar year, the outdoor preschool provider must provide kindergarten or school readiness materials to the parents or guardians.
- (2) Kindergarten or school readiness materials must be the same or similar to resources posted online by OSPI, the department, or other equivalent organizations. These materials may address:
 - (a) Kindergarten transition activities, if applicable; and
 - (b) Developmentally appropriate local school and school district activities designed to engage families.

FAMILY ENGAGEMENT AND PARTNERSHIPS

0080 Family support self-assessment.

An outdoor preschool provider must assess their program within one year of being licensed to identify ways to support the families of enrolled children. A provider must complete the strengthening families program self-assessment, or an equivalent assessment, applicable to the early learning program type.

0085 Family partnerships and communication.

- (1) An outdoor preschool provider must communicate with families to identify individual children's developmental goals.
- (2) An outdoor preschool provider must attempt to obtain information from each child's family about that child's developmental, behavioral, health, linguistic, cultural, social, and other relevant information. The provider must make this attempt upon that child's enrollment and annually thereafter.
- (3) An outdoor preschool provider must determine how the program can best accommodate each child's individual characteristics, strengths, and needs. The provider must utilize the information in subsection (2) of this section and seek input from family members and staff familiar with a child's behavior, developmental, and learning patterns.
- (4) An outdoor preschool provider must:
 - (a) Attempt to discuss with parents or guardians information including, but not limited to:
 - i. A child's strength in areas of development, health issues, special needs, and other concerns;
 - ii. Family routines or events, approaches to parenting, family beliefs, culture, language, and child rearing practices;
 - iii. Internal transitions within the outdoor preschool program and transitions to external services or programs, as necessary;
 - iv. Collaboration between the provider and the parent or guardian in behavior management; and
 - v. A child's progress, at least two times per year.
 - (b) Communicate the importance of regular attendance for the child;
 - (c) Give parents or guardians contact information for questions or concerns;
 - (d) Give families opportunities to share their language and culture in the outdoor preschool program;
 - (e) Arrange a confidential time and space for individual conversations regarding children, as needed;
 - (f) Allow parents or guardians access to their child during normal hours of operation, except as excluded by a court order; and
 - (g) Communicate verbally or in writing:
 - i. Changes in drop-off and pickup arrangements as needed; and
 - ii. Daily activities.

PROFESSIONAL DEVELOPMENT, TRAINING AND REQUIREMENTS

0100 General staff qualifications.

- (1) Outdoor preschool early learning program licensees must meet the requirements of an outdoor preschool director, listed in subsection 2 of this section, or hire an outdoor preschool director who meets the qualifications prior to being granted an initial license. Outdoor preschool licensees who fulfill the role of outdoor preschool director in their early learning program must complete all trainings and requirements for outdoor preschool directors.
- (2) **Outdoor preschool directors or assistant directors** manage the outdoor preschool program and set appropriate program, and staff expectations.
 - (a) An outdoor preschool director must meet the following qualifications:

- i. Be at least eighteen years old;
 - ii. Have an ECE state certificate and environmental education training or equivalent as approved and verified in the electronic workforce registry by the department as follows:
 - (A) An outdoor preschool director working at the time of initial licensing of the outdoor preschool program must complete an ECE state certificate and environmental education training or equivalent within five years of August 1, 2019;
 - (B) An outdoor preschool director hired or promoted after August 1, 2019 must have an ECE state certificate and environmental education training or equivalent at the time of hire.
 - iii. Have two years of experience as a teacher of preschool-age children and at least six months of experience in administration or management or a department approved plan;
 - iv. Pursuant to standard 0105, complete the applicable preservice requirements;
 - v. If an outdoor preschool director does not meet the minimum qualification requirements, the outdoor preschool program must employ an assistant director or program supervisor who meets the minimum qualifications of these positions;
 - vi. Have their continued professional development progress documented annually.
- (b) An outdoor preschool assistant director must meet the following qualifications:
- i. Be at least eighteen years old;
 - ii. Have an ECE state certificate and environmental education training or equivalent as approved and verified in the electronic workforce registry by the department as follows:
 - (A) An outdoor preschool assistant director working at the time of initial licensing of the outdoor preschool program must complete an ECE state certificate and environmental education training or equivalent within five years of August 1, 2019;
 - (B) An outdoor preschool assistant director hired or promoted after August 1, 2019 must have an ECE state certificate and environmental education training or equivalent at the time of hire.
 - iii. Have two years of experience as a teacher of children in any age group enrolled in the outdoor preschool program or two years of experience in administration or management, or a department approved plan;
 - iv. Pursuant to standard 0105, complete the applicable preservice requirements;
 - v. Have their continued professional development progress documented annually.
- (c) An outdoor preschool director or assistant director or equivalent must provide the following services:
- i. For a period of fifty percent or more of the weekly operation hours or up to forty hours per week the director or assistant director must be on-site for the daily operation of the outdoor preschool program, or be available to provide in-person support to the outdoor program within fifteen minutes of a request for support. On-site duties may include providing oversight, as-needed support for children and staff, and providing family engagement services. If the director or assistant director is unable to comply with the fifty percent rule described in this subsection the director or assistant director must designate a person with the

qualifications of an assistant director, program supervisor, or equivalent qualifications, to comply with the requirements of this subsection.

- ii. An outdoor preschool director may act as a substitute teacher if acting as a substitute does not interfere with management or supervisory responsibilities;
- iii. Comply with these standards;
- iv. Develop a curriculum philosophy, communicate the philosophy to all outdoor preschool program staff and parents, and train staff to ensure the philosophy serves all children in the outdoor preschool program (or designate a program supervisor with this responsibility);
- v. Lead the development of benefit-risk assessments, and associated risk management policies and procedures, pursuant to standard 0471.
- vi. Have knowledge of community resources available to families, including resources for children with special needs and be able to share these resources with families; and
- vii. Oversee professional development plans for outdoor preschool program staff including, but not limited to:
 - (A) Providing support to staff for creating and maintaining staff records;
 - (B) Setting educational goals with staff and locating or coordinating state-approved training opportunities for staff; and
 - (C) Observing and mentoring staff.

(3) **Outdoor preschool program supervisors** plan the outdoor preschool program services under the oversight of a director or assistant director.

(a) A program supervisor must meet the following qualifications:

- i. Be at least eighteen years old;
- ii. If a director or assistant director has an ECE state certificate and environmental education training or equivalent as approved and verified in the electronic workforce registry by the department as follows:
 - (A) A program supervisor must complete an ECE state certificate and environmental education training or equivalent within five years of the date of initial licensing of the outdoor preschool program or from the date of hire or promotion, whichever is later;
 - (B) A program supervisor at the time of hire or promotion must have an ECE state certificate if the director or assistant director does not have an ECE state certificate.
 - (C) A program supervisor at the time of hire or promotion must have environmental education training if the director or assistant director does not have environmental education training.
- iii. Have two years of experience as a teacher of preschool children in a nature-based early learning program;
- iv. Pursuant to standard 0105, complete the applicable preservice requirements; and
- v. Have their continued professional development progress documented annually.

(b) A program supervisor performs the following duties:

- i. Guide the planning of curriculum philosophy, implementation, and environmental design of the outdoor preschool program;
- ii. Comply with these standards;

- iii. Act as a teacher or director as long as it does not interfere with the program supervisor's primary responsibilities; and
 - iv. Manage the professional development plans and requirements for staff as needed.
- (c) One person may be the director, assistant director, and the program supervisor when qualified for all positions, provided that all requirements of subsection (1)(a) and (1)(b) of this section are met.
- (4) **Lead teachers** are responsible for implementing the outdoor preschool early learning program. Lead teachers develop and provide a nurturing and responsive learning environment that meets the needs of enrolled children.
- (a) A lead teacher must meet the following qualifications:
 - i. Be at least eighteen years old;
 - ii. Have a high school diploma or equivalent; and
 - iii. Pursuant to standard 0105, complete the applicable preservice requirements.
 - (b) During all operating hours when children are present and when the director, assistant director, or program supervisor are on-site, an outdoor preschool lead teacher must meet the following requirements:
 - i. Have an ECE initial certificate or equivalent as approved and verified in the electronic workforce registry by the department within five years of August 1, 2019, or five years from being employed or promoted into this position at any licensed early learning program;
 - ii. Progress towards an ECE short certificate or equivalent. An outdoor preschool lead teacher hired after August 1, 2019 must have an ECE short certificate within two years of receiving an ECE initial certificate, or seven years from being employed or promoted into this position at any licensed early learning program; and
 - iii. Have their professional development progress documented annually.
 - (c) During all operating hours when children are present and when the director, assistant director, or program supervisor are not on-site, an outdoor preschool lead teacher must meet the following requirements:
 - i. Have an ECE initial certificate and environmental education training, or equivalent as approved and verified in the electronic workforce registry by the department;
 - ii. Have two years of experience as a teacher of preschool children in a nature-based early learning program; and
 - iii. Progress towards an ECE short certificate or equivalent. An outdoor preschool lead teacher hired after August 1, 2019 must have an ECE short certificate within two years of receiving an ECE initial certificate, or seven years from being employed or promoted into this position at any licensed early learning program; and
 - iv. Have their professional development progress documented annually.
- (5) **Assistant teachers** help a lead teacher or licensee provide instructional support to children and implement developmentally appropriate programs in outdoor preschool programs.
- (a) An assistant teacher must meet the following qualifications:
 - i. Be at least eighteen years old;
 - ii. Have a high school diploma or equivalent; and

- iii. Have a minimum of an ECE initial certificate or equivalent as approved and verified in the electronic workforce registry by the department within five years of August 1, 2019, or from being employed or promoted to this position at any licensed early learning program;
 - iv. Pursuant to standard 0105, complete the applicable preservice requirements; and
 - v. Have their professional development progress documented annually.
- (b) Assistant teachers may work alone with children with regular, scheduled, and documented oversight and on-the-job classroom training from the classroom's assigned lead teacher who is primarily responsible for the care of the same group of children for the majority of their day.
- (c) For continuity of care, assistant teachers can act as a substitute lead teacher up to two weeks. If longer than two weeks, the provider must notify the department with a plan to manage the classroom. Outdoor preschool assistant teachers may act as substitute lead teacher only if meeting the following requirements:
- i. Have at least one year of experience teaching in an outdoor preschool; and
 - ii. Have a minimum ECE Initial certificate or equivalent as approved by the department.
- (6) **Aides** provide classroom support to an assistant teacher, lead teacher, program supervisor, center director, assistant director, or family home licensee. Aides must meet the following qualifications:
- (a) Be at least fourteen years old.
 - (b) Have a high school diploma or equivalent, or be currently enrolled in high school or an equivalent education program;
 - (c) Pursuant to standard 0105, complete the applicable preservice requirements;
 - (d) Have their professional development progress documented annually; and
 - (e) Aides may be counted in the staff-to-child ratio if they are working under the continuous oversight of a lead teacher, program supervisor, center director, assistant director, assistant teacher, or family home licensee, and:
 - i. Aides working nineteen hours per month or less can count towards ratio with applicable preservice requirements pursuant to standard 0105, and without in-service training requirements pursuant to standard 0107 (1)(a).
 - ii. Aides who work twenty hours or more per month with a cumulative twelve months of employment must complete applicable preservice requirements pursuant to standard 0105, and in-service training pursuant to standard 0107 (1)(a).
 - iii. For outdoor preschools, aides may only count in ratio if they are at least 18 years old.
- (7) **Other personnel** who do not directly care for children and are not listed in subsections (1) through (5) of this section must meet the following qualifications:
- (a) Complete and pass a background check, pursuant to chapter 110-06 WAC;
 - (b) Pursuant to standard 0105, have a negative TB test; and
 - (c) Pursuant to standard 0110, complete program based staff policies and training.
- (8) **Volunteers** help at outdoor preschool programs. Volunteers must meet the following qualifications:
- (a) Be at least fourteen years old (volunteers must have written permission to volunteer from their parent or guardian if they are under eighteen years old);

- (b) Work under the continuous oversight of a lead teacher, program supervisor, center director, assistant director, assistant teacher, or family home licensee;
- (c) Regular, ongoing volunteers may count in staff-to-child ratio if they:
 - i. Are at least eighteen years old, for outdoor preschools;
 - ii. Pursuant to chapter 110-06 WAC, complete and pass a background check ;
 - iii. Pursuant to standard 0105, complete a TB test;
 - iv. Pursuant to standard 0106, complete the training requirements;
 - v. Pursuant to standard 0110, complete program based staff policies and training; and
 - vi. Have their professional development progress documented annually.
 - vii. Occasional volunteers must comply with subsections (7)(a) and (7)(b) of this section. Occasional volunteers may include, but are not limited to, a parent or guardian helping on a field trip, special guest presenters, or a parent or guardian, family member, or community member helping with a cultural celebration.

0105 Preservice requirements.

- (1) All applicants, coapplicants, outdoor early learning program licensees (RCW 43.216.740), directors, assistant directors, and program supervisors must complete a department provided orientation for the applicable early learning program. Prior to being in charge of the early learning program fifty percent of the time or more, those newly promoted or assuming a role of one of the roles listed here must complete or be registered in orientation training.
- (2) Outdoor preschool providers must complete a department background check, pursuant to chapter 170-06 WAC.
- (3) Outdoor preschool providers, including volunteers, must provide documentation signed within the last twelve months by a licensed health care professional of tuberculosis (TB) testing or treatment consisting of:
 - (a) A negative TB symptom screen and negative TB risk assessment;
 - (b) A previous positive FDA-approved TB test and a current negative chest radiograph and documentation of clearance to safely work in an outdoor preschool program; or
 - (c) A positive symptom screening or a positive risk assessment with documentation of:
 - i. A current negative FDA-approved TB test;
 - ii. A previous or current positive FDA-approved TB test; and
 - iii. A current negative chest radiograph and documentation of clearance to safely work or reside in an early learning program.
- (4) Upon notification of TB exposure, early learning providers may be required to be retested for TB as directed by the local health jurisdiction.

0106 Training requirements.

- (1) Outdoor preschool providers must complete the training requirements contained in subsections (4) through (10) of this section within three months of the date of the date of initial licensing of the outdoor preschool program or the date of hire, whichever is later, and prior to working in an unsupervised capacity with children.
- (2) Outdoor preschool license applicants and outdoor preschool providers must register with the electronic workforce registry prior to being granted an initial license or working with children in an unsupervised capacity.

- (3) License applicants, directors, assistant directors, program supervisors, lead teachers, assistant teachers, and aides must complete the outdoor preschool child care basics training as approved or offered by the department:
 - (a) Prior to being granted a license;
 - (b) Prior to working unsupervised with children; or
 - (c) Within three months of the date the outdoor preschool child care basics training becomes available if already employed or being promoted to a new role.
- (4) Outdoor preschool providers must complete the recognizing and reporting suspected child abuse, neglect, and exploitation training as approved or offered by the department according to subsection (1) of this section. Training must include the prevention of child abuse or neglect and the mandatory reporting requirements under RCW 26.44.030.
- (5) Outdoor preschool providers must complete the emergency preparedness training as approved or offered by the department (applicable to the early learning program where they work or volunteer) according to subsection (1) of this section.
- (6) Outdoor preschool providers must complete the serving children experiencing homelessness training as approved or offered by the department according to subsection (1) of this section.
- (7) Outdoor preschool directors, assistant directors, program supervisors, lead teachers, and other appropriate staff members must complete the child restraint training as approved or offered by the department. This training must be completed annually; and:
 - (a) Pursuant to standard 0335, training must be completed prior to being authorized to restrain an enrolled child; or
 - (b) Pursuant to the requirements contained in subsection (1) of this section.
- (8) Outdoor preschool directors, assistant directors, program supervisors, and lead teachers must complete the medication management and administration training as approved or offered by the department prior to giving medication to an enrolled child, or as indicated in subsection (1) of this section.
- (9) Outdoor preschool providers who directly care for children must complete the prevention of exposure to blood and body fluids training that meets Washington state department of labor and industries' requirements prior to being granted a license or working with children. This training must be repeated pursuant to Washington state department of labor and industries regulations.
- (10) Outdoor preschool providers must have a current first-aid and cardiopulmonary resuscitation (CPR) certification prior to being alone with children. Outdoor preschool providers must ensure that at least one staff person with a current first-aid and CPR certificate is present with each group of children at all times. Unless otherwise approved by the Department, if operating more than thirty minutes from emergency medical care, including the time it would take an adult to walk from the trailhead to a potential location, outdoor preschool providers must ensure that at least one staff person with a current Wilderness First Aid and CPR certificate is present with each group of children.
 - (a) Proof of certification may be a card, certificate, or instructor letter.
 - (b) The first-aid and CPR training and certification must:
 - i. Be delivered in person and include a hands-on component for first aid and CPR demonstrated in front of an instructor certified by the American Red Cross, American Heart Association, American Safety and Health Institute, or other nationally recognized certification program;
 - ii. Include child and adult CPR; and

- iii. Infant CPR, if applicable.
- (11) Outdoor preschool providers who prepare or serve food to children at an outdoor preschool program must obtain a current food worker card prior to preparing or serving food. Food worker cards must:
- (a) Be obtained online or through the local health jurisdiction; and
 - (b) Be renewed prior to expiring.

0107 In-service training.

- (1) An outdoor preschool provider must complete ten hours of annual in-service training after twelve months of cumulative employment.
- (2) In-service training requirements under this standard (Standard 0107) may be met by completing college courses that align with the Washington state core competencies. These courses must be delivered by a postsecondary institution and approved by the department.
- (3) Only five in-service training hours may be carried over from one fiscal year to the next fiscal year.

0110 Program based staff policies and training.

- (1) An outdoor preschool provider must have and follow written policies for outdoor preschool program staff. Staff policies must include those listed in subsections (2) and (3) of this section and must be reviewed and approved by the department prior to issuing a provider's initial license. Providers must notify the department when substantial changes are made.
- (2) Outdoor preschool program staff policies must include, but are not limited to:
 - (a) All of the information in the parent or guardian handbook except fees;
 - (b) Job descriptions, pay dates, and benefits;
 - (c) Professional development expectations and plans;
 - (d) Expectations for attendance and conduct;
 - (e) Outdoor preschool program staff responsibilities for:
 - i. Child supervision requirements, including preventing children's access to unlicensed space;
 - ii. Child growth and development;
 - iii. Developmentally appropriate curriculum;
 - iv. Teacher-child interaction;
 - v. Child protection, guidance, and discipline techniques;
 - vi. Food service practices;
 - vii. Off-site field trips, if applicable;
 - viii. Transporting children, if applicable;
 - ix. Health, safety, and sanitization procedures;
 - x. Medication management procedures;
 - xi. Medical emergencies, fire, disaster evacuation and emergency preparedness plans;
 - xii. Mandatory reporting of suspected child abuse, neglect, and exploitation, per RCW 26.44.020 and 26.44.030 and all other reporting requirements;
 - xiii. Implementation of child's individual health care or special needs plan;
 - xiv. Following nonsmoking, vaping, alcohol and drug regulations;
 - xv. Religious, equity and cultural responsiveness;
 - xvi. Partnering with the local Native American tribe(s);

- xvii. Nondiscrimination;
 - xviii. Planned daily activities and routines.
 - xix. Outdoor preschool benefit-risk assessment, policies, and procedures, if applicable.
 - xx. Outdoor preschool toileting options, as applicable.
- (f) Staff responsibilities if the outdoor preschool director, assistant director, or program supervisor is absent from the outdoor preschool program;
 - (g) A plan that includes how both administrative and child caretaking duties are met when a job requires such dual responsibilities; and
 - (h) Observation, evaluation, and feedback policies.
- (3) An outdoor preschool provider must have and follow written policies requiring staff working, transitioning, or covering breaks with the same classroom or group of children to share applicable information with each other on a daily basis regarding:
- (a) A child's health needs, allergies and medication;
 - (b) Any change in a child's daily schedule;
 - (c) Significant educational or developmental information;
 - (d) Any communications from the family; and
 - (e) Information to be shared with the family.
- (4) An outdoor preschool provider must develop, deliver, and document the delivery of outdoor preschool staff training specific to the outdoor preschool program and premises.
- (a) Training topics must include:
 - i. Staff policies listed in subsections (2) and (3) of this section;
 - ii. RCW 43.216.740;
 - iii. These Outdoor Preschool Pilot Standards; and
 - iv. 110-06 WAC.
 - (b) Training must be updated with changes in program policies and state or federal regulations.

0111 Staff oversight.

- (1) An outdoor preschool provider who oversees staff must:
 - (a) Establish a work plan with clear expectations;
 - (b) Be aware of what staff members are doing; and
 - (c) Be available and able to respond in an emergency as needed to protect the health and safety of children in care.
- (2) When the outdoor preschool director, assistant director, program supervisor, lead teacher, or assistant teacher is the only staff supervising an aide or volunteer, the aide or volunteer may be out of the supervisor's visual and auditory range only when the aide, volunteer or supervisor is attending to personal needs.

0115 Staff Records

- (1) An outdoor preschool provider must establish a records system for themselves, staff, and volunteers that complies with the requirements of these Outdoor Preschool Pilot Standards. Outdoor preschool program staff records must be:
 - (a) Verified by the licensee, center or outdoor preschool director, assistant director, or program supervisor;

- (b) Entered and maintained in the electronic workforce registry, if applicable. Paper records may be discarded once entered into the electronic workforce registry and confirmed by the department;
 - (c) Updated to delete staff names from the electronic workforce registry when no longer employed at the outdoor preschool program; and
 - (d) Kept on-site or in the program's administrative office in a manner that allows the department to review the records.
- (2) Records for each outdoor preschool provider and staff member must include:
- (a) First and last name;
 - (b) Date of birth;
 - (c) Job title;
 - (d) First and last day of employment;
 - (e) Pursuant to standards 0100 through 0110, proof of professional credentials, requirements, and training for each outdoor preschool staff member.
- (3) A licensee, director, assistant director, or program supervisor must maintain in a confidential manner the records described in this subsection for each outdoor preschool provider and staff. These records must be reviewable by the department and must include at a minimum:
- (a) A copy of current government issued photo identification;
 - (b) Emergency contact information;
 - (c) Completed employment application or resume;
 - (d) Annual observation, evaluation, and feedback information; and
 - (e) The licensee's Social Security number, federal EIN, or a written document stating the licensee does not possess either.

0120 Providing for personal, professional, and health needs of staff.

- (1) A licensee must provide for the personal and professional needs of staff by:
 - (a) Having a secure place to store personal belongings that is inaccessible to children;
 - (b) Having a readily accessible phone to use for emergency calls or to contact the parents of enrolled children;
 - (c) Providing file and storage space for professional materials; and
 - (d) Providing for the toileting needs of outdoor preschool staff pursuant to the programs' toileting options policy.
- (2) An outdoor preschool provider must be excluded from the outdoor preschool premises when that provider's illness or condition poses a risk of spreading a harmful disease or compromising the health and safety of others. The illnesses and conditions that require a staff member to be excluded are pursuant to standard 0205.
- (3) If a staff person has not been vaccinated, or has not shown documented immunity to a vaccine preventable disease, that person may be required by the local health jurisdiction or the department to remain off-site during an outbreak of a contagious disease, as defined in WAC 246-110-010.
- (4) An outdoor preschool program's health policy must be consistent with WAC 246-110-0020, and pursuant to standard 0500, must include provisions for excluding or separating from the outdoor preschool program any children, staff, or volunteers who are infectious, or exposed and susceptible to a contagious disease.

ENVIRONMENT

Space and Furnishings

0130 Indoor early learning and permanently located outdoor classroom program space.

- (1) Outdoor preschool providers utilizing indoor licensed center or family-home early learning program space must meet all applicable licensing requirements, and the indoor early learning program space must be accessible to the provider and children during program operating hours.
- (2) Center or family home early learning program space, ramps, and handrails must comply with, be accessible to, and accommodate children and adults with disabilities as required by the Washington law against discrimination (chapter 49.60 RCW) and the ADA.
- (3) Indoor early learning program and permanently located outdoor classroom space must allow children to move between areas without disrupting another child's work or play.

0135 Routine care, play, learning, relaxation, and comfort.

- (1) An outdoor preschool program operating with a permanently located outdoor classroom must have accessible and child-size furniture and equipment in sufficient quantity for the number of children in care. Outdoor preschools may use picnic benches in sufficient quantity for the number of children in care, with adaptations to support children as needed, or provide alternative seating and surface options, such as blankets or logs.
- (2) If utilized by an outdoor preschool, furniture and equipment must be:
 - (a) Maintained in a safe working condition;
 - (b) Developmentally and age appropriate;
 - (c) Visually inspected at least weekly for hazards, broken parts, or damage. All equipment with hazardous, broken parts, or damage must be repaired as soon as possible and must be inaccessible to children until repairs are made according to the manufacturer's instructions, if available. Natural materials of an outdoor, nature-based preschool, such as logs and trees, must be inspected and any hazards that are not a result of the natural quality of the material must be mitigated, such as the removal of broken limbs from climbing trees;
 - (d) Arranged in a way that does not interfere with other play equipment;
 - (e) Installed and assembled according to manufacturer's specifications;
 - (f) Stored in a manner to prevent injury; and
 - (g) Accessible to the child's height so that he or she can find, use, and return materials independently,
 - (h) Subsections (2)(a) through (2)(g) may not apply to outdoor preschools operating in public areas where the equipment is not the property of the outdoor preschool provider and not intended for the use of preschool-age children.
- (3) Outdoor preschools must provide and maintain a space that is suitable for comfort and relaxation, pursuant to standard 0140(2) and (5).

0140 Room arrangement, child-related displays, private space, and belongings.

- (1) Early learning materials and equipment must be visible, accessible to children in care, and must be arranged to promote and encourage independent access by children. For outdoor preschools to comply with this requirement, the outdoor natural environment must provide age and developmentally appropriate materials for children, consistent with the program's curriculum philosophy.

- (2) An outdoor preschool provider must offer or allow a child to create a place for privacy. This space must:
 - (a) Allow the provider to supervise children; and
 - (b) Include an area accessible to children who seek or need time alone or in small groups.
- (3) An outdoor preschool provider must have extra clothing available for children who wet, soil, or have a need to change clothes. Pursuant to standard 0147, the outdoor preschool must ensure that children have the appropriate clothing for the weather and must have extra clothing available for children whose parent or guardian did not provide the appropriate clothing.
- (4) An outdoor preschool provider must designate storage space for each child's belongings while the child is in attendance. At a minimum, the space must be:
 - (a) Accessible to the child; and
 - (b) Large enough and spaced sufficiently apart from other storage space to:
 - i. Store the child's personal articles and clothing; and
 - ii. Promote or encourage children to organize their possessions.
- (5) Child usable and accessible areas must be arranged, or selected by an outdoor preschool, to provide sufficient space for routine care, child play, and learning activities. These areas must be designed, or selected by an outdoor preschool, to:
 - (a) Allow the provider to supervise or actively supervise the children, depending on the nature of the activities;
 - (b) Allow children to move freely; and
 - (c) Allow for different types of activities at the same time (for example: gross motor activity, natural sciences, dramatic play, music and movement, language and literacy learning, manipulatives and loose parts, and environmental literacy opportunities).

0145 Outdoor early learning program space and active play.

- (1) Outdoor preschool staff must inspect meeting spaces and permanently located outdoor classrooms or other commonly used spaces prior to children arriving, and have a method of addressing any hazards that become present in these or other spaces (such as, but not limited to, loose overhead branches, hazardous materials left in public spaces, or wildlife droppings).
- (2) Outdoor preschool program space must promote a variety of age and developmentally appropriate active play areas for children in care. Activities must encourage and promote both moderate and vigorous physical activity such as running, jumping, skipping, throwing, pedaling, pushing, pulling, kicking, and climbing.
- (3) Pursuant to standard 0358, outdoor preschools must have access to at least four-thousand square feet of natural space per child to support a nature-based curriculum.
 - (a) Within the four-thousand square feet of natural space the outdoor preschool provider must identify at least seventy-five square feet per child accessing the play space at any given time that is suitable for vigorous and active play and gross-motor activity.
 - (b) Pursuant to standard 0360, the outdoor preschool provider must ensure that the children are encouraged to engage in active play for at least thirty minutes of gross motor activity for every three hours the children are in attendance at the outdoor preschool.
- (4) An outdoor preschool program must have shaded areas in outdoor play space provided by trees, buildings, or shade structures. Pursuant to standard 0147, outdoor preschools engaging children in unshaded areas must notice and respond to the children's comfort and safety in all temperatures.

- (5) When moving between areas in the outdoor preschool program space, or when moving to and from a licensed indoor program space to the outdoor space, an outdoor preschool provider must identify and use safe routes and active supervision.
- (6) Outdoor preschools must meet the following requirements in their use of natural play spaces that are not enclosed by a fence, wall, or similar barrier:
 - (a) The outdoor preschool must establish boundaries with children in unenclosed spaces by using visual aids, such as webbing or tying ribbons on trees, in addition to the intentional teaching of boundaries to children required under standard 0310. These visual aids must not create a tripping, entrapment, or choking hazard.
 - (b) Outdoor preschools with permanently located outdoor classroom spaces must create barriers between children's play space and any immediately adjacent hazardous features, such as a ravine, cliff, road, or body of water not intended for water activity. These barriers may be made by natural materials and must be at least 22 inches tall. If public parks property used by an outdoor preschool does not meet these requirements, the provider must submit a supervision plan to the department.
- (7) An enclosed outdoor play area must meet licensing requirements of center or family home licensed childcare, unless otherwise stated in these standards to allow for a nature-based curriculum.

0146 Equipment and surfaces in outdoor early learning space.

- (1) Outdoor preschool providers may allow children to climb natural features, such as trees or boulders, and pursuant to standard 0471 and standard 0315, must use benefit-risk assessments to determine the appropriate methods to mitigate the potential for injury. To prevent injury to children, outdoor preschool providers must comply with the following requirements:
 - (a) Outdoor preschool staff members must remove hazardous objects and mitigate hazards whenever possible from the surrounding area where children might fall, such as removing rocks or covering stumps with sharp edges; and
 - (b) Outdoor preschool staff members must provide active supervision, be able to provide immediate assistance, and at least one staff-member must at all times be within reach of the midriff of any child that is climbing a natural feature above a height that would normally require protective barriers according to the Consumer Product Safety Commission (CPSC) guidelines (as now and hereafter amended), or 30 inches above the ground for preschool-age children.
- (2) Outdoor preschools must not use or install playground equipment that does not comply with the following:
 - (a) Playground equipment used by an outdoor preschool provider must comply with applicable Consumer Product Safety Commission (CPSC) guidelines (as now and hereafter amended) including, but not limited to, guidelines related to the installation, arrangement, design, construction, and maintenance of the outdoor play equipment and surface.
 - i. Climbing play equipment must not be placed on or above concrete, asphalt, packed soil, lumber, or similar hard surfaces;
 - ii. The ground under swings and play equipment must be covered by a shock absorbing material (grass alone is not an acceptable) such as:
 1. Pea gravel at least nine inches deep;
 2. Playground wood chips at least nine inches deep;

3. Shredded recycled rubber at least six inches deep; or
 4. Any material that has a certificate of compliance, label, or documentation stating it meets ASTM standards F1292-13 and F2223-10.
- (b) Permanently anchored outdoor play equipment must not be placed over septic tank areas or drain fields, and must be installed according to the manufacturer's directions.
 - (c) Handmade playground equipment must be maintained for safety or removed when no longer safe. Prior to construction of new handmade playground equipment, the provider must notify the department and have plans and a materials list available upon request.
 - (d) Bouncing equipment including, but not limited to, trampolines, rebounders and inflatable equipment must be inaccessible and locked. This requirement does not apply to bounce balls designed to be used by individual children.

0147 Weather conditions and outdoor hazards.

- (1) An outdoor preschool provider must observe weather conditions and other possible hazards to take appropriate action for child health and safety. Conditions that pose a health or safety risk may include, but are not limited to:
 - (a) Heat in excess of 100 degrees Fahrenheit or pursuant to advice of the local authority;
 - (b) Cold less than 20 degrees Fahrenheit, or pursuant to advice of the local authority;
 - (c) Lightning storm, tornado, hurricane, or flooding if there is immediate or likely danger;
 - (d) Earthquake;
 - (e) Air quality emergency ordered by a local or state authority on air quality or public health;
 - (f) Lockdown notification ordered by a public safety authority; and
 - (g) Other similar incidents.
- (2) An outdoor preschool provider must dress children for weather conditions during outdoor program time. Outdoor preschools must ensure all children have appropriate clothing for the time spent outdoors and have extra clothing to meet children's comfort and safety needs throughout the day, as needed. This must include rainy or cold weather clothing such as waterproof boots, rain pants, rain jacket, a moisture-wicking layer, two sets of gloves, and a hat to keep the child's head dry and warm.
- (3) Outdoor preschools must have a required clothing policy or program to loan the appropriate equipment to children, which must be included in the parent or guardian handbook pursuant to standard 0471. Outdoor preschool providers must work with families that require assistance in meeting their child's clothing needs.
- (4) Outdoor preschool providers must remain aware of the children's verbal and non-verbal cues regarding their warmth and comfort and respond appropriately to ensure the children's health and safety. These responses may include, but are not limited to:
 - (a) Keeping children active and moving in cold weather;
 - (b) Resting in shaded areas to cool off; and
 - (c) Assisting children to remove or add layers of clothing, while supporting their development of self-regulation skills.

0148 Gardens in outdoor early learning program space.

- (1) A garden in outdoor preschool program space must:

- (a) Have safeguards in place to minimize risk of cross-contamination by animals;
- (b) Use soil free from agricultural or industrial contaminants such as lead or arsenic if gardening directly in the ground;
- (c) If gardening in raised beds:
 - i. Use new soil that is labeled “organic” or “safe for children” and was obtained from a gardening supply or other retail store; or
 - ii. Use composted soil made from material that is safe according to the Washington State University’s Extension Master Gardener composting guidelines; and
 - iii. Use water that comes from a private well approved by the local health jurisdiction or from a public water system. An outdoor preschool provider must make water for gardens inaccessible to children if the provider uses irrigation water.
- (2) Garden beds must not be made of materials that leach chemicals into the soil including, but not limited to, wood treated with chromated copper arsenate, creosote or pentachlorophenol, reclaimed railroad ties, or tires.
- (3) Any herbicide or pesticide must be applied pursuant to the product manufacturer’s directions. The product must not be applied while children are present. Children must not apply the product or have access to the garden during the manufacturer’s prescribed waiting period following application.
- (4) Commonplace toxic plants or plants with poisonous leaves (for example: tomato, potato, or rhubarb) may be grown in the garden. An outdoor preschool provider must actively supervise children who are able to access a garden where commonplace toxic plants or plants with poisonous leaves are growing.

ACTIVITIES

0150 Program and activities.

- (1) An outdoor preschool provider must supply children in care with early learning materials that are age and developmentally appropriate. For each age group of children in care, a provider must supply a variety of materials that satisfy individual, developmental, and cultural needs. Outdoor preschools that choose to supplement abundant natural resources with additional early learning materials in the outdoors must ensure those materials comply with the rules of this section. Early learning materials must be:
 - (a) Clean;
 - (b) Washable or disposable;
 - (c) Accommodating to a range of abilities of children in care;
 - (d) Available to children in care appropriate to a child's age and developmental level;
 - (e) Nonpoisonous and free of toxins. If an early learning provider is using prepackaged art materials, the materials must be labeled "non-toxic" and meet ASTM standard D-4236 as described in 16 C.F.R. 1500.14(b)(8)(i);
 - (f) In good and safe working condition;
 - (g) Accommodating to special needs of children in care; and
 - (h) Removed from the early learning program space once the Consumer Product Safety Commission (CPSC) has recalled an item.
 - (i) Outdoor preschool programs that utilize an indoor early learning program space may provide natural materials to children to support the nature-based curriculum that, as organic matter, may not be able to meet the requirements described in subsections

- (1)(a) or (1)(b) of this section. For example decomposing logs or leaves. Such materials must be nonpoisonous and free of toxins; and when being used by the children, the children must be actively supervised.
- (2) An outdoor preschool provider must ensure a sufficient quantity and variety of materials to engage children in the outdoor preschool program (for example: Arts and crafts supplies, various textured materials, construction materials, manipulative materials, music and sound devices, and books). Outdoor preschool providers may choose to use natural materials for these purposes if sufficient in quantity and variety to engage children in the outdoor preschool program. Materials must:
- (a) Encourage both active physical play and quiet play activities;
 - (b) Promote imagination and creativity;
 - (c) Promote language development and literacy skills;
 - (d) Promote numeracy (counting and numbers) and spatial ability;
 - (e) Encourage discovery and exploration; and
 - (f) Promote learning skills.

0155 Use of television, video, and computers.

If an outdoor preschool provider offers screen time to children in care:

- (1) The screen time available for each child:
 - (a) Must be educational, developmentally and age appropriate, nonviolent, and culturally sensitive; and
 - (b) Should be interactive with staff.
- (2) Children must not be required to participate in screen time activities. Alternative activities must be provided to children in care when screen time is offered.
- (3) Screen time must not occur during scheduled meals or snacks.
- (4) Total screen time must not exceed two and one-half hours per week for preschool-age children in full-day care (one and one-quarter hours per child in half-day care).

0160 Promoting diversity and belonging.

- (1) An outdoor preschool provider must provide culturally and racially diverse learning opportunities. Diverse learning opportunities must be demonstrated by the provider's curriculum, activities, and materials that represent all children, families, staff, and the local Native American tribe(s), such as:
 - (a) Diverse dolls, books, pictures, games, or materials that do not reinforce stereotypes;
 - (b) Diverse music from many cultures in children's primary languages; and
 - (c) A balance of different ethnic and cultural groups, ages, abilities, family styles, and genders.
- (2) An outdoor preschool provider must contact the local Native American tribe(s) to begin a partnership, recognizing tribal sovereignty and incorporating cultural materials or practices, as appropriate.
- (3) An outdoor preschool provider must provide learning opportunities that incorporate elements of tribally approved curriculum, such as Washington's Since Time Immemorial early learning curriculum (<https://www.dcyf.wa.gov/tribal-relations/since-time-immemorial>).
- (4) An outdoor preschool provider must intervene appropriately to stop biased behavior displayed by children or adults including, but not limited to:
 - (a) Redirecting an inappropriate conversation or behavior;

- (b) Being aware of situations that may involve bias and responding appropriately; and
- (c) Refusing to ignore bias.

SAFETY

0165 Safety requirements.

- (1) An outdoor preschool provider must keep indoor and outdoor early learning program space, materials, and equipment free from hazards and in safe working condition. Hazards inherent to the natural physical features of the outdoors must be mitigated according to the requirements contained in these standards. Equipment and toys used by the outdoor program must be compliant with the Consumer Product Safety Commission's (CPSC) guidelines, or the ASTM standards. Playground equipment and surfaces must comply with the requirements described in standard 0146.
- (2) An outdoor preschool provider must take steps to prevent hazards to children including, but not limited to:
 - (a) Pursuant to RCW 43.216.380, eliminating and not using in the licensed space any window blinds or other window coverings with pull cords or inner cords capable of forming a loop and posing a risk of strangulation to children.
 - i. Window blinds and other window coverings that have been manufactured or properly retrofitted in a manner that eliminates the formation of loops posing a risk of strangulation are allowed; and
 - ii. A window covering must not be secured to the frame of a window or door used as an emergency exit in a way that would prevent the window or door from opening easily.
 - (b) Making inaccessible to children straps, strings, cords, wires, or similar items capable of forming a loop around a child's neck that are not used during supervised outdoor preschool program activities;
 - (c) Making inaccessible to children plastic bags and other suffocation hazards;
 - (d) Ensuring firearms, guns, weapons, and ammunition are not on the premises of an outdoor preschool program. Firearms, guns, weapons, and ammunition on the premises of a family home early learning program with an outdoor preschool program component must be stored in a locked gun safe or locked room inaccessible to children. If stored in a locked room, each gun must be stored unloaded and with a trigger lock or other disabling device. The locked room must be inaccessible to children at all times;
 - (e) Preventing children from walking into or through a glass door, window, or other glass barrier, by placing stickers or art work at the children's eye level on the glass; and
 - (f) Indoor climbing structures must not be placed next to windows, to prevent harm from shattered glass, unless the window is made of safety glass.
- (3) An outdoor preschool provider must take steps to prevent hazards to children in care, including hazards inherent to the natural physical features of the outdoors. Pursuant to standard 0471, such inherent hazards must be mitigated or lessened by close supervision, and the implementation of benefit-risk assessments and risk management plans. In addition, the outdoor preschool provider must take the following measures to prevent hazards to children in care:
 - (a) **Cuts, abrasions, and punctures.** Equipment, materials, and other objects on the premises that have sharp edges, protruding nails, bolts, or other dangers must be repaired,

removed, or made inaccessible to children. Outdoor preschools utilizing natural wooden materials in furniture or learning resources must utilize appropriate supervision or adequate management, such as sanding sharp edges.

- (b) **Burns.** Equipment, materials, or products that may be hot enough to injure a child must be made inaccessible to children. Pursuant to standard 0351, children in outdoor preschools may have access to campfires.
 - (c) **Sheering, crushing, or pinching.** Broken or cracked equipment, materials, and objects must be repaired, removed, or made inaccessible to children;
 - (d) **Entrapment.** Freezers, refrigerators, washers, dryers, compost bins, and other entrapment dangers must be inaccessible to children unless being actively supervised;
 - (e) **Tripping.** Tripping hazards such as uneven walkways, damaged flooring or carpeting, or other tripping hazards must be removed or repaired;
 - (f) **Falling objects.** Large objects that pose a risk of falling or tipping must be securely anchored. Large objects include, but are not limited to, televisions, dressers, bookshelves, wall cabinets, sideboards or hutches, and wall units; and
 - (g) **Equipment in poor condition.** Equipment in poor condition (rusty parts, flaking paint, or other dangers) must be repaired, removed, or made inaccessible to children.
- (4) An outdoor preschool operating an indoor childcare center program or family home program must comply with the following licensing space standards and requirements:
- (a) **Indoor temperatures for the premises.** The temperature of indoor early learning program space must be between sixty-five and eighty-two degrees Fahrenheit. If indoor licensed space is colder than sixty-five or hotter than eighty-two degrees Fahrenheit, an early learning provider must use climate control devices that are inaccessible to children to bring the temperature within the required range.
 - (b) **Window openings.** Windows within the reach of children must only open up to three and one-half inches or have some barrier or preventative measure to discourage children from exiting through the window;
 - (c) **Licensed space lighting.** Indoor early learning program space must have natural or artificial light that provides appropriate illumination for early learning program activities and supervision. An outdoor preschool provider operating on private land must comply with all light fixture manufacturers' installation and use requirements, and must also ensure compliance with the following requirements:
 - i. Light fixtures must have shatter-resistant covers or light bulbs;
 - ii. Lights or light fixtures used indoors must be designed for indoor use only;
 - iii. Free standing lamps must be attached or secured to prevent tipping; and
 - iv. Halogen lamps and bulbs are prohibited.
 - (d) **Safe noise levels.** Noise levels must be maintained at a level in which a normal conversation may occur;
 - (e) **Safe water temperature.** All water accessible to enrolled children must not be hotter than one-hundred and twenty degrees Fahrenheit;
 - (f) **Stairway safety.**
 - i. There must not be clutter or obstructions in the stairway;
 - ii. Pursuant to chapter 19.27 RCW all stairways (indoor and outdoor), not including play structures, must comply with all building code requirements. Outdoor Preschools operating in public parks where park features are pre-established, teachers must use benefit-risk assessments for using stair structures.

- (A) Open stairways with no walls on either side must have handrails with slats (balusters) that prevent a child from falling off either side of the stairway.
 - (B) Stairways with a wall on only one side must have a handrail with slats (balusters) on the side without the wall that prevents a child from falling off the stairway.
 - (C) Stairways with a wall on both sides must have a handrail no higher than thirty-eight inches on at least one side of the stairway.
- iii. Openings between slats on pressure or safety gates must not be large enough to allow a sphere that is three and one-half inches wide to pass through.
- (g) **Platforms and decks.** Pursuant to chapter 19.27 RCW, all platforms and decks used for child care activities must comply with all building codes. All platforms and decks with a drop zone of more than eighteen inches must have guardrails in sections without steps.
- (h) **Electrical requirements.** To ensure a safe environment for children in care, an outdoor preschool provider must comply with the following electrical requirements:
- i. In areas accessible to children, electrical outlets must have automatic shutters that only allow electrical plugs to be inserted (tamper-resistant) or that are covered by blank plates or other tamper-resistant covers appropriate to the electrical outlet;
 - ii. Outlets near sinks, tubs, toilets, or other water sources must be inaccessible to children or be tamper-resistant and equipped with a ground fault circuit interrupter (GFCI) outlet type;
 - iii. Electrical cords must be in good working condition, not torn or frayed, and not have any exposed wires;
 - iv. Electrical cords must be plugged directly into a wall outlet or a surge protector;
 - v. Power strips with surge protectors may be used but must not be accessible to children in care;
 - vi. Extension cords may only be used for a brief, temporary purpose and must not replace direct wiring; and
 - vii. Electrical devices accessible to children must not be plugged into an electrical outlet near a water source such as sink, tub, water table, or swimming pool.
 - viii. For outdoor Preschools operating in public parks where park features are pre-established, teachers must use benefit-risk assessments for using areas with access to electricity.

0166 Emergency preparation and exiting.

- (1) To be properly prepared for an emergency, an outdoor preschool program must have an emergency preparedness plan pursuant to standard 0470.
- (2) An outdoor preschool provider must have the following in case of an emergency:
 - (a) A working flashlight or other emergency lighting device must be available for use as an emergency light source. Battery powered flashlights must have an extra set of batteries easily available; and
 - (b) A working telephone must be available for use with sufficient backup power to function for at least five hours.

- (3) To ensure a safe exit from indoor premises during an emergency, outdoor preschools must comply with the following requirements:
- (a) Indoor locks for emergency exit doors must remain unlocked from the inside, but may be locked from the outside while the early learning program is open. The door handle must be of the type that can be opened from the inside without the use of a key, tools, or special knowledge, and must automatically unlock when the knob or handle is turned.
 - (b) Exit doors not designated as an emergency exit door may be locked during operating hours. Locking interior doors in early learning program space must be designed to be unlocked from either side. An unlocking device must be readily available.
 - (c) Exit doors must not be partially or entirely blocked.

0170 Fire safety.

- (1) Pursuant to RCW 19.27.031, an outdoor preschool provider must comply with the state building code.
- (2) An outdoor preschool provider must arrange for a fire safety inspection annually. A provider must arrange a fire safety inspection with a local government agency. If a local government agency is not available to conduct a fire safety inspection, a provider must inspect for fire safety using the state fire marshal form. Outdoor preschools operating on public park-land must communicate with the park director regarding fire safety or building inspections of any buildings in use by the outdoor preschool, and ensure that fire inspections occur annually or submit a report to the department.
- (3) To ensure a safe environment for children in care, an outdoor preschool provider must comply with all applicable fire safety requirements. Outdoor preschools must also comply with the following:
 - (a) **Combustible materials.**
 - i. Combustible materials must be properly discarded pursuant to local jurisdiction requirements, removed from the premises, or properly stored in closed metal containers specifically designed to hold such combustible materials;
 - ii. Combustible materials stored in a closed metal container must not be stored in any place that may be accessible to children in care;
 - iii. Combustible materials include, but are not limited to, lint, gasoline, natural gas, diesel, fuel, propane, rags soaked in combustible materials, oils, chemicals, or solvents.
 - (b) **Furnaces and other heating devices.**
 - i. Paper, rubbish, or other combustible materials must be at least three feet from furnaces, fireplaces, campfires, or other heating devices;
 - ii. An appliance or heating device that has a surface capable of burning a child or reaching 110 degrees Fahrenheit must be inaccessible to children in care unless a program activity involves such appliance or device and children are being actively supervised.
 - (c) **Open flame devices, candles, matches and lighters.**
 - i. Except for the use of a gas kitchen range, a camp stove that is in compliance with the requirements described in standard 0195, or a campfire that is in compliance with the requirements described in standard 0351, open flame devices must not be used during operating hours in early learning program space or any other space accessible to children in care;

- ii. Candles must not be used during operating hours;
 - iii. Matches and lighters must be inaccessible to children.
- (d) **Portable heaters and generators.** Portable heaters or fuel powered generators must not be used inside early learning program space during operating hours.
- i. In case of an emergency, a generator may be used but must be placed at least fifteen feet from buildings, windows, doors, ventilation intakes, or other places where exhaust fumes may be vented into the early learning space; and
 - ii. Appliances must be plugged directly into a generator or into a heavy duty outdoor-rated extension cord that is plugged into a generator.
 - iii. When necessary, portable heaters may be used by outdoor preschools for the purposes of keeping children warm in cold weather. If the heating device reaches over one-hundred ten degrees Fahrenheit, children must be actively supervised, and children must remain out of reach of the heater to avoid accidental burns.
- (e) **Fireplaces, woodstoves, or similar wood burning heating devices.** Chimneys, fireplaces, gas burning fireplaces, wood stoves or similar wood-burning devices and fire pits must be inspected annually by a state or locally certified inspector, unless the provider submits to the department a written statement that the chimney, fireplace, wood stove or similar wood-burning device will not be used at any time. An outdoor preschool operating on public land does not have to provide inspection certificates for publicly provided fire pits or wood burning barbeques.
- (f) **Extinguishers.** An outdoor preschool provider operating with an indoor early learning program or engaging in campfire or outdoor cooking activity must have and maintain working fire extinguishers that are marked with a minimum rating of 2A:10 BC.
- i. Fire extinguishers must be readily available for use in case of an emergency;
 - ii. For outdoor preschools operating in a public park location that does not allow the use of fire extinguishers due to the impact on the water table, alternative fire suppression equipment, such as buckets of water, must be available.

0175 Water hazards and swimming pools.

To prevent injury or drowning and ensure the health and safety of children, an outdoor preschool provider must comply with the requirements described in this section.

- (1) The following bodies of water must be inaccessible to children in care by using a physical barrier with a locking mechanism:
 - (a) Swimming pools when not being used as part of the outdoor preschool program, hot tubs, spas and jet tubs;
 - (b) Uncovered wells, septic tanks, wastewater, wastewater tanks, below grade storage tanks, farm manure ponds or other similar hazards.
- (2) Outdoor preschools operating near a natural body of water must only provide a barrier to adjacent bodies of water pursuant to standard 0145, and must provide adequate active supervision pursuant to standard 0350.
- (3) An outdoor preschool provider must comply with the following requirements when using a swimming pool as part of the outdoor preschool program:
 - (a) Comply with the supervision requirements described in standard 0350;

- (b) Audible alarms must be on all doors, screens, and gates in licensed areas that lead to a swimming pool. The alarm must be sufficient to warn staff when children enter the outdoor area and could access the swimming pool;
 - (c) Swimming pools must be maintained according to manufacturer specifications;
 - (d) Swimming pools must be cleaned and sanitized according to manufacturer instructions and department of health or local health jurisdiction guidelines;
 - (e) A swimming pool must not be used if the main drain cover is missing; and
 - (f) Children in diapers or toilet training must wear swim pants to lower the risk of contaminating the water.
- (4) Filtered wading pools must be inaccessible to children when not in use. Wading pools that do not have a filtering system are not permitted in the outdoor preschool program space.
 - (5) If an outdoor preschool provider uses water tables or similar containers, the tables or containers must be emptied and sanitized daily, or more often if necessary.

FOOD AND NUTRITION

0180 Meal and snack schedule.

- (1) An outdoor preschool provider must serve meals and snacks to children in care as follows:
 - (a) Meals and snacks must be served not less than two hours and not more than three hours apart unless the child is asleep;
 - (b) Children in care for five to nine hours:
 - i. At least one meal and two snacks; or
 - ii. Two meals and one snack.
 - (c) Children in care for more than nine hours:
 - i. Two meals and two snacks; or
 - ii. Three snacks and one meal.
- (2) An outdoor preschool provider must offer children the opportunity for developmentally appropriate tooth brushing activities after each meal or snack.
 - (a) Tooth brushing activities must be safe, sanitary, and educational.
 - (b) Toothbrushes used in an outdoor preschool program must be stored in a manner that prevents cross contamination.
 - (c) The parent or guardian of a child may opt out of the daily tooth brushing activities by signing a written form.
 - (d) Outdoor preschools may elect to offer tooth brushing education in lieu of a tooth brushing opportunity if there is no way to provide tooth brushing in a safe and sanitary manner.

0185 Menus, milk, and food.

To ensure proper nutrition of children in care, an outdoor preschool provider must comply with the child nutrition requirements described in this section.

- (1) Meals, snack foods, and beverages provided to children in care must comply with the requirements contained in the most current edition of the *USDA Child and Adult Care Food Program (CACFP) Handbook*, or the *USDA National School Lunch and School Breakfast Program* standards.
 - (a) An outdoor preschool provider must supply dated menus.
 - (b) Food and beverage substitutions to a scheduled menu must be of equal nutritional value.

- (c) An outdoor preschool provider must only serve water, unflavored milk or one hundred percent fruit or vegetable juice.
 - (d) An outdoor preschool provider must limit the consumption of one hundred percent fruit juice to no more than four to six ounces per day for children between one and six years old, and eight to twelve ounces per day for children seven through twelve years old.
- (2) An outdoor preschool provider must serve a fruit or vegetable as one of the two required components during at least one snack per day.

0186 Food allergies and special dietary needs.

- (1) An outdoor preschool provider must obtain written instructions (the individual care plan) from the child's health care provider and parent or guardian when caring for a child with a known food allergy or special dietary requirement due to a health condition. Pursuant to standard 0300 the individual care plan must:
 - (a) Identify foods that must not be consumed by the child and steps to take in the case of an unintended allergic reaction;
 - (b) Identify foods that can substitute for allergenic foods; and
 - (c) Provide a specific treatment plan for the outdoor preschool provider to follow in response to an allergic reaction. The specific treatment plan must include the:
 - i. Names of all medication to be administered;
 - ii. Directions for how to administer the medication;
 - iii. Directions related to medication dosage amounts; and
 - iv. Description of allergic reactions and symptoms associated with the child's particular allergies.
- (2) An outdoor preschool provider must arrange with the parents or guardians of a child in care to ensure the outdoor preschool program has the necessary medication, training, and equipment to properly manage a child's food allergies.
- (3) If a child suffers from an allergic reaction, the outdoor preschool provider must immediately:
 - (a) Administer medication pursuant to the instructions in that child's individual care plan;
 - (b) Contact 911 whenever epinephrine or other lifesaving medication has been administered; and
 - (c) Notify the parents or guardians of a child if it is suspected or appears that any of the following occurred, or is occurring:
 - i. The child is having an allergic reaction; or
 - ii. The child consumed or came in contact with a food identified by the parents or guardians that must not be consumed by the child, even if the child is not having or did not have an allergic reaction.
- (4) Outdoor preschool providers must review each child's individual care plan information for food allergies prior to serving food to children.

0190 Parent or guardian provided food and written food plans.

- (1) A written food plan must be developed by the provider and a child's parent or guardian, signed by all parties, and followed when accommodating a child's:
 - (a) Special feeding needs;
 - (b) Special diets;
 - (c) Religious or cultural preferences;
 - (d) Family preference; or

- (e) Other needs.
- (2) An outdoor preschool provider may allow or require parents or guardians to bring food for their child.
- (3) If a parent or guardian provides meals for their child, an outdoor preschool provider must:
 - (a) Notify the parent or guardian in writing of the USDA CACFP requirements for each meal; and
 - (b) If necessary, supplement a child's meal that does not comply with USDA CACFP requirements.
- (4) On special occasions, such as birthdays, an outdoor preschool provider may allow parents or guardians to bring in snacks that may not satisfy the nutritional requirements for all children. The snacks provided must be limited to:
 - (a) Store purchased fruits and vegetables (uncut);
 - (b) Foods prepackaged in the original manufacturer containers; or
 - (c) Snacks prepared, cooked, or baked at home by parents or guardians of a child in care. Prior to serving, an outdoor preschool provider must receive written permission from each child's parent or guardian stating their child may consume food prepared, cooked, or baked by another child's parent or guardian.

0195 Food service, equipment, and practices.

- (1) An outdoor preschool provider preparing or serving food must comply with the current department of health *Washington State Food and Beverage Workers' Manual* and supervise services that prepare or deliver food to the outdoor preschool program.
- (2) Unless the food is provided pursuant to standard 0196(3), snacks and meals must be prepared and served by an outdoor preschool provider that possesses a valid and current food worker card pursuant to standard 0106 (11).
- (3) An outdoor preschool provider must:
 - (a) Supply durable and developmentally appropriate individual eating and drinking equipment, or developmentally appropriate single use disposable items.
 - (b) Clean and sanitize eating and drinking equipment after each use. Water cups or bottles must be cleaned and sanitized daily if designated for a single child.
 - (c) Ensure plastic eating and drinking equipment does not contain BPA (a chemical used in hard plastic bottles and as a protective lining in food and beverage cans) or have cracks or chips.
 - (d) Use gloves, utensils, or tongs to serve food.
 - (e) If appropriate, serve meals or snacks on plates, dishware, containers, trays, or napkins or paper towels. Food should not be served directly on the eating surface.
 - (f) Be respectful of each child's cultural food practices.
- (4) An outdoor preschool provider must:
 - (a) Serve each child individually or serve family style dining, allowing each child the opportunity to practice skills such as passing shared serving bowls and serving themselves; and
 - (b) Sit with children during meals.
- (5) Outdoor preschools may use campstoves that comply with applicable regulations to heat or cook food for children. Children that are in the cooking area (within 3 feet of the camp-stove) must be actively supervised. Supervision for any child engaged in a cooking activity must be

based on a one-to-one (1:1) staff-to-child ratio; and the staff member must remain within arms' reach of the child at all times.

0196 Food sources.

- (1) Food prepared and served from an outdoor preschool program must not be tampered with or spoiled.
- (2) Food prepared and served from an outdoor preschool program must be obtained from an approved source licensed and inspected by the local health jurisdiction, the Washington state department of agriculture (WSDA), or the USDA. Food items not approved to be served to children in care include:
 - (a) Meat, fish, poultry, eggs, or milk that has not been inspected by the USDA or WSDA;
 - (b) Eggs collected from chickens that are kept as part of a nature-based outdoor preschool, but do not comply with the requirements contained in subsection (5) of this section;
 - (c) Home canned food;
 - (d) Game meat or other meat that has not been inspected by the WSDA or USDA;
 - (e) Leftover food that was previously served from outside of the outdoor preschool program; or
 - (f) Food from roadside stands selling food without a permit.
- (3) Pursuant to standard 0195(2) food not prepared on-site by an outdoor preschool provider must be provided by:
 - (a) A licensed food service establishment, kitchen, or catering business that is in compliance with department of health food service requirements (chapter 246-215 WAC) and is regularly inspected by a local health jurisdiction;
 - (b) A parent or guardian for his or her own children; or
 - (c) A manufacturer of prepackaged food.
- (4) Fruits and vegetables (produce) grown on-site in a garden as part of an outdoor preschool program may be served to children as part of a meal or snack. Prior to preparing and serving:
 - (a) The produce must be thoroughly washed and scrubbed in cold running water to remove soil and other contaminants;
 - (b) Damaged or bruised areas on the produce must be removed; and
 - (c) Produce that shows signs of rotting must be discarded.
- (5) Eggs that have been laid on-site in a coop as part of a nature-based outdoor preschool program, such as a farm-based program, may only be served to children in care if:
 - (a) The eggs have been laid in a coop that is inaccessible to the public.
 - (b) The eggs are gathered twice a day.
 - (c) The coop and the eggs must be kept under eighty degrees Fahrenheit. Coops must have their temperatures monitored daily, and when the coop temperature or egg temperature is above eighty degrees Fahrenheit, the eggs cannot be served to children.
 - (d) The eggs must be washed according to the facilities and handling guidelines of the WSDA Shell Egg Producer Guidelines for Off-Farm Sales.
 - (e) Written permission from the child's parent must be obtained before the child may consume the eggs or participate in the collection activities.

0197 Safe food practices.

- (1) Pursuant to standard 0200, outdoor preschool providers must wash their hands.
- (2) Outdoor preschool providers must store, prepare, cook, hold food, and wash dishes, pursuant to the requirements described in standards 0195 through 0198.
- (3) For all foods offered by the provider or given to an enrolled child by a parent or guardian, the provider must:
 - (a) Provide appropriate refrigeration to preserve foods from spoiling. Foods that may be subject to spoiling include, but are not limited to, meats, cooked potatoes, cooked legumes, cooked rice, sprouts, cut melons, cut cantaloupes, milk, and cheese; and
 - (b) Refrigerate foods requiring refrigeration at forty-one degrees Fahrenheit or less, and freeze foods required to be frozen at ten degrees Fahrenheit or less.
- (4) Food must be stored as follows:
 - (a) In original containers or in clean, labeled, dated, and airtight food grade containers, if appropriate;
 - (b) Food not required to be refrigerated or frozen must not be stored directly on the floor;
 - (c) In a manner that prevents contamination;
 - (d) Food and food service items (such as utensils, napkins, and dishes) must not be stored in an area with toxic materials (such as cleaning supplies, paint, or pesticides);
 - (e) Food that is past the manufacturer's expiration or "best served by" date must not be served to enrolled children;
 - (f) Raw meat must be stored in the refrigerator or freezer below cooked or ready to eat foods; and
 - (g) To keep food below a temperature of forty-one degrees Fahrenheit, outdoor preschools may store food in a cooler using ice or icepacks.
- (5) For food requiring temperature control, an outdoor preschool program must maintain a food temperature log by using a calibrated and working metal stem-type or digital food thermometer.
- (6) Prior to storing leftover food in a refrigerator or freezer, an outdoor preschool provider must label the food with the date the leftover food was opened or cooked.
- (7) An outdoor preschool provider may serve leftover food that originated from the outdoor preschool program if the leftover food was not previously served and complies with the following:
 - (a) Refrigerated leftover food must be stored and then served again within forty-eight hours of originally being prepared; or
 - (b) Frozen leftover food must be promptly served after thawing and being cooked.
- (8) Frozen food must be thawed by one of the following methods:
 - (a) In a refrigerator;
 - (b) Under cool running water inside a pan placed in a sink with the drain plug removed; or
 - (c) In a microwave if the food is to be cooked as part of the continuous cooking process.

0198 Food preparation areas.

- (1) Pursuant to standard 0241(1) and (2), an outdoor preschool provider or staff person must clean and sanitize food preparation areas and eating surfaces before and after each use.
- (2) Outdoor preschool providers must comply with all licensing requirements that pertain to indoor early learning program food preparation areas. If storing, preparing and serving food outdoors without an outdoor kitchen area, the outdoor preschool provider must:

- (a) Use a cooler with ice or ice packs as needed to store food according to the current Washington State Food and Beverage Workers' Manual prepared by DOH; and
 - (b) Use temporary food preparation surfaces, such as a cutting board on a clean tarp, and these surfaces must be:
 - i. Maintained in good repair including, but not limited to, being properly sealed without chips, cracks, or tears; and
 - ii. Moisture resistant.
- (3) An outdoor kitchen area may be used to prepare and serve food. The outdoor kitchen area must:
- (a) Be maintained in good repair including, but not limited to, ensuring that the surfaces are moisture resistant, and are properly sealed without chips, cracks, or tears.
 - (b) Have at least eight feet between the food preparation area and any diaper changing tables or counters and sinks used for diaper changing;
 - (c) Be clean and have a sanitized sink immediately before using it to prepare food to be served to children in care;
 - (d) Use a colander or other method to prevent food and kitchen utensils from touching the sink basin; and
 - (e) Include clean dishes, pans, baby bottles, and kitchen utensils.
- (4) Outdoor preschool providers that prepare or serve food must have a method to clean and sanitize dishes, pans, kitchen utensils, and equipment as follows:
- (a) Dishes, pans, kitchen utensils, and equipment may be washed and rinsed by hand, and sanitized by allowing to air dry;
 - (b) Dishes, pans, kitchen utensils, and equipment may be washed and rinsed in a two-compartment sink;
 - (c) Dishes, pans, kitchen utensils, and equipment may be washed and rinsed using the three-compartment sink method (sink one is used to wash, sink two is used to rinse, sink three contains a sanitizer, and the dishes are allowed to air dry);
 - (d) Dishes, pans, kitchen utensils, and equipment may be washed and rinsed using an automatic dishwasher that sanitizes with heat or chemicals.
- (5) If an outdoor preschool program has a practice where staff are storing or washing food at their private residence, the outdoor preschool must have a policy to ensure staff are aware of the requirements of this section. This practice must be included in the parent handbook.

HEALTH PRACTICES

0200 Handwashing and hand sanitizer.

- (1) Outdoor preschool providers must comply with the following handwashing procedures or those defined by the United States Center for Disease Control and Prevention, and children should strongly be encouraged to:
- (a) Wet hands with warm water;
 - (b) Apply soap to the hands;
 - (c) Rub hands together to wash for at least twenty seconds;
 - (d) Thoroughly rinse hands with water;
 - (e) Dry hands with a paper towel, single-use cloth towel, or air hand dryer. Outdoor preschools may use cotton roll towels, or otherwise ensure that children do not use the same part of re-usable cloth towels;

- (f) Turn water faucet off using a paper towel or single-use cloth towel unless it turns off automatically; and
 - (g) Properly discard paper single-use cloth towels after each use.
 - (h) Outdoor preschools with a permanently located outdoor classroom must provide children with an opportunity to wash hands and rinse using running water after toileting and before eating, and warm water is encouraged. Hand sanitizer may be used only after soil and dirt have been cleaned from the hands.
- (2) An outdoor preschool provider must wash and sanitize cloth towels after a single use. Soiled and used towels must be inaccessible to children.
- (3) To prevent children from being burned, air hand dryers must have a heat guard (barrier that prevents user from touching heating element) and be equipped to turn off automatically.
- (4) Outdoor preschool providers must wash their hands, following the handwashing procedures described in subsection (1) of this section, under the following circumstances:
- (a) When arriving at work;
 - (b) After toileting a child;
 - (c) Before and after diapering a child (use a wet wipe in place of handwashing during the middle of diapering if needed);
 - (d) After personal toileting;
 - (e) After attending to an ill child;
 - (f) Before and after preparing, serving, or eating food;
 - (g) Before preparing bottles;
 - (h) After handling raw or undercooked meat, poultry, or fish;
 - (i) Before and after giving medication or applying topical ointment;
 - (j) After handling or feeding animals, handling an animal's toys or equipment, or cleaning up after animals;
 - (k) After handling bodily fluids;
 - (l) After using tobacco or vapor products;
 - (m) After being outdoors;
 - (n) After gardening activities;
 - (o) After handling garbage and garbage receptacles; and
 - (p) As needed or required by the circumstances.
- (5) Following the handwashing procedures described in subsection (1) of this section, Outdoor preschool providers must direct, assist, teach, and coach, children to wash their hands, under the following circumstances:
- (a) When arriving at the outdoor preschool program
 - (b) After using the toilet;
 - (c) After diapering;
 - (d) After outdoor play and upon entering an indoor early learning space;
 - (e) After gardening activities;
 - (f) After playing with animals;
 - (g) After touching body fluids such as blood or after nose blowing or sneezing;
 - (h) Before and after eating or participating in food activities including table setting; and
 - (i) As needed or required by the circumstances.
- (6) Hand sanitizers or hand wipes with alcohol may be used for adults and children over twenty-four months of age under the following conditions:
- (a) When proper handwashing facilities are not available; and

- (b) Hands are not visibly soiled or dirty.
- (7) Children must be actively supervised when using hand sanitizers to avoid ingestion or contact with eyes, nose, or mouth.
 - (a) Hand sanitizer must not be used in place of proper handwashing.
 - (b) An alcohol-based hand sanitizer must contain sixty to ninety percent alcohol to be effective.

0205 Child, staff, and household member illness.

- (1) An outdoor preschool provider must observe all children for signs of illness when they arrive at the outdoor preschool program and throughout the day. As soon as possible parents or guardians of a child should be notified if the child develops signs or symptoms of illness. When appropriate, outdoor preschools must also check for the presence of ticks.
- (2) If an outdoor preschool provider becomes ill, a director, assistant director, or program supervisor must determine whether that person should be required to leave the licensed outdoor preschool space.
- (3) If a child becomes ill, an outdoor preschool provider (or school nurse, if applicable) must determine whether the child should be sent home or separated from others. A provider must supervise the child to reasonably prevent contact between the ill child and healthy children.
- (4) An ill child must be sent home or reasonably separated from other children if:
 - (a) The illness or condition prevents the child from participating in normal activities;
 - (b) The illness or condition requires more care and attention than the outdoor preschool provider can give;
 - (c) The required amount of care for the ill child compromises or places at risk the health and safety of other children in care; or
 - (d) There is a risk that the child's illness or condition will spread to other children or individuals.
- (5) Unless covered by an individual care plan or protected by the ADA, an ill child, staff member, or other individual must be sent home or isolated from children in care if he or she has:
 - (a) A fever of one-hundred and one degrees Fahrenheit for children over two months (or 100.4 degrees Fahrenheit for an infant younger than two months), and there is a behavior change or other signs and symptoms of illness (including sore throat, earache, headache, rash, vomiting, diarrhea);
 - (b) Vomiting two or more times in the previous twenty-four hours;
 - (c) Diarrhea where stool frequency exceeds two stools above normal per twenty-four hours for that child or whose stool contains more than a drop of blood or mucus;
 - (d) A rash not associated with heat, diapering, or an allergic reaction;
 - (e) Open sores or wounds discharging bodily fluids that cannot be adequately covered with a waterproof dressing or mouth sores with drooling;
 - (f) Lice, ringworm, or scabies. Individuals with head lice, ringworm, or scabies must be excluded from the childcare premises beginning from the end of the day the head lice or scabies was discovered. The provider may allow an individual with head lice or scabies to return to the premises after receiving the first treatment; or
 - (g) Appears severely ill, which may include lethargy, persistent crying, difficulty breathing, or a significant change in behavior or activity level indicative of illness.
- (6) An outdoor preschool provider must provide written notice to the department, the local health jurisdiction, and the parents or guardians of the enrolled children at the first opportunity, but in

no case longer than twenty-four hours, after learning that an enrolled child, staff member, volunteer or household member has been diagnosed by a health care professional with a contagious disease described in WAC 246-110-010(3).

- (7) An outdoor preschool provider must not take ear or rectal temperatures to determine a child's body temperature.
 - (a) Providers must use developmentally appropriate methods when taking infant or toddler temperatures (for example, digital forehead scan thermometers or underarm auxiliary methods);
 - (b) Oral temperatures may be taken for preschool through school-age children if single-use covers are used to prevent cross contamination; and
 - (c) Glass thermometers containing mercury must not be used.
- (8) An outdoor preschool provider may readmit a child, staff member, volunteer or household member into the outdoor preschool program area with written permission of a health care provider or health jurisdiction stating the individual may safely return after being diagnosed with a contagious disease listed in WAC 246-110-010(3).

0210 Immunizations and exempt children.

- (1) Before attending an outdoor preschool program, a child must be vaccinated against or show proof of acquired immunity for the vaccine-preventable disease, pursuant to chapter 246-105 WAC. An outdoor preschool provider may accept children without proof of vaccinations or immunity as otherwise indicated in this section.
- (2) An outdoor preschool provider must receive for each enrolled child:
 - (a) Pursuant to WAC 246-105-050, a current and complete department of health certificate of immunization status (CIS) or certificate of exemption (COE) or other department of health approved form, ; or
 - (b) A current immunization record from the Washington state immunization information system (WA IIS).
- (3) To accept a child who is not current with their immunizations, an outdoor preschool provider must give written notice to that child's parent or guardian stating the child may be accepted if the immunizations are completed as soon as possible and:
 - (a) Prior to enrollment the parent or guardian provides written proof the child is scheduled to be immunized; or
 - (b) The parent or guardian provides a signed and dated statement detailing when the child's immunizations will be brought up to date.
- (4) An outdoor preschool provider must maintain and update each child's records relating to immunizations or exemptions, or plans to bring immunizations current. These records must easily accessible for review by department licensors, health specialists, and health consultants.
- (5) An outdoor preschool provider may accept homeless or foster children into care without the records listed in this section if the child's family, case worker, or health care provider offers written proof that he or she is in the process of obtaining the child's immunization records.
- (6) An outdoor preschool provider may exclude a child from care according to the criteria listed in WAC 246-105-080.
- (7) If an outbreak of a vaccine-preventable disease occurs within an outdoor preschool program, an outdoor preschool provider must notify the parents or guardians of children exempt from immunization for that disease and children without vaccination documents. A provider may

exclude the child from the child care premises for the duration of the outbreak of that vaccine-preventable disease.

- (8) An outdoor preschool provider may have a written policy stating children exempted from immunization by their parent or guardian will not be accepted into care unless that exemption is due to an illness protected by the ADA or Washington’s law against discrimination or by a completed and signed certificate of exemption (COE).

0215 Medication.

- (1) **Managing medication.** Pursuant to standard 0500, a medication management policy must include, but is not limited to, safe medication storage, reasonable accommodations for giving medication, mandatory medication documentation and forms.
- (2) **Medication training.** An outdoor preschool provider must not give medication to a child if the provider has not successfully completed:
- (a) An orientation about the outdoor preschool program's medication policies and procedures;
 - (b) Pursuant to standard 0106(8), the department’s standardized training or equivalent training in medication administration that includes a competency assessment ; and
 - (c) A training from a child's parents or guardian (or an appointed designee) for special medical procedures that are part of a child's individual care plan. This training must be documented and signed by the provider and the child's parent or guardian (or designee).
- (3) **Medication administration.** An outdoor preschool provider must not give medication to any child without the written and signed consent from that child's parent or guardian, must administer medication pursuant to directions on the medication label, and use appropriate cleaned and sanitized medication measuring devices.
- (a) An outdoor preschool provider must administer medication to children in care as follows:
 - i. **Prescription medication.** Prescription medication must only be given to the child named on the prescription. Prescription medication must be prescribed by a health care professional with prescriptive authority for a specific child. Prescription medication must be accompanied with a medication authorization form that has the medical need and the possible side effects of the medication. Prescription medication must be labeled with:
 - (A) The child's first and last name;
 - (B) The date the prescription was filled;
 - (C) The name and contact information of the prescribing health professional;
 - (D) The expiration date, dosage amount, and length of time to give the medication; and
 - (E) Instructions for administration and storage.
 - ii. **Nonprescription oral medication.** Nonprescription (over-the-counter) oral medication brought to the outdoor preschool program by a parent or guardian must be in the original packaging.
 - (A) Nonprescription (over-the-counter) medication needs to be labeled with the child's first and last name and accompanied with a medication authorization form that has the expiration date, medical need, dosage amount, age, and length of time to give the medication. Outdoor

- preschool providers must follow the instructions on the label or the parent must provide a medical professional's note; and
- (B) Nonprescription medication must only be given to the child named on the label provided by the parent or guardian.
- iii. **Other nonprescription medication:** An outdoor preschool provider must receive written authorization from a child's parent or guardian and health care provider with prescriptive authority prior to administering if the item does not include age, expiration date, dosage amount, and length of time to give the medication. Medications under this subsection include, but is not limited to the following:
- (A) Vitamins;
 - (B) Herbal supplements;
 - (C) Fluoride supplements;
 - (D) Homeopathic or naturopathic medication; and
 - (E) Teething gel or tablets (amber bead necklaces are prohibited).
- iv. **Nonmedical items.** A parent or guardian must annually authorize an outdoor preschool provider to administer the following nonmedical items:
- (A) Diaper ointments (used as needed and according to manufacturer's instructions);
 - (B) Sunscreen;
 - (C) Lip balm or lotion;
 - (D) Hand sanitizers or hand wipes with alcohol, which may be used only for children over twenty-four months old; and
 - (E) Fluoride toothpaste for children two years old or older.
- v. An outdoor preschool provider may allow children to take his or her own medication with parent or guardian authorization. The outdoor preschool staff member must observe and document that the child took the medication.
- vi. An outdoor preschool provider must not give or permit another to give any medication to a child for the purpose of sedating the child unless the medication has been prescribed for a specific child for that particular purpose by a qualified health care professional.
- (b) **Medication documentation** (excluding nonmedical items). An outdoor preschool provider must keep a current written medication log that includes:
- i. A child's first and last name;
 - ii. The name of the medication that was given to the child;
 - iii. The dose amount that was given to the child;
 - iv. Notes about any side effects exhibited by the child;
 - v. The date and time of each medication given or reasons that a particular medication was not given; and
 - vi. The name and signature of the person that gave the medication.
- (c) Medication must be stored and maintained as directed on the packaging or prescription label, including applicable refrigeration requirements. Outdoor preschools may use approved coolers and re-usable water-activated cooling packs for medication storage if the medication's manufacturer directions require the medication be stored at a temperature below the indoor or outdoor temperature. An

outdoor preschool provider must comply with the following additional medication storage requirements:

- i. Medication must be inaccessible to children;
 - ii. Controlled substances must be locked in a container or cabinet which is inaccessible to children;
 - iii. Medication must be kept away from food in a separate, sealed container; and
 - iv. External medication (designed to be applied to the outside of the body) must be stored to provide separation from internal medication (designed to be swallowed or injected) to prevent cross contamination.
- (d) An outdoor preschool provider must return a child's unused medication to that child's parent or guardian. If this is not possible, a provider must follow the Food and Drug Administration (FDA) recommendations for medication disposal.
- (e) An outdoor preschool provider must not accept or give to a child homemade medication, such as diaper cream or sunscreen.

0220 Bathroom space and toilet training.

- (1) If applicable, outdoor preschool providers must meet all licensing requirements for an indoor early learning bathroom space.
- (2) An outdoor preschool provider must provide at least one of the following bathroom options, and may use a combination of toileting options to ensure children and staff are able to meet their toileting needs:
- (a) An indoor bathroom that meets the licensing requirements for an indoor early learning bathroom space.
 - (b) A portable chemical toilet designated for use by the outdoor preschool program. The portable chemical toilet must be emptied regularly and as needed. Pursuant to standard 0241, the portable chemical toilet surfaces must be cleaned daily and as needed. The waste container for the portable chemical toilet must:
 - i. Be fabricated from impervious materials (for example, plastic, steel, fiberglass or other equivalent material).
 - ii. Be water tight and capable of containing the chemical waste in a sanitary manner.
 - iii. Be sufficient in size for the number of persons that will be using the toilet and consistent with the manufacturer's recommended use requirements. At a minimum the portable chemical toilet must be of sufficient size that the container will normally be at half of its volume capacity immediately before each regularly scheduled emptying of the waste.
 - (c) The use of toileting facilities in a public park or nature center if the bathrooms are checked for cleanliness and safety prior to the children's use and the toilet seats, sinks, or other surfaces that children touch are cleaned and disinfected daily.
 - (d) A portable toilet, with individual liners that allow for sanitary disposal after each use, and with surfaces cleaned daily, and as needed pursuant to standard 0241.
 - (e) A water conserving toilet, such as a composting or pit toilet, and greywater system that meets the requirements for health and sanitation as described in the Washington State Department of Health Water Conserving On-Site Wastewater Treatment Systems-Recommended Standards and Guidance (<https://www.doh.wa.gov/Portals/1/Documents/Pubs/337-016.pdf>).

- (f) If no other toileting options are available, backcountry toileting options that comply with the rules of the landowner, and leave-no-trace standards described at <https://Int.org/learn/principle-3>. Unless approved by the department, children must not be allowed to play or eat within 200 feet of areas that have been used or are designated as backcountry toileting spaces. Outdoor preschool providers must use gloves to assist children and to ensure the sanitary disposal of toilet paper. Both children and adults must wash their hands pursuant to the requirements contained in standard 0200 (Handwashing and hand sanitizer).
- (g) For the toileting options described in subsections (2)(b) through (2)(f) of this section:
- i. To ensure successful toileting and handwashing practices, outdoor preschool providers must ensure children have independent access to sufficient toilet paper, handwashing equipment, and staff support.
 - ii. Outdoor preschools must include an outdoor preschool toileting policy in the parent handbook and pursuant to standard 0450 (Parent or guardian handbook and related policies), a risk waiver must be included in the parent enrollment packet.
 - iii. Outdoor preschool staff must be trained in the proper use of alternative toileting options, and pursuant to standard 0110 (Program based staff policies and training), the program's policies and procedures for supporting children.
 - iv. Staff must be supported to meet their own toileting needs.
- (3) An outdoor preschool provider must discuss toilet training procedures with that child's parent or guardian when a child is ready for training. A provider must facilitate the toilet training process by encouraging the child with:
- (a) Positive reinforcement (which may not include food items);
 - (b) Culturally sensitive methods;
 - (c) Developmentally appropriate methods; and
 - (d) A toilet training routine developed in agreement with the parent or guardian.
- (4) An outdoor preschool provider may use a modified toilet seat if it is cleaned and disinfected using a safe disinfectant at least daily or more often if soiled.
- (5) Toilet training equipment must be cleaned in a sink not used for food preparation, handwashing, or clean up.
- (6) If a child is developmentally ready, and an outdoor preschool provider uses a stand-up diapering procedure, it must be done in the bathroom or a diaper changing area.

0221 Diaper changing areas and disposal.

- (1) If applicable, outdoor preschool providers must meet all licensing requirements for an indoor early learning diaper changing area.
- (a) A diaper changing area must:
 - i. Be separate from areas where food is stored, prepared, or served;
 - ii. Be separate from where children play or eat;
 - iii. Pursuant to standard 0200 have an approved handwashing method readily available;
 - iv. Have a sturdy surface or mat that:
 - (A) Is not torn or repaired with tape;
 - (B) Is washable;
 - (C) Has a moisture resistant surface that is cleanable; and

- (D) Is large enough to prevent the area underneath the diaper changing area from being contaminated with bodily fluids.
 - v. Be uncluttered and not used for storage of any items not used in diapering a child.
 - (b) An outdoor preschool provider must not leave a child unattended on the diaper changing surface or mat during the diaper changing process;
 - (c) An outdoor preschool provider must not use safety belts on diaper changing tables because they are neither cleanable nor safe; and
 - (d) An outdoor preschool provider must have and follow each step described in a diaper changing procedure to ensure diaper changing and disposal practices prevent cross-contamination.
- (2) If an outdoor preschool provider uses reusable or cloth diapers, the diapers must:
- (a) Not be rinsed;
 - (b) Be placed in a securely sealed moisture impervious bag;
 - (c) Be stored in a separate disposal container; and
 - (d) Be delivered to a commercial laundry service or given to the child's parent or guardian at least daily.
- (3) An outdoor preschool provider must provide a container designated for disposing of soiled diapers and diapering supplies only. The diaper disposal container must be:
- (a) Inaccessible to children
 - (b) Hands-free and covered with a lid to prevent cross contamination, or cross-contamination must be preventable by diaper changing procedures;
 - (c) Lined with a disposable plastic trash bag; and
 - (d) Within arm's length of the diaper changing area.

0225 Pets and animals.

- (1) An outdoor preschool provider may have pets or other animals on the outdoor preschool program premises. Outdoor preschool providers must comply with all applicable licensing requirements that apply to pets or animals in the indoor childcare or early learning environment.
- (2) The outdoor preschool provider must have an encountering wildlife policy. If an outdoor preschool provider keeps pets or animals on the outdoor preschool program premises:
- (a) The provider must have and follow a pet and animal policy;
 - (b) The provider must provide written notice of the presence of the pets or animals to the children's parents or guardians; and
 - (c) The outdoor preschool must have an encountering pets policy.
- (3) Pets or other animals provided by the outdoor preschool program that have contact with children must:
- (a) Have all required vaccinations, pursuant to local and county regulations;
 - (b) Show no signs of illness, disease, worms, or parasites. If these symptoms appear, the pet or animal must be removed from the licensed space until appropriately treated for the condition; and
 - (c) Be nonaggressive.
- (4) An outdoor preschool provider must:
- (a) Require that chickens, ducks, turkeys, doves, pigeons, or other birds that are provided by the outdoor preschool program:

- (i) Are caged, cooped, or penned when they are not a part of a supervised outdoor preschool program activity so that they are inaccessible to children; and
 - (ii) Are kept at a distance that prevents children from having direct access to the animal's enclosures or waste when they are not a part of a supervised outdoor preschool program activity.
 - (b) Prevent debris from spilling out of a container or cage used for pets and animals;
 - (c) Not allow pets and animals in the kitchen during food preparation and ensure pets and animals do not come into contact with food, food preparation, or serving areas while food is served;
 - (d) Not use a sink that is used for cleaning food or utensils to clean pet supplies; and
 - (e) Store pet and animal medication separate from human medication.
- (5) An outdoor preschool provider must require:
- (a) Animals and pets to go to the bathroom outdoors if the animals do not have a designated indoor litter area. The designated outdoor area must be inaccessible to children in care, unless part of a sustainable farming practice approved by the department for an outdoor preschool;
 - (b) Pet containers and cages to be cleaned and disinfected at least weekly, or more often if needed;
 - (c) Litter boxes to be kept inaccessible to children and cleaned daily;
 - (d) Animal waste and litter be disposed of as soon as possible and the area disinfected. Outdoor preschools encountering wildlife and wildlife waste in natural outdoor spaces are not required to handle animal wastes. Outdoor preschools must prevent children from handling animal waste, and must ensure children wash their hands and change clothing if they come into contact with animal waste;
 - (e) Animal waste to be inaccessible to children, unless part of a sustainable farming practice approved by the department utilized by an outdoor preschool;
 - (f) Animal waste to be disposed of in a manner that prevents children from coming into contact with the waste material;
 - (g) Animal waste, including fish tank water, be disposed of in unlicensed space or toilets or custodial sinks. Toilets and custodial sink areas must be washed, rinsed, and disinfected after disposal; and
 - (h) Indoor and outdoor play space to be cleaned and disinfected where animal or bird waste or vomit is present, not including natural outdoor spaces utilized by outdoor preschools. This must be done as soon as possible or prior to access by children. Staff must prevent children from handling animal waste or vomit, and ensure children wash their hands and change clothing if they come into contact with animal waste.

0230 First-aid supplies.

- (1) An outdoor preschool provider must keep a complete first-aid kit where children are present, such as in the licensed space, on any off-site trip, and in a vehicle used to transport children in care. A first-aid kit must:
- (a) Be stored in a location that is easily accessible to staff;
 - (b) Be inaccessible to children;
 - (c) Be separate from food or chemicals;
 - (d) Be kept clean and sanitary;
 - (e) Be stored in a manner that prevents contamination; and

- (f) Have sufficient supplies for the number of enrolled children and staff consistent with the outdoor preschool program's licensed capacity, or sufficient supplies for each room in the licensed space.
- (2) A first-aid kit must include:
- (a) Disposable nonporous protective nonlatex gloves;
 - (b) Adhesive bandages of various sizes;
 - (c) Small scissors;
 - (d) Tweezers;
 - (e) An elastic wrapping bandage;
 - (f) Sterile gauze pads;
 - (g) Ice packs;
 - (h) A disposable or mercury free thermometer that uses disposable sleeves, or is cleaned and sanitized after each use;
 - (i) A sling, or a large triangular bandage;
 - (j) Adhesive tape;
 - (k) A CPR barrier with a one-way valve or both, and an adult and pediatric CPR mask with a one-way valve;
 - (l) Sterile, non-adhesive bandages of various sizes for outdoor preschool programs that engage in campfire activities;
 - (m) A fire suppression blanket for outdoor preschool programs that engage in campfire activities;
 - (n) Hand-warmers and a method to prevent direct skin contact for hand-warmers that reach temperatures above one-hundred twenty degrees Fahrenheit;
 - (o) Emergency thermal blanket;
 - (p) A current first-aid manual; and
 - (q) Hand sanitizer (for adult use only, unless otherwise approved for children's use).

0235 Safe sources of drinking water.

- (1) Outdoor preschools without access to hot or cold running water must provide sufficient potable water for drinking and handwashing.
- (2) An outdoor preschool provider must use a Washington state certified water laboratory accredited by the Department of Ecology to test the program water supply for lead and copper.
 - (a) All fixtures used to obtain water for preparing food or infant formula, drinking, or cooking must be tested prior to licensing approval and at least once every six years.
 - (b) Testing must be done pursuant to current environmental protection agency standards.
 - (c) A copy of the water testing results must be kept on the licensed premises or in the program's administrative office.
 - (d) Outdoor preschools operating entirely on public land may use public records of water testing for their location instead of using a Department of Ecology accredited laboratory to conduct the testing described in subsection (2) of this section.
- (3) If the test results are at or above the current EPA lead action level, an outdoor preschool provider must do the following within 24 hours:
 - (a) Consult with department of health for technical assistance;

- (b) Close the outdoor preschool program to prevent children from using or consuming water, or supply bottled or packaged water to meet the requirements of these standards;
 - (c) Notify all parents and guardians of enrolled children of the test results;
 - (d) Notify the department of the water test results and steps taken to protect enrolled children; and
 - (e) Notify the department once lead and copper levels are below the current EPA action level.
- (4) If an outdoor preschool program space receives water from a private well, the well must comply with chapter 173-160 WAC (minimum standards for construction and maintenance of wells).
- (a) Well water must be tested within six months of the date this section becomes effective and at least once every twelve months thereafter for E. coli bacteria and nitrates by a Washington state certified laboratory accredited by the department of ecology to analyze drinking water. To achieve desirable results the test must indicate:
 - i. No presence of E. coli bacteria; and
 - ii. The presence of less than ten parts per million (ppm) for nitrates. If test results for nitrates are greater than five but less than ten ppm, the water must be retested within six months.
 - (b) If well water tests positive for E. coli bacteria, or greater than ten ppm for nitrates, the provider must:
 - i. Stop using the well water in the child care premises within twenty-four hours;
 - ii. Inform the local health jurisdiction, department of health and the department of the positive test results; and
 - iii. If directed to do so by the department, discontinue child care operations until repairs are made to the water system and water tests indicate desirable results pursuant to subsection (4)(a) of this section.
 - (c) If the department determines that child care operations may continue while an unsafe water system is being repaired or while the provider installs treatment, the provider must:
 - i. Provide an alternate source of water, approved by the department; and
 - ii. Re-test until water tests indicate desirable results pursuant to subsection (4)(a) of this section.
- (5) An outdoor preschool provider must notify the department within two to four hours of when the water connection to an outdoor preschool program space is interrupted for more than one hour, or the water source becomes contaminated.
- (a) The department may require the outdoor preschool provider to temporarily close until the water connection is restored or the water source is no longer contaminated; or
 - (b) The provider must obtain an alternative source of potable water such as bottled or packaged water. The amount of the alternative source of potable water must be sufficient to ensure compliance with the requirements of these standards for safe drinking water, handwashing, sanitizing, dishwashing, and cooking.

0236 Safe drinking water.

- (1) An outdoor preschool program's drinking water must:

- (a) Be offered multiple times throughout the day and be readily available to children at all times;
 - (b) Be served in a manner that prevents contamination;
 - (c) Not be obtained from a handwashing sink used with toileting or diapering; and
 - (d) Be served fresh daily or more often as needed.
- (2) Outdoor preschools must only provide or allow the use of drinking fountains that are:
- (a) Not attached to handwashing sinks or disabled;
 - (b) Not located in bathrooms;
 - (c) Not a "bubble type" fountain (the water flow must form an arch); and
 - (d) Cleaned and sanitized daily, or more often as needed;
- (3) Outdoor preschools may ask that families provide drinking water in water bottles for their children, and these must be labeled with the children's first and last names. Outdoor preschools must provide water to children in accordance with this section whenever necessary, such as when a water bottle is forgotten or empty.

CLEANING AND SANITATION

0240 Clean and healthy environment.

- (1) An outdoor preschool provider must follow all applicable licensing requirements regarding the cleanliness of the licensed indoor space and fenced playground, unless otherwise stated in these standards.
- (2) Outdoor preschools operating with a permanently located outdoor classroom must protect children from toxic or infectious agents, such as animal and human waste or needles and if possible sanitize the contaminated area prior to children's use.
 - (a) If a bleach solution is used for sanitizing or disinfecting, an outdoor preschool provider must use one that is fragrance-free and follow the department of health's current Guidelines for Mixing Bleach Solutions for Child Care and Similar Environments.
 - (b) If an outdoor preschool provider uses a product other than bleach, (including wipes) to sanitize or disinfect, the product must be:
 - i. Approved by the department prior to use;
 - ii. Used by trained staff only;
 - iii. Registered with the EPA and have Safety Data Sheets (SDS) available;
 - iv. Used in accordance with the manufacturer's label, which must include:
 - (A) Directions for use;
 - (B) A description of the safety precautions and procedures, and if applicable, a description of the equipment that must be used for mixing the substitute product concentration;
 - (C) A description of the safety precautions and procedures if the substitute product contacts skin or is inhaled; and
 - (D) A description of the procedures and safety precautions for rinsing cleaned areas and cleaning equipment.
 - v. Labeled as safe to use on food surfaces if the product will be used to sanitize:
 - (A) Food contact surfaces; or

- (B) Items such as eating utensils or toys used by the child or put into the child's mouth; and
- vi. Fragrance-free.
- (c) If it is not possible to sanitize the area, the area must be made inaccessible to children.
- (d) Outdoor preschools operating on public park land may not be able to use bleach or other chemicals due to environmental impact. Outdoor preschools must work with the park's director, or designee, on the appropriate way to sanitize the area or remove contaminated materials from the outdoor preschool program space.

0241 Cleaning schedules.

- (1) An outdoor preschool provider must follow all applicable licensing requirements regarding the cleaning schedules of the licensed indoor space and fenced playground, unless otherwise stated in these standards.
- (2) An outdoor preschool provider must develop and follow a cleaning schedule that includes cleaning:
 - (a) Food preparation areas and surfaces, which must be cleaned and sanitized before and after each meal and snack with single use paper towels or one-time use wiping cloths;
 - (b) Eating utensils, bottles, drinking equipment, and dishes, which must be cleaned and sanitized after each use;
 - (c) Appliances used to prepare food, which must be cleaned after each use and sanitized daily or more often as needed;
 - (d) Refrigerators and freezers, which must be cleaned and sanitized monthly or more often as needed;
 - (e) Toys, which must be cleaned and sanitized as follows:
 - i. When a toy comes into contact with a child's mouth or bodily fluids it must be removed from use until it can be cleaned and sanitized prior to reuse;
 - ii. All other toys must be cleaned and sanitized weekly or more often as needed; and
 - iii. Collected natural materials, such as sticks, leaves, or pinecones, that are used as toys may not be able to be sanitized but must be checked to confirm they do not contain toxins or animal droppings prior to use in the program.
 - (f) Furniture and equipment, which must be cleaned monthly or more often as needed.
- (3) Machine washable clothes provided by the outdoor preschool program must be laundered as needed.
- (4) Sleeping equipment must be:
 - (a) Cleaned and sanitized after each use if used by more than one child; or
 - (b) Cleaned and sanitized weekly or more often as needed if assigned to only one child.
- (5) Bedding must be:
 - (a) Laundered and sanitized after each use if used by more than one child; or
 - (b) Laundered and sanitized weekly or more often as needed if assigned to only one child.
- (6) Outdoor sinks used for gardening should be cleaned and sanitized as needed.

- (7) Toileting and diaper changing areas including, but not limited to, toilets, counters, sinks, and floors must be cleaned and disinfected daily or more often as needed.
- (8) Diaper changing tables and changing pads must be cleaned and disinfected between children, even if using a nonabsorbent covering that is discarded after each use.
- (9) Garbage cans and receptacles must be emptied on a daily basis and cleaned and disinfected as needed.
- (10) Diaper receptacles must be emptied, cleaned, and disinfected daily or as needed. Contents of a diaper receptacle must be removed from the licensed space, and replaced with a new liner.
- (11) Outdoor preschools providing or utilizing a portable chemical toilet must ensure that:
 - (a) Toilets are serviced on a regular schedule. Servicing must include the use of a disinfectant for cleaning urinals and seats, removing waste from containers, recharging containers with an odor controlling chemical and installing an adequate supply of toilet tissue.
 - (b) Maintenance and service is performed in accordance with local codes by approved servicing organizations, and waste is disposed in accordance with the requirements of local health department regulations.
 - (c) Removal of waste must be handled in a clean and sanitary manner by means of a vacuum hose and received by a leak-proof tank truck.
 - (d) Provisions are made so service trucks have a clear approach and convenient access to the toilets to be serviced.
- (12) Floors in utilized indoor spaces must be cleaned by either sweeping or vacuuming at least once per day or more often as needed.
- (13) Carpets or area rugs soiled with bodily fluids must be cleaned and disinfected with high heat or an EPA registered product. An outdoor preschool provider must limit exposure to blood and body fluids during cleanup.

0245 Laundry and equipment.

- (1) If applicable, outdoor preschool providers must comply with all licensing requirements for laundry and equipment. Outdoor preschools that do not have an indoor facility but are required to launder hand-towels, clothing, bedding, or other items must comply with the following:
 - (a) Laundry and laundry equipment used by an outdoor preschool program must be inaccessible to children and separated from areas where food is prepared to prevent cross contamination.
 - (b) Dirty or soiled laundry must be:
 - i. Kept separate from clean laundry;
 - ii. Cleaned with laundry soap or detergent;
 - iii. Rinsed; and
 - iv. Sanitized:
 - (A) With bleach or a similar sanitizer registered by the EPA; or
 - (B) By using a "sanitize" setting on a washing machine or dryer that reaches at least one-hundred forty degrees Fahrenheit.
- (2) If an outdoor preschool program allows parents or staff to share laundering responsibilities by laundering at their private residence; the outdoor preschool must have a policy to ensure parents or staff are aware of the requirements of this section, and must include in the parent handbook the requirements of the shared laundering practice.

0250 Private septic systems.

- (1) If an outdoor preschool program is served by a private septic system, the septic system must be designed, constructed, and maintained in accordance with state and local health jurisdiction requirements.
 - (a) A private septic system must be inspected by a septic system maintenance service provider approved by the local health jurisdiction and monitored on a routine basis. Any deficiencies noted in an inspection report must be corrected with the necessary permits and inspections.
 - (b) The most recent private septic system pumping and inspection records must be kept on the licensed premises or in the program's administrative office.
 - (c) If an outdoor preschool provider does not have the documentation described in subsection (1)(b) of this section, the provider must obtain such documentation from the state, local health jurisdiction, or a department approved private company within six months of the date the provider is approved by DCYF to operate an outdoor preschool program.
 - (d) An outdoor preschool provider must immediately notify the department and local health jurisdiction if there is a problem, concern, or malfunction with a private septic system.
 - (e) If a private septic system problem, concern, or malfunction interferes with the proper care of children and an approved alternative is not available, the state, local health jurisdiction, or department may require an outdoor preschool program to close until the system is inspected, repaired, and approved by the local health jurisdiction.
- (2) Pursuant to standard 0146(2), playground design must not:
 - (a) Interfere with access to or the operation of a private septic system, including a private septic system's drain field and tanks; or
 - (b) Be located or placed in a way that impacts the private septic system's drain field or tanks as determined by local officials.
- (3) Outdoor preschools that utilize a water-conserving toilet and greywater system, pursuant to standard 0220, must ensure that children do not play in areas contaminated by greywater.

0255 Pest control.

- (1) Unless otherwise described in these standards, an outdoor preschool provider must follow all applicable pest control licensing requirements.
- (2) Outdoor preschools operating in natural environments must prevent and manage the children's exposure to toxic or infectious agents, such as toxic animal waste, bee stings, toxic plants or fungi. Pursuant to standards 0225, 0240, and 0505 the outdoor preschool must notify staff, parents and guardians if pesticides are applied on or near the outdoor preschool program space.
- (3) Outdoor preschools operating on public park land must work with their park's director or designees to comply with the following:
 - (a) **Notification.** If pesticides are used and except in the case of an emergency (discovery of a wasp nest), the outdoor preschool provider must notify the parents or guardians of enrolled children at least forty-eight hours before application what pesticide will be applied and where it will be applied.

- (b) **Application.** Pesticides must not be applied to outdoor preschool program space when children are present.

0260 Storage of hazardous and maintenance supplies.

- (1) An outdoor preschool provider must ensure all poisonous or dangerous substances including, but not limited to, fuels, solvents, oils, laundry, dishwasher, other detergents, sanitizing products, disinfectants and items labeled "keep out of reach of children" are stored as follows:
 - (a) In a location that is inaccessible to children;
 - (b) Separate and apart from food preparation areas, food items, and food supplies;
 - (c) In their original containers or clearly labeled with the name of the product if not in the original container;
 - (d) In compliance with the manufacturer's directions (including, not storing products near heat sources); and
 - (e) Outdoor preschool providers that operate their program on public land must implement appropriate planning, supervision, and intervention to ensure that children do not have access to poisonous or dangerous substances.
- (2) Storage areas and storage rooms must:
 - (a) Be inaccessible to children;
 - (b) Have locking doors or other methods to prevent child access;
 - (c) Have moisture resistant and easily cleanable floors;
 - (d) Have a designated maintenance or janitorial utility sink, or another method to dispose of wastewater (kitchen sinks must not be used for disposal of wastewater); and
 - (e) Be kept clean and sanitary.
- (3) Saws, power tools, lawn mowers, toilet plungers, toilet brushes, and other maintenance and janitorial equipment must be inaccessible to children.
- (4) Outdoor preschools using developmentally appropriate tools, including ropes or sharp objects, in wilderness activities must make such tools inaccessible to children when not in use or under active supervision.

SLEEP AND REST

0265 Sleep, rest, and equipment.

- (1) An outdoor preschool provider must offer a supervised daily rest period for children preschool age and younger who remain in care for more than six hours per day, or who show a need for rest.
- (2) An outdoor preschool provider must provide quiet activities for children who do not require rest. Quiet activities must be minimally disruptive to sleeping children.
- (3) An outdoor preschool provider must communicate a child's sleep needs and patterns with that child's parent or guardian.
- (4) An outdoor preschool provider must not place children directly on the floor to rest or sleep.
- (5) For children not using cribs or playpens, an outdoor preschool provider must provide developmentally appropriate mats, cots, or other sleep equipment made of water resistant material that can be cleaned and sanitized.
- (6) Mats, cots, and other sleep equipment used in an outdoor preschool program must be:

- (a) In good condition, have no tears or holes, and have no repairs with tape;
 - (b) Cleaned, sanitized, and air dried at least once per week or more often as needed if used by only one child, or after each use if used by more than one child; and
 - (c) Stored so sleeping surfaces are not touching each other unless cleaned and sanitized after each use.
- (7) Floor mats designed for sleeping and mattresses must be at least one inch thick. For outdoor preschools, inflatable sleeping pads must be suitable for the outdoor temperature according to the manufacturer's label. Inflatable sleeping pads less than one inch thick must be approved by the department.
- (8) Floor mats must be spaced apart from other floor mats, sleeping pads, cots, and mattresses to reduce germ exposure and allow outdoor preschool providers' access to each child during sleep time as follows:
- (a) There must be at least eighteen inches on each side between each floor mat, sleeping pad, cot, or mattress; and
 - (b) Floor mats, sleeping pads, cots, and mattresses must be arranged so children are head to toe, or toe to toe.
- (9) Each child's bedding must:
- (a) Have a clean sheet or blanket to cover the sleeping surface and a clean blanket for the child that is suitable given the child's size and room temperature. For outdoor preschools, children may use sleeping bags suitable for the outdoor temperature if the child is sleeping or resting outside;
 - (b) Be laundered weekly or more often if soiled, or laundered daily if used by more than one child; and
 - (c) Be stored separately from bedding used by another child, unless it is cleaned and sanitized after each use.
- (10) An outdoor preschool provider must not allow children less than six years of age to use loft style beds or upper bunks of bunk beds.
- (11) If children are resting or sleeping outside, they must be protected from the sun, rain, and extreme weather, such as by the use of tarps or tents.

INTERACTIONS AND CURRICULUM

Learning Supports

0300 Individual care plan.

- (1) An outdoor preschool provider must develop an individual care plan for each child with special needs and must notify the department when a child with special needs is enrolled or identified in the outdoor preschool program. Plans and documentation required under this section must:
- (a) Meet the requirements of this section;
 - (b) Be available for department review;
 - (c) Have written permission from a child's parent or guardian stating that a visiting health professional may provide services to the child at the outdoor preschool program, if applicable;

- (d) If applicable, have verification that outdoor preschool program staff involved with a particular child have been trained on implementing the individual care plan for that child;
 - (e) Be updated annually or when there is a change in the child's special needs; and
 - (f) Be kept in the child's file.
- (2) The individual care plan must be signed by the parent or guardian and may be developed using a department provided template.
- (a) The individual care plan must contain:
 - i. The child's diagnosis, if known;
 - ii. Contact information for the primary health care provider or other relevant specialist;
 - iii. A list of medications to be administered at scheduled times, or during an emergency along with descriptions of symptoms that would trigger emergency medication;
 - iv. Directions on how to administer medication;
 - v. Allergies;
 - vi. Food allergy and dietary needs, pursuant to standard 0186;
 - vii. Activity, behavioral, or environmental modifications for the child;
 - viii. Known symptoms and triggers;
 - ix. Emergency response plans and what procedures to perform; and
 - x. Suggested special skills training, and education for outdoor preschool program staff, including specific pediatric first aid and CPR for special health care needs.
 - (b) An outdoor preschool provider must have supporting documentation of the child's special needs provided by the child's licensed or certified:
 - i. Physician or physician's assistant;
 - ii. Mental health professional;
 - iii. Education professional;
 - iv. Social worker with a bachelor's degree or higher with a specialization in the individual child's needs; or
 - v. Registered nurse or advanced registered nurse practitioner.
- (3) An outdoor preschool provider's written plan and documentation for accommodations must be informed by any existing:
- (a) Individual education plan (IEP);
 - (b) Individual health plan (IHP);
 - (c) 504 Plan; or
 - (d) Individualized family service plan (IFSP).

0305 Curriculum philosophy and planning.

- (1) An outdoor preschool provider must have a written curriculum philosophy that describes the program of planned daily activities related to early childhood or child development.
- (2) The curriculum philosophy must address all age groups being served, be informed by the Washington state early learning and development guidelines, and may include:
 - (a) How children develop emotionally, socially, cognitively, and physically;
 - (b) What early learning looks like or areas of focus for each age group being served;
 - (c) How the provider will meet cultural, dual language learner, and special needs of children in care;

- (d) How to guide learning and social interactions;
 - (e) The importance of play to a child's learning process; and
 - (f) For infants and toddlers, the importance of developing consistent, nurturing relationships with caregivers as a component of learning.
- (3) Staff must be trained on the program's curriculum philosophy.
 - (4) A lead teacher must be given regularly scheduled time to plan and develop curriculum and activities. Planning may be done during rest time but all supervision requirements pursuant to standard 0345 must be met. Planning time for outdoor preschool staff implementing emergent curriculum may be spent in activities such as documenting children's learning, making plans for individualized learning goals, and gaining teacher knowledge of subject matter relevant to the children's learning goals, interests, seasons, and the environment.
 - (5) An outdoor preschool provider must include in their curriculum philosophy how nature is central to their curriculum, and how learning and being outdoors in a nature-based setting impacts the program of daily activities and will benefit children.

0310 Concept development and feedback quality.

- (1) An outdoor preschool provider must facilitate activities to support child learning and understanding.
- (2) An outdoor preschool provider may facilitate child learning and understanding through a variety of techniques such as:
 - (a) Using a variety of teaching strategies (different techniques, curricula, or styles) and materials to address different learning styles, abilities, developmental levels, and temperament;
 - (b) Helping children enter into and sustain play;
 - (c) Encouraging children to participate by asking questions and providing guidance;
 - (d) Providing opportunities for children's creativity;
 - (e) Linking concepts and activities to one another and to the children's lives and interests;
 - (f) Noticing and responding to teachable moments;
 - (g) Clarifying and expanding children's understanding;
 - (h) Describing and discussing children's learning processes;
 - (i) Encouraging children's efforts and persistence;
 - (j) Showing tolerance for mistakes;
 - (k) Using diverse vocabulary;
 - (l) Leading discussions and activities;
 - (m) Providing materials during the day, including daily routines such as meals and transitions, to encourage communication in English and children's home languages when possible; and
 - (n) Use scaffolding methods to gradually move children toward stronger understanding and greater independence in the learning process.
- (3) Outdoor preschools, as nature-based programs, must emphasize the children's exploration of the natural world. This must be accomplished by implementing the techniques described in subsections (2)(a) through (2)(n) of this section, and providing modeling and teaching that encourages:
 - (a) Opportunities for child-directed inquiry;
 - (b) The children's curiosity through open-ended experiences and questioning;

- (c) Respectful, reciprocal, and sustainable interactions with nature, including the local fauna, flora, and delicate ecosystems; and
 - (d) Engaging children in diverse environments.
- (4) Outdoor preschools, as operating primarily outside and potentially in un-enclosed spaces, must prioritize behavior management and children’s development of habits that keep them safe in such environments. This must be accomplished by:
- (a) Establishing boundaries through visual cues, such as cones or rope.
 - (b) Teaching children to respond to verbal instructions to stop and return, either through words or the use of other calls,
 - (c) The appropriate use of consequence for unsafe behaviors,
 - (d) Pursuant to standard 0315, engaging children in developmentally appropriate assessment of risky play.
 - (e) Ensuring children are engaged in areas that suit the developmental level of their behaviors, and
 - (f) Positioning staff at locations within the outdoor preschool to ensure the outdoor preschool provider has the ability to respond to dangerous situations.

0315 Language modeling and reasoning.

- (1) An outdoor preschool provider must be aware of and responsive to children's developmental, linguistic, cultural, and academic needs.
- (2) An outdoor preschool provider must be aware of and responsive to children's needs by engaging in activities such as:
 - (a) Asking developmentally appropriate questions for the age group and allow children to answer without interruption from the provider;
 - (b) Circulating among the children during free choice activities and talking with children about what they are doing;
 - (c) Using teaching techniques such as:
 - i. Self-talk: When the provider talks about what he or she is doing, seeing, eating, touching, or thinking as he or she is involved in that activity;
 - ii. Parallel-talk: When the provider talks about what the child is doing, seeing, eating, or touching as the child is engaging in those activities; or
 - iii. Language expansion: When the provider adds detail or new words to build on ideas that children are expressing.
 - (d) An outdoor preschool provider must use language to develop and encourage reasoning skills by using techniques such as:
 - i. Talking about logical relationships or concepts during the day including, but not limited to, the daily schedule, the differences and similarities between objects, or people in the classroom;
 - ii. Introducing concepts using guiding questions that encourage children to figure out cause and effect relationships;
 - iii. Providing opportunities for reading and writing activities; and
 - iv. Asking open ended questions to help children improve skills and acquire knowledge.
 - (e) An outdoor preschool provider working with non-English speaking children must encourage language development and acquisition by using techniques such as:
 - i. Using words in various languages to talk about the routines;

- ii. Reading books out loud or using audio books; and
 - iii. Playing games in different languages.
- (3) An outdoor preschool provider, in addition to carrying out benefit-risk assessments pursuant to standard 0471, must engage children in a developmentally appropriate assessment of risky play. This must be accomplished by:
- (a) Providing greater supervision as children engage in new levels of risky play.
 - (b) Using questioning and scaffolding to help children determine risks and ways to mitigate risk.
 - (c) Prohibiting staff from physically placing children into risky situations, such as in trees or on top of boulders.
 - (d) Staff encouraging children to accept their current levels of ability as they work towards goals.

0320 Facilitating child interests, learning, perspective, and productivity.

- (1) An outdoor preschool provider must work to maximize children's interests, engagement with developmentally and culturally responsive activities, and ability to learn from play.
- (2) An outdoor preschool provider must maximize children's interests, engagement, and abilities by using techniques such as:
- (a) Maximizing learning time with learning materials and products, limiting disruptions during activities, and offering additional choices when activities are completed;
 - (b) Giving clear instructions and directions; and
 - (c) Making opportunities for children to learn during transitions by clearly communicating expectations and keeping transitions to a duration that is developmentally appropriate.
- (3) An outdoor preschool provider must offer developmentally and culturally responsive activities that offer a range of auditory, visual, and movement opportunities by using techniques such as:
- (a) Encourage child engagement;
 - (b) Promote each child's self-help and social skills;
 - (c) Organized around child interests and ideas;
 - (d) Allow choice, exploration, and experimentation;
 - (e) Promote active and play-based learning experiences;
 - (f) Allow children freedom to move during activities;
 - (g) Ensure child expression;
 - (h) Utilize interesting and creative materials;
 - (i) Offer hands-on opportunities for children;
 - (j) Provide opportunity for children to direct their own learning and problem solving rather than teacher-directed activities; and
 - (k) Orient and guide children toward learning objectives.

Emotional Support and Classroom Organization

0325 Creating a climate for healthy child development.

- (1) When communicating or interacting with children, an outdoor preschool provider must maintain a climate for healthy, culturally responsive child development such as:
- (a) Using a calm and respectful tone of voice;

- (b) Using positive language to explain what children can do, and give descriptive feedback;
 - (c) Having relaxed conversations with children by listening and responding to what they say. Adult conversations must not dominate the overall sound of the group;
 - (d) Greeting children upon arrival and departure at the outdoor preschool program;
 - (e) Using facial expressions such as smiling, laughing, and enthusiasm to match a child's mood;
 - (f) Using physical proximity in a culturally responsive way to speak to children at their eye level and with warm physical contact including, but not limited to, gently touching a hand or shoulder, sitting next to a child, appropriately holding younger children close while communicating;
 - (g) Validating children's feelings and show tolerance for mistakes;
 - (h) Being responsive and listening to children's requests and questions, encouraging children to share experiences, ideas, and feelings;
 - (i) Observing children in order to learn about their families, cultures, individual interests, ideas, questions, and theories;
 - (j) Modeling and teaching emotional skills such as recognizing feelings, expressing them appropriately, accepting others' feelings, and controlling impulses to act out feelings;
 - (k) Representing the diversity found in the outdoor preschool program and society, including gender, age, language, and abilities, while being respectful of cultural traditions, values, religion and beliefs of enrolled families;
 - (l) Interacting with staff and other adults in a positive, respectful manner; and
 - (m) For outdoor preschools, encouraging the development of a caring relationship with the environment.
- (2) An outdoor preschool provider must encourage positive interactions between and among children with techniques such as:
- (a) Giving children several chances a day to interact with each other while playing or completing routine tasks;
 - (b) Modeling social skills;
 - (c) Encouraging socially isolated children to find friends;
 - (d) Helping children understand feelings of others; and
 - (e) Including children with special needs to play with others.

0330 Positive relationships and child guidance.

- (1) An outdoor preschool provider must work to maintain positive relationships with children by using consistent guidance techniques to help children learn. Guidance techniques must adapt an outdoor preschool program's environment, routines, and activities to a child's strengths, developmental level, abilities, culture, community, and relate to the child's behavior.
- (2) Guidance techniques may include:
 - (a) Coaching behavior;
 - (b) Modeling and teaching social skills such as taking turns, cooperation, waiting, self-control, respect for the rights of others, treating others kindly, and conflict resolution;
 - (c) Offering choices;
 - (d) Distracting;

- (e) Redirecting or helping a child change their focus to something appropriate to achieve their goal;
- (f) Planning ahead to prevent problems and letting children know what events will happen next;
- (g) Explaining consistent, clear rules and involving children in defining simple, clear classroom limits;
- (h) Involving children in solving problems; and
- (i) Explaining to children the natural and logical consequence related to the child's behavior in a reasonable and developmentally appropriate manner.

0331 Prohibited behavior, discipline, and physical removal of children.

- (1) An outdoor preschool provider must take steps to prevent and, once aware of, must not tolerate:
 - (a) Profanity, obscene language, "put downs," or cultural or racial slurs;
 - (b) Angry or hostile interactions;
 - (c) Threats of physical harm or inappropriate discipline such as, but not limited to, spanking, biting, jerking, kicking, hitting, slapping, grabbing, shaking, pulling hair, pushing, shoving, throwing a child, or inflicting pain or humiliation as a punishment;
 - (d) Intimidation, gestures, or verbal abuse including sarcasm, name calling, shaming, humiliation, teasing, derogatory remarks about a child or the child's family;
 - (e) Emotional abuse including victimizing, bullying, rejecting, terrorizing, extensive ignoring, or corrupting a child;
 - (f) Prevent a child from or punish a child for exercising religious rights; or
 - (g) Actions that involve:
 - i. Restricting a child's breathing;
 - ii. Binding or restricting a child's movement unless permitted under – standard 0335;
 - iii. Taping a child's nose, mouth, or other body part;
 - iv. Depriving a child of sleep, food, clothing, shelter, physical activity, first aid, or regular or emergency medical or dental care;
 - v. Forcing a child to ingest something as punishment such as hot sauce or soap;
 - vi. Interfering with a child's ability to take care of his or her own hygiene and toileting needs;
 - vii. Using toilet learning or training methods that punish, demean, or humiliate a child;
 - viii. Withholding hygiene care, toileting care, or diaper changing from any child unable to provide such care for himself or herself;
 - ix. Exposing a child to extreme temperatures as punishment;
 - x. Demanding excessive physical exercise or strenuous postures. Excessive physical exercise includes, but is not limited to, running laps around the yard until overly tired, an extensive number of push-ups, having a child rest more than the child's development requires, standing on one foot for an uncomfortable amount of time, or holding out one's arms until tired or painful;
 - xi. Placing the separated child in a closet, bathroom, locked room, outside, or in an unlicensed space; and

- xii. Using high chairs, car seats, or other confining space or equipment to punish a child or restrict movement.
- (2) An outdoor preschool provider must supervise to protect children from the harmful acts of other children. A provider must immediately intervene when they become aware that a child or children are teasing, fighting, bullying, intimidating, or becoming physically aggressive.
 - (3) An outdoor preschool provider may separate a child from other children when that child needs to regain control of him or herself.
 - (a) During separation time, the child must remain under the appropriate supervision level of a licensee, center director, assistant director, program supervisor, lead teacher or an assistant teacher.
 - (b) Separation time should be minimized and appropriate to the needs of the individual child.
 - (4) If a child is separated from other children, an outdoor preschool provider must:
 - (a) Consider the child's developmental level, language skills, individual and special needs, and ability to understand the consequences of his or her actions; and
 - (b) Communicate to the child the reason for being separated from the other children.
 - (5) If an outdoor preschool provider follows all strategies in this section, and a child continues to behave in an unsafe manner, only a licensee, center director, assistant director, program supervisor, lead teacher, or an assistant teacher may physically remove the child to a less stimulating environment. Staff must remain calm and use a calm voice when directing or removing the child. Physical removal of a child is determined by that child's ability to walk:
 - (a) If the child is willing and able to walk, staff may hold the child's hand and walk him or her away from the situation.
 - (b) If the child is not willing or able to walk, staff may pick the child up and remove him or her to a quiet place where the child cannot hurt themselves or others.

0335 Physical restraint.

- (1) An outdoor preschool provider must have written physical restraint protocols pursuant to standard 0490, and implement such protocols only when appropriate and after complying with all requirements of standards 0330 and 0331.
- (2) Physical restraint must only be used if a child's safety or the safety of others is threatened, and must be:
 - (a) Limited to holding a child as gently as possible to accomplish restraint;
 - (b) Limited to the minimum amount of time necessary to control the situation;
 - (c) Developmentally appropriate; and
 - (d) Only performed by outdoor preschool providers that are trained in restraint techniques pursuant to standard 0106(7). If a provider has not received restraint training, the provider may only use limited physical restraint when:
 - i. Protecting a child from serious injury;
 - ii. Obtaining possession of a weapon or other dangerous object; or
 - iii. Protecting property from serious damage.
- (3) No person may use bonds, ties, blankets, straps, car seats, high chairs, activity saucers, or heavy weights (including an adult sitting on a child) to physically restrain children.
- (4) Licensees, directors, assistant directors, program supervisors, lead teachers or trained staff must remove him or herself from a situation if they sense a loss of their own self-control and concern for the child when using a restraint technique if another outdoor preschool provider is

present. If an outdoor preschool provider observes another staff using inappropriate restraint techniques, the staff must intervene.

- (5) If physical restraint, including limited restraint as described in subsection (2) (d) of this section, is used, staff must:
 - (a) Report the use of physical restraint to the child's parent or guardian as soon as possible, but no later than the release of the child at the end of the day.
 - (b) Assess any incident of physical restraint to determine if the decision to use physical restraint and its application was appropriate;
 - (c) Document the incident in the child's file, including the date, time, outdoor preschool program staff involved, duration and what happened before, during and after the child was restrained;
 - (d) Develop a written plan with input from the child's primary care or mental health provider, and the parents or guardians to address underlying issues and to reduce the need for further physical restraint if:
 - i. Physical restraint has been used more than once; and
 - ii. A plan is not already a part of the child's individual care plan.
 - (e) Notify the department when a written plan has been developed.

0340 Expulsion.

- (1) Pursuant to standard 0486 and to promote consistent care and maximize opportunities for child development and learning, an outdoor preschool provider must develop, implement, and follow expulsion policies and practices.
- (2) An outdoor preschool provider may expel a child only if:
 - (a) The child exhibits behavior that presents a serious safety concern for that child or others; and
 - (b) The program is unable to reduce or eliminate the safety concern through reasonable modifications.
- (3) If a child is expelled, an outdoor preschool provider must:
 - (a) Review the program's expulsion policy with the child's parent or guardian;
 - (b) Provide a record to the parent or guardian about the expulsion and the steps that were taken to avoid expulsion. The record must include the date, time, outdoor preschool program staff involved, and details of each incident that led to expulsion; and
 - (c) Provide information to the parent or guardian that includes, but is not limited to, community-based resources that may benefit the child.
- (4) The outdoor preschool provider must report to the department when children are expelled. The information must include:
 - (a) Child demographic data including, but not limited to, the age, race, ethnicity, and gender of the child;
 - (b) The reason the child was expelled; and
 - (c) The resources that were provided to the parent or guardian.

Program Structure and Organization

0345 Supervising children.

- (1) An outdoor preschool provider must only allow the following persons to have unsupervised access to a child in care:
 - (a) The child's own parent or guardian;
 - (b) Licensees or outdoor preschool program staff authorized by the department under chapter 110-06 WAC;
 - (c) A government representative including an emergency responder who has specific and verifiable authority for access, supported by documentation; and
 - (d) A person authorized in writing or by telephone by the child's parent or guardian.
- (2) An outdoor preschool provider must meet capacity, group size, and staff-to-child ratios while children are in care. This includes, but is not limited to:
 - (a) Indoor and outdoor play activities;
 - (b) Off-site activities;
 - (c) During transportation;
 - (d) Meal times;
 - (e) Rest periods; and
 - (f) When children are on different floor levels of an indoor early learning program space.
- (3) An outdoor preschool provider must supervise children in care by:
 - (a) Scanning the environment, looking for, and listening for both verbal and nonverbal cues to anticipate problems and plan accordingly;
 - (b) Visibly checking children on many occasions with little time in between. For outdoor preschools, "visibly checking" must include knowing where all the children are located;
 - (c) Positioning him or herself to supervise all areas accessible to children;
 - (d) Attending to children and being aware of what children are doing at all times;
 - (e) Being available and able to promptly assist or redirect a child as necessary; and
 - (f) Considering the following when deciding whether increased supervision is needed:
 - i. Ages of children;
 - ii. Individual differences and abilities of children;
 - iii. Layout of the indoor and outdoor licensed space and play area;
 - iv. The risk associated with the activities children are engaged in; and
 - v. Any nearby hazards including those in the licensed or unlicensed space.
 - (g) All children must remain actively supervised by at least one staff member at all times.
 - (h) Ensuring staff are equipped with cell phones or walkie-talkies at all times for the purpose of communicating, when necessary, with other staff.
- (4) An outdoor preschool program staff member may undertake other activities for a temporary time period when not required to be providing the active supervision required under subsection (5)(b) of this section or when following a missing child protocol, pursuant to standard 0471 (2) (m). Such activities include, but are not limited to, cleaning up after an activity or preparing items for a new activity. The outdoor preschool staff member must remain in visual or auditory range, and be available and able to respond to the children's needs.
- (5) An outdoor preschool provider must:
 - (a) Not use devices such as a baby monitors, video monitors, or mirrors in place of supervision.

- (b) Actively supervise children when the children:
- i. Interact with pets or animals;
 - ii. Engage in water or sand play;
 - iii. Play in an area adjacent to a body of water;
 - iv. Engage in cooking activities;
 - v. Engage in water activities;
 - vi. Engage in campfire activities;
 - vii. Engage in climbing activities;
 - viii. Engage in tool use activities;
 - ix. Ride on public transportation;
 - x. During field trips; and
 - xi. During hikes or walks.

0350 Supervising children during water activities.

- (1) During water activities, an outdoor preschool provider must comply with all supervision requirements described in this section and standard 0345.
- (2) Before a child can participate in water activities, the outdoor preschool provider must obtain written permission from the child's parent or guardian that allows the child to participate in such activities. An outdoor preschool within a quarter mile of an accessible body of water more than 4 inches deep must also obtain from the parent or guardian a signed hazard waiver under standard 0471.
- (3) For water activities where the water is more than twenty-four inches deep, an outdoor preschool provider must ensure that:
 - (a) A certified lifeguard is present and on duty; and
 - (b) A staff member or volunteer counted in the ratio may be the certified lifeguard.
- (4) An outdoor preschool provider must have life-saving equipment that is readily accessible during water activities if a pool or body of water is six feet or more in any direction and two feet or more in depth. Life-saving equipment may include a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook that will not conduct electricity.
- (5) At least one attending staff person must be able to swim when children are within one quarter mile of an accessible body of water more than four inches deep (for example, a park with a lake or stream), regardless of whether or not the children are engaging in a water activity.

0351 Outdoor preschool campfire activity supervision and safety.

- (1) To engage in a campfire activity, an outdoor preschool provider must have permission from the landowner or park's director, and comply with this section.
- (2) Pursuant to standard 0471, an outdoor preschool provider must have signed written permission for campfire activities from each child's parent or guardian in the form of a hazard waiver.
- (3) Pursuant to standard 0110(5), staff must be trained on the program's campfire policies and procedures prior to leading a campfire activity, and outdoor preschool providers must train, evaluate, and keep a written record of the staff's ability to build and extinguish a fire according to the rules of this section.
- (4) Outdoor preschool providers must prepare and retain a record that the safe campfire practices required under this section have been carried out for each campfire activity. Compliance with this subsection may include the creation of a checklist by the provider that describes the safe campfire practices that were followed before and after each campfire activity.

- (5) The outdoor preschool provider must have a first aid kit near the campfire that is equipped with first aid supplies made specifically to treat fire related injuries including, but not limited to, a fire blanket and sterile, non-adhesive bandages. Staff must be prepared to smother a fire on a child's clothing or hair using equipment including, but not limited to, water, a fire suppression blanket, or fire extinguisher.
- (6) An outdoor preschool provider must create a clearly visible boundary at least three feet away from the outer edge of the fire pit or structure containing the fire. This boundary may be delineated by a rope, large rocks, or seating area of logs or camp-chairs. The area within the three foot boundary must:
 - (a) At all times be clear of tripping hazards such as bags or other materials; and
 - (b) Have space in between the logs, camp-chairs, or other seating so that children and adults easily move into and out of the seating area.
- (7) Campfires must be built and extinguished according to safe fire practices provided by the US Forest Service at <https://smokeybear.com/en/prevention-how-tos/campfire-safety>, and:
 - (a) Campfires must not be built during periods of high fire danger in the area;
 - (b) A campfire must not be more than two feet in diameter;
 - (c) All campfires must be in a fire pit or structure that is designed for the express purpose of safely containing a campfire. The perimeter of the fire pit must be delineated and clearly visible to children, such as by rocks, a metal ring, or bricks;
 - (d) Each outdoor preschool class cannot have more than one campfire activity at any time; and
 - (e) Before starting a campfire activity, the outdoor preschool provider must have the necessary equipment and supplies to safely extinguish a campfire. For purposes of this subsection equipment and supplies includes, but is not limited to, sufficient water and a shovel. Fire extinguishers kept on-site must comply with the requirements contained in standard 0170.
- (8) While a campfire is burning, an outdoor preschool provider must remain within the three foot boundary around the fire to respond to any fire-tending needs and to prevent children from coming into close contact with the fire.
- (9) There must be a one-to-one (1:1) staff-to-child ratio for any child within the three-foot boundary around the fire. A staff member must remain within arms' reach of that child, and the child may only assist in setting up or tending to the fire in a developmentally appropriate way, such as by placing kindling or small sticks.
- (10) The outdoor preschool provider must use developmentally appropriate teaching practices to ensure children understand safe behavior around a campfire, prior to any campfire activity.
- (11) Adults and children tending the fire must tie back long hair and secure loose clothing to reduce the risk of catching fire.
- (12) The outdoor preschool provider and staff must prevent children from running and pushing within six feet of the edge of the fire-pit.

0354 Indoor early learning program space capacity.

If applicable, outdoor preschool providers must comply with all applicable licensing requirements for indoor early learning program space capacity.

0355 Family home capacity, ratio, and group size.

Outdoor preschool providers that utilize a family home indoor early learning program space or fenced playground must comply with the applicable capacity, ratio, and group size requirements of a licensed family home.

0356 Center capacity, ratio, and group size.

Outdoor preschool providers that utilize a center indoor early learning program space or fenced playground must comply with the applicable capacity, ratio, and group size requirements of a licensed center.

0358 Outdoor, nature-based preschool capacity, ratio, and group size.

- (1) For each child attending an outdoor preschool program there must be a minimum of four-thousand (4,000) square feet of natural space per child in attendance to support a nature-based curriculum, unless otherwise approved by a park's director and the department.
- (2) For purposes of a permanently located outdoor classroom area, children receiving instruction within that area must have a minimum of thirty-five (35) square feet of space in that area per child in attendance, not including bathroom or diaper changing spaces or ground space occupied by shelves, features, or other equipment not intended to be accessible to children.
- (3) For purposes of determining capacity, the department will consider the following factors and requirements.
 - (a) The area and maximum occupancy described in the outdoor preschool program's use agreement with the landowner or Public Parks director.
 - (b) Unless otherwise approved by the park's director and the department, the licensed space of another outdoor preschool or educational program that regularly operates at the same time shall not be considered in the licensed space calculations for the area that is being licensed.
 - (c) The land's features and diversity must be sufficient to support high quality, developmentally appropriate, early childhood environmental education.
 - (d) The land's facilities, such as emergency shelters and toilets, must be sufficient to support the health and safety needs of all enrolled children.
 - (e) If an indoor space will be used for routine care only, such as toileting or handwashing, those spaces must comply with standard 0415 (Zoning, codes, and ordinances).
 - (f) If an indoor space will be used for educational activity, the program must comply with all requirements applicable to family home or center based early learning program facilities.
 - (g) An outdoor preschool provider's education and on-going training.
 - (h) An outdoor preschool provider's licensing history with the department.
 - (i) The number of qualified staff available to comply with required staff-to-child ratios.
- (4) The following space or areas must not be included in the capacity determination:
 - (a) Unlicensed space;
 - (b) Emergency shelter space that will only be used in case of emergency.
 - (c) Toileting facilities;
 - (d) Restricted land; and
 - (e) Road-ways through parks.
- (5) The department may issue an initial outdoor preschool license. The department will not issue an outdoor preschool license to care for more children than permitted by the rules contained in these standards. The department may issue a license to care for fewer than the maximum allowable enrolled children. For each outdoor preschool license, the license will describe:
 - (a) The maximum number of children that may be in care at any one time (total capacity);

- (b) The age range of children allowed in care; and
 - (c) The location of the program
- (6) An outdoor preschool licensee must not exceed at any time the total capacity or age range stated on the child care license. The following children are included for purposes of calculating capacity during a particular day or time:
- (a) All children on the premises that are signed into the childcare;
 - (b) All children on an off-site trip from the outdoor preschool program;
 - (c) All children that are being transported by the outdoor preschool program staff; and
 - (d) All the provider's and staff's children.
- (7) An outdoor preschool licensee must receive department approval to care for a child with special needs if the child is older than the maximum age identified on the license. A child with documented special needs may be in care up to age nineteen and must be counted in the capacity and staff-to-child ratio. If an individual child with special needs requires individualized supervision at an outdoor preschool, a staff member providing individualized supervision for that child does not count in the staff-to-child ratio for the other children in care.
- (8) An outdoor preschool licensee must provide qualified staff to comply with staffing requirements, staff-to-child ratios, and group size during operating hours, including off-site activities or when transporting children in care.
- (9) The following ratio and group size requirements apply to each outdoor preschool class
- (a) For preschoolers (thirty months to six years of age that are not attending kindergarten or elementary school) the maximum group size must not exceed sixteen children with a staff to child ratio of one staff member to six children. Each group must be staffed by at least two qualified staff members (staff not including aides or volunteers), and every third staff member counted in the ratio may be an aide or volunteer. Children related to the staff or licensee must be included in the ratio calculation.
 - (b) The outdoor preschool class must comply with risk-related ratio requirements including, but not limited to the following:
 - i. Providing additional staff as required by standard 0350 when children are participating in water activities.
 - ii. Providing additional staff after assessing the level of risk pursuant to standards 0345 and 0471.
 - (c) The outdoor preschool class must comply with any variance from department rules authorized under standard 0436.

0360 Program and daily schedule.

- (1) An outdoor preschool provider must have an established program and daily schedule that is familiar to children.
- (2) A schedule must be designed to meet enrolled children's developmental, cultural, and special needs. The daily schedule must:
- (a) Be specific for each age group of children;
 - (b) Pursuant to standard 0150, offer a variety of activities to meet the children's needs;
 - (c) Provide children access to the outdoors for more than half of their daily program schedule, and for every three hours of programming pursuant to standard 0145 at least thirty minutes of the program must promote a variety of age and developmentally appropriate active play activities for children in care.

- (d) Include scheduled and consistent times for meal service;
- (e) Include routine transportation times, if applicable; and
- (f) Include rest periods, if applicable.

PROGRAM ADMINISTRATION AND OVERSIGHT

Licensing Process

0400 Application materials.

- (1) After completing a department orientation, an applicant must submit a complete outdoor preschool pilot license application packet. This requirement also applies to a change of ownership. A complete license application packet must include the following:
 - (a) Professional and background information about the applicant:
 - i. A completed department application form for the type of license being applied for (i.e. outdoor preschool);
 - ii. A copy of the applicant's orientation certificate (orientation must be taken within 12 months of license application);
 - iii. A Washington state business license or a tribal, county, or city business or occupation license;
 - iv. Liability insurance;
 - v. Certificate of Incorporation, partnership agreement, or similar business organization document;
 - vi. A copy of current government issued photo identification;
 - vii. A copy of Social Security card or sworn declaration stating that the applicant does not have one;
 - viii. Employer Identification Number (EIN) if applicant plans to hire staff; and
 - ix. Employment and education verification. For example, diploma, transcripts, or a sworn declaration stating that the applicant cannot verify education requirements;
 - (b) Information about the facility and/or location to be licensed must include the following:
 - i. If applicable, a floor plan, including use of proposed licensed and unlicensed space, with identified emergency exits and emergency exit pathways.
 - ii. A map of the outdoor space with the proposed licensed natural space highlighted, a description of the current use of the proposed space, and a description of the square footage of the overall natural space, the permanently located outdoor classroom, and gross motor active play area(s). For the proposed licensed area there must also be a description of the drop-off and pick-up locations, emergency shelter, and toileting facilities (or description of alternative policies and practices).
 - iii. If applicable, a Certificate of Occupancy. For outdoor preschools, the certificate of occupancy is required for any structure intended for use by the program, including public parks land.

- iv. If applicable, documentation that is no more than three years old received from a licensed inspector, septic designer, or engineer that reports the septic system and drain field are maintained and in good working order.
 - v. If applicable, E. coli bacteria and nitrate testing results, no more than twelve months old, for well water.
 - vi. A lead or arsenic evaluation agreement for sites located in the Tacoma smelter plume (counties of King, Pierce, and Thurston).
 - vii. Lead and copper test results for drinking water.
 - viii. For outdoor preschools on public park land, a signed use agreement with the park's director or designee, including maximum program occupancy.
 - (c) Program days and hours of operation, including closure dates and holiday observances;
 - (d) Information about the outdoor preschool program staff, including the following:
 - i. Applicant name, and if applicable and known, a list of the staff person(s) and volunteer(s) required to complete the background check process under chapter 110-06 WAC; and
 - ii. Resumes for the applicant and if applicable, resumes for the Director, Assistant Director, Program Supervisor, and Family Home Lead Teacher.
- (2) An applicant must include the following policy documents with the application, which will be reviewed by the department and returned to the applicant:
- (a) Parent and program policies;
 - (b) Staff policies;
 - (c) An emergency preparedness plan; and
 - (d) Health policies.
- (3) An applicant must submit a completed application packet at least ninety calendar days prior to the planned opening of the outdoor preschool program. The department will inspect the outdoor preschool program space and must approve all application submissions required under these standards before the department will issue a license.
- (a) The ninety calendar days begins when the department receives a complete application packet.
 - (b) Incomplete application packets will be returned to the applicant for completion.
 - (c) An applicant that is unable to successfully complete the application and licensing process within ninety calendar days may withdraw the application and reapply when the applicant is able to meet the licensing requirements.
 - (d) Pursuant to RCW 43.216.325, an applicant that is unable to satisfy or comply with the application requirements and has not withdrawn his or her application will be denied a license.

0402 Changing outdoor preschool program space or location.

- (1) An outdoor preschool provider must notify the department prior to making a change to outdoor preschool program space that may impact the health, safety, or welfare of enrolled children. Such changes that require prior notice to the department include, but are not limited to, the following:
- (a) Moving outdoor preschool programs to a different location or facility (even if the new location is on the same premises);

- (b) An outdoor preschool program altering a planned use of space including, but not limited to, the use of previously unlicensed areas or new location for a permanently located outdoor classroom;
 - (c) Modifying facilities in a way that requires a permit under the Washington state building code or by a local jurisdiction, such as remodeling or renovating emergency shelter locations;
 - (d) Changing outdoor play areas, such as adding or altering the type of surface or altering stationary climbing or play equipment; and
 - (e) Any substantial modifications to the licensed area planned or implemented by the landowner.
- (2) An outdoor preschool provider must submit to the department the new proposed site map prior to making any of the changes described in subsections (1)(a) through (1)(c) of this section.
- (3) An outdoor preschool provider planning a change under subsection (1)(a) of this section must also:
- (a) Submit a complete application pursuant to standard 0400 as soon as the provider decides to move and has an identified address, but not more than ninety calendar or less than thirty calendar days before moving;
 - (b) Notwithstanding the requirements described in subsection (3) (a) of this section, in the event of a natural disaster, the department may waive the 30 calendar-day requirement; and
 - (c) Not significantly change or move an outdoor preschool program until the department has first inspected the new location and determines that it complies with the requirements described in these standards.

0410 License and program location.

- (1) An applicant seeking an outdoor preschool license under chapter 110-300D WAC must be at least eighteen years old.
- (2) An outdoor preschool licensee refers to the individual or organization:
 - (a) Whose name appears on an outdoor preschool license issued by the department.
 - (b) Responsible for complying with the requirements described in chapter 43.216 RCW, chapter 110-06 WAC, chapter 110-300D WAC, these standards, and other applicable laws or rules.
 - (c) Responsible for training outdoor preschool program staff about the requirements described in chapter 43.216 RCW, chapter 110-06 WAC, chapter 110-300D WAC, and these standards.
- (3) Outdoor preschool program space must be located:
 - (a) On a site free from known environmental hazards, not including hazards inherent in the natural physical features of the outdoors;
 - (b) When necessary, in an area where non-emergency services and utilities can serve the outdoor preschool program space; and
 - (c) In an area served by emergency fire, medical, and police during the hours the outdoor preschool provider provides care to children.
- (4) An outdoor preschool provider must prevent enrolled children from being exposed to the following known hazards within and around the licensed premises:
 - (a) Lead based paint;
 - (b) Plumbing and fixtures containing lead or lead solders;

- (c) Asbestos;
 - (d) Arsenic, lead, or copper in the soil or drinking water;
 - (e) Toxic mold; and
 - (f) Other identified toxins or hazards.
 - (g) Sites undergoing remedial work by the Department of Ecology must take additional steps to ensure children do not ingest contaminated soil.
- (5) Outdoor preschools located on private property are required to place address numbers and signage at the entrance of the private property that contains the outdoor preschool program space.
 - (6) A license applicant planning to open an outdoor preschool program in the designated Tacoma smelter plume (counties of King, Pierce, and Thurston) must contact the state department of ecology (DOE) and complete and sign an access agreement with DOE to evaluate the applicant's property for possible arsenic and lead soil contamination.

0415 Zoning, codes, and ordinances.

- (1) The department adopts and incorporates by reference the Washington state building code (chapter 19.27 RCW), as now and hereafter amended.
- (2) Outdoor preschool program space must comply with the Washington state building code or local building code as enacted at the time of licensure. Facility modifications must comply with standard 0402.
- (3) Prior to licensing, an applicant must contact state, city, and local agencies that regulate the outdoor preschool program. An outdoor preschool provider must obtain regulations and comply with the direction given by such agencies. These agencies may include, but are not limited to, the Washington state department of labor and industries, the Washington state fire marshal, the Washington state department of health, local health jurisdictions, and public parks directors.
- (4) Before issuing a license to an outdoor preschool provider that plans on using an indoor facility for part of its program that is not currently licensed, the outdoor preschool provider must:
 - (a) Obtain a certificate of occupancy issued by the local building, planning, or zoning department, or a local equivalent if a locality does not have the certificate of occupancy; and
 - (b) Be inspected and approved by the state fire marshal or local authority as approved by the department.

0420 Prohibited substances.

- (1) Chapter 70.160 RCW prohibits smoking in public places and places of employment. Outdoor preschools must comply with the rules of the landowner, and the rules contained in these standards.
- (2) Pursuant to RCW 70.160.050, an outdoor preschool provider must:
 - (a) Prohibit smoking, vaping, or similar activities in licensed indoor space, even during nonbusiness hours;
 - (b) Prohibit smoking, vaping, or similar activities in licensed outdoor space unless:
 - i. The smoking, vaping or similar activities occurs during nonbusiness hours; or

- ii. The smoking, vaping or similar activities occurs in an area for smoking or vaping tobacco products that is not a "public place" or "place of employment," as defined in RCW 70.160.020.
 - iii. The outdoor preschool is operated on public land where the law allows members of the public to smoke in the area, in which case outdoor preschool providers must protect children from second-hand smoke.
- (c) Prohibit smoking, vaping, or similar activities in motor vehicles used to transport enrolled children;
 - (d) Prohibit smoking, vaping, or similar activities by any provider who is supervising children, including during field trips;
 - (e) Prohibit smoking, vaping, or similar activities within twenty-five feet from entrances, exits, operable windows, and vents, pursuant to RCW 70.160.075; and
 - (f) Post "no smoking or vaping" signs. Signs must be clearly visible and located at each building entrance used as part of an indoor early learning program space. For outdoor preschools operating on private land it is the landowner's duty to post "no smoking" signs.
- (3) An outdoor preschool provider must:
- (a) Prohibit any staff person from consuming or being under the influence of alcohol on licensed space during business hours;
 - (b) Prohibit any staff person within licensed space from consuming or being under the influence of illegal drugs or misused prescription drugs.
 - (c) Prohibit any staff person from consuming smokeless cannabis products in licensed space during business hours.
 - (d) Store any tobacco or vapor products, packaging of tobacco or vapor products, cannabis or associated paraphernalia, or alcohol (both open and closed containers) in a space that is inaccessible to children;
 - (e) Prohibit children from accessing cigarette or cigar butts or ashes;
 - (f) Protect children from members of the public consuming or under the influence of alcohol, legal drugs, illegal drugs or misused prescription drugs.

0425 Initial, non-expiring, dual licenses, and license modification.

- (1) Pursuant to RCW 43.216.315, the department may issue an initial license to an outdoor preschool program applicant if the applicant demonstrates compliance with chapter 110-06 WAC, standard 0400, and compliance with site requirements through an initial inspection; but is not in full compliance with all other requirements described in these standards, or chapter 100-300D WAC.
 - (a) An initial license is valid for six months from the date issued.
 - (b) At the department's discretion, an initial license may be extended for up to three additional six-month periods, not to exceed a total of two years.
 - (c) The department must evaluate the outdoor preschool provider's ability to follow requirements contained in these standards during the initial license period.
- (4) The department may issue a non-expiring pilot license to a licensee operating under an initial license who demonstrates compliance with the requirements described in these standards during the period of initial licensure. For purposes of this pilot project all licenses, including

non-expiring pilot licenses, shall become void at the conclusion of the pilot project unless otherwise extended due to additional legislative action.

- (5) A licensee must submit annual compliance documents at least thirty calendar days prior to the licensee's anniversary date. A licensee's anniversary date occurs each year on the same day and month that is the day and month the first initial license was issued. The required annual compliance documents include the following:
 - (a) A declaration on the department's form indicating:
 - i. The intent to continue operating a licensed outdoor preschool program or the intent to cease operation on a date certain;
 - ii. That the outdoor preschool program is in compliance with all licensing rules;
 - iii. A change in the outdoor preschool program's operational hours or dates; and
 - iv. The intent to comply with all licensing rules.
 - (b) Pursuant to RCW 43.216.305(2), documentation of completed background check applications as determined by the department's established schedule; and
 - (c) For each individual required to have a background check clearance, the outdoor preschool provider must verify current background checks or require the individual to submit a background check application at least thirty calendar days prior to the anniversary date.
- (6) If a licensee fails to comply with the requirements for continuing a non-expiring pilot license by their anniversary date, the licensee's current license expires and the outdoor preschool provider must submit a new application for licensure.
- (7) Nothing about the non-expiring pilot license process in this section may interfere with the department's established monitoring practices.
- (8) A licensee has no right to an adjudicative proceeding (hearing) to appeal the expiration, nonrenewal, or non-continuation of a non-expiring pilot license resulting from a failure to comply with the requirements of this section.
- (9) A licensee must have department approval to hold dual licenses (for example: An outdoor preschool pilot license and another care giving license, certification, or similar authorization).
- (10) If the department determines that a licensee is not meeting all applicable requirements and regulations:
 - (a) The department and licensee may agree to modify the pilot license;
 - (b) The licensee may give up one of the licenses, certifications, or authorizations; or
 - (c) The department may suspend, deny, or revoke the outdoor preschool pilot license, pursuant to RCW 43.216.325.
- (11) An outdoor preschool provider must report within twenty-four hours:
 - (a) To the department and local authorities a fire or other structural damage to the early learning program space or other parts of the premises, including a natural disaster affecting an outdoor preschool space;
 - (b) To the department:
 - i. A retirement, termination, death, incapacity, or change of the program director, or program supervisor, or change of ownership or incorporation of a provider;
 - ii. Pursuant to WAC 110-06-0043, when a provider becomes aware of a charge or conviction against themselves, a staff person or, applicable household member,;
 - iii. When a provider becomes aware of an allegation or finding of abuse, neglect, maltreatment, or exploitation of a child or vulnerable adult made against themselves or a staff person,; and

- iv. Any changes in the outdoor preschool program hours of operation to include closure dates.
- (12) Before increasing the capacity of an outdoor preschool program, the licensee, director, assistant director, or program supervisor must request and be approved to increase the capacity by the department.
- (13) The Licensee, director, assistant director, or program supervisor must have state fire marshal or department approval, and comply with local building ordinances following a significant change under standard 0402 (1)(a) through (1)(c).
- (14) The Licensee, director, assistant director, or program supervisor must notify the department within thirty calendar days when liability insurance coverage under RCW 43.216.700 has lapsed or been terminated.

0435 Waiver from department rules—WAC.

- (1) The department cannot waive a state law (RCW) or federal law requirement.
- (2) Pursuant to RCW 43.216.740, the department may approve a waiver from a rule in these standards or chapter 110-300D WAC if it does not jeopardize the health, safety, or welfare of the children in care.
- (3) An outdoor preschool provider's request for a waiver from a rule in these standards must be:
 - (a) Submitted in writing on the department's form to the local licensing office;
 - (b) Approved in writing by the department director or the director's designee prior to the outdoor preschool provider implementing the waiver from the rule; and
 - (c) For a specific program need or child.
- (4) A granted waiver may be time specific or may remain in effect for as long as the outdoor preschool provider continues to comply with the conditions of the waiver. If the waiver from the rule is time limited, the provider must not exceed the time frame established by the department.
- (5) The department may revoke a granted waiver if a licensing rule which was considered in granting the waiver is materially altered or amended.

0436 Variance from department rules—WAC.

- (1) The department cannot provide a variance from a state or federal law requirement.
- (2) Based upon a written request by an applicant, licensee, director, assistant director, or program supervisor and pursuant to RCW 43.216.740, the department may approve a variance from a rule in these standards or chapter 110-300D WAC if the proposed program alternative does not jeopardize the health, safety, or welfare of the children in care.
- (3) A request for a variance from these standards must be:
 - (a) Submitted in writing on the department's form to the local licensing office;
 - (b) Approved in writing by the department director or the director's designee prior to the outdoor preschool provider implementing the variance from the rule; and
 - (c) For a specific program approach or methodology.
- (4) A granted variance may be time specific or may remain in effect for as long as the outdoor preschool provider continues to comply with the conditions of the variance. If the variance from the rule is time limited, the provider must not exceed the time frame established by the department.
- (5) The department may revoke a granted variance if a licensing rule which was considered in granting the variance is materially altered or amended.

0440 Facility licensing compliance agreements, non-referral status, probationary license, and provider rights.

- (1) At the department's discretion, when an outdoor preschool provider is in violation of these standards or chapter 43.216 RCW, a facility licensing compliance agreement (FLCA) may be issued in lieu of the department taking enforcement action. The FLCA must contain:
 - (a) A description of the violation and the law or rule that was violated.
 - (b) A proposed plan from the provider or a designee to comply with the law or rule.
 - (c) The date the violation must be corrected that is determined by:
 - i. The seriousness of the violation;
 - ii. The potential threat to the health, safety, and well-being to the children in care; and
 - iii. The number of times the outdoor preschool program has violated the requirements described in these standards, or failed to comply with the requirements described in chapter 43.216 RCW or chapter 110-300D WAC.
 - (d) Information describing other licensing action that may be imposed if compliance does not occur by the required date.
 - (e) The signature of the department licenser and the licensee.
- (2) An outdoor preschool provider must return a copy of the completed FLCA to the department after corrective action has been completed and by the date indicated.
- (3) Pursuant to RCW 43.216.395, an outdoor preschool provider may request an internal review process to review a department licensing decision.
- (4) In an enforcement action against an outdoor preschool program or provider, the provider has the right to:
 - (a) Refuse to accept or sign a FLCA.
 - (b) Refuse to agree to a probationary license.
- (5) If an outdoor preschool provider refuses a FLCA or probationary license, this may result in any of the following enforcement actions:
 - (a) Modification of the license;
 - (b) Non-continuation of a non-expiring pilot license;
 - (c) Suspension of the license; or
 - (d) Revocation of the license.
- (6) Pursuant to RCW 43.216.325(4), in addition to or in lieu of an enforcement action being taken, the department may place an outdoor preschool provider on non-referral status.
- (7) A probationary license may be issued to an outdoor preschool provider or program operating under a non-expiring pilot license as part of a corrective action plan. Pursuant to RCW 43.216.320(2), before issuing a probationary license the department must refer the program or provider to the childcare resource and referral network or other appropriate resource for technical assistance.
- (8) A department decision to issue a probationary license is based on an outdoor preschool program or provider's:
 - (a) Negligent or intentional noncompliance with the licensing rules;
 - (b) History of noncompliance with licensing rules;
 - (c) Current noncompliance with licensing rules;
 - (d) Fire safety inspection or health and sanitation inspection report that failed to gain approval;

- (e) Use of unauthorized space for child care;
 - (f) Inadequate supervision of children;
 - (g) Understaffing for the number of children in care;
 - (h) Noncompliance with requirements addressing children's health, proper nutrition, discipline, emergency medical plan, sanitation or personal hygiene practices; and
 - (i) Any other factors relevant to the specific situation and consistent with the intent or purpose of these standards, chapter 43.216 RCW, and chapter 110-300D WAC.
- (9) When the department issues a probationary license, the outdoor preschool provider must:
- (a) Provide notice of the probationary license and a copy of the department's probationary licensing agreement to the parents or guardians of enrolled children within five business days of receiving the probationary license;
 - (b) Provide documentation to the department that parents or guardians of enrolled children have been notified within ten business days of receiving the probationary license;
 - (c) Inform new parents or guardians of the probationary status before enrolling new children into care;
 - (d) Return the outdoor preschool program's non-expiring pilot license to the department; and
 - (e) Post documentation of the approved written probationary license consistent with the requirements for child daycare centers and family daycare providers as described in RCW 43.216.687.
- (10) Consistent with the requirements for child daycare centers and family daycare providers under RCW 43.216.689, an outdoor preschool provider must have inspection reports and notices of enforcement actions for the past three years readily available for review by the department, parents, and the public.

0443 Enforcement actions, notice, and appeal.

- (1) Pursuant to RCW 43.216.325, the department is authorized to take enforcement actions when an outdoor preschool provider fails to comply with chapter 43.216 RCW or chapter 110-300D WAC. Enforcement actions are also authorized under RCW 43.216.020, 43.216.065, and 43.216.250.
- (2) An outdoor preschool provider subject to an enforcement action has the right to appeal by requesting an adjudicative proceeding (or "hearing") pursuant to chapter 110-03 WAC, DCYF hearing rules.
- (3) The department must issue a notice of violation to an outdoor preschool provider when taking enforcement actions. A notice of violation must be sent by certified mail or personal service and must include:
 - (a) The reason why the department is taking the action;
 - (b) The rules the provider failed to comply with;
 - (c) The provider's right to appeal enforcement actions; and
 - (d) How the provider may appeal and request a hearing.

Records, Policies, Reporting, and Posting

0450 Parent or guardian handbook and related policies.

- (1) An early learning provider must supply to each parent or guardian written policies regarding the outdoor preschool program. Each enrolled child's record must have signed documentation stating the parent or guardian reviewed the handbook and outdoor preschool program policies.
- (2) An outdoor preschool provider must have and follow formal written policies in either paper or electronic format, including:
 - (a) A nondiscrimination statement;
 - (b) A family engagement and partnership communication plan;
 - (c) A parent or guardian's permission for photography, videotaping, or surveillance of his or her child;
 - (d) Alcohol, tobacco, cannabis use and prohibition of illegal drugs;
 - (e) Curriculum philosophy on how children learn and develop, and how this philosophy is implemented;
 - (f) Child guidance plan, which includes restraint policies and forbidding corporal punishment;
 - (g) Expulsion policy;
 - (h) Outdoor preschool program staff-to-child ratios and classroom types offered;
 - (i) If the outdoor preschool program offers any of the following, they must include a policy for each that applies to their program:
 - i. Care for children with specific or special needs;
 - ii. Dual language learning;
 - iii. Religious and cultural activities, including how holidays will be celebrated;
 - iv. Transportation and off-site field trips;
 - v. Water activities;
 - vi. Campfire activities;
 - vii. Outdoor preschool risk management policies and waiver(s) pursuant to standard 0471; and
 - viii. How weapons on the premises are secured, if applicable.
 - (j) Program days and hours of operation, including closure dates and observed holidays;
 - (k) Enrollment and disenrollment requirements;
 - (l) Fees and payment plans;
 - (m) Sign-in and sign-out requirements;
 - (n) Information required for the child's record, including:
 - i. The importance and plan for keeping the information current;
 - ii. A plan to keep the child's information confidential; and
 - iii. Who may legally access the child's information.
 - (o) A kindergarten transition plan, if applicable;
 - (p) What parents or guardians must supply for their child (for example: Extra clothing or diapers);
 - (q) Permission for a parent or guardian's access to areas of the outdoor preschool program during business hours;
 - (r) Termination of services policy;
 - (s) Emergency preparedness plan;
 - (t) The outdoor preschool provider and program staff's duty to report incidents including reporting suspected child abuse, neglect, sexual abuse, or maltreatment;

- (u) Policies regarding mixed age groups, if applicable (including when children may be in a mixed age group);
- (v) Description of where the parent or guardian may find and review the outdoor preschool program's:
 - i. Health policy;
 - ii. Staff policies, if applicable;
 - iii. Consistent care policy;
 - iv. Menus;
 - v. Liability insurance;
 - vi. Inspection reports and notices of enforcement actions, if applicable; and
 - vii. Other relevant program policies.
- (w) Pursuant to standard 0198, any food preparation practices done by staff at their private residence.
- (x) Pursuant to standard 0245, any laundering practices done by staff or families at their private residence.
- (y) Pursuant to standard 0505, policies for postings for outdoor preschools without an appropriate facility for posting.

0455 Attendance records.

- (1) An outdoor preschool provider may keep a child in care up to a maximum of ten hours each day. If needed, the maximum time may be extended based upon the parent or guardian's work, an agreed upon alternate schedule, or travel to and from the outdoor preschool program.
- (2) An outdoor preschool provider must keep daily child attendance records, either in paper or electronic format for each child (including the children of staff in the program). These records must be easily accessible and kept on-site or in the program's administrative office for department review. These records must clearly document:
 - (a) The name of the child;
 - (b) The date of care;
 - (c) Child arrival and departure times from the outdoor preschool program;
 - (d) Signature or electronic signature of parent, guardian or other authorized person at the time of arrival and departure; and
 - (e) A staff signature when a child leaves the outdoor preschool program to attend school or participate in off-site activities not offered by the outdoor preschool program.
- (3) An outdoor preschool provider must keep daily staff attendance records for each class of children. These attendance records must be on paper or in an electronic format and clearly document:
 - (a) The name of each staff member (including staff assigned to care for children with special needs and one-on-one care) and volunteers;
 - (b) The number of children in each outdoor preschool class;
 - (c) The staff-to-child ratio;
 - (d) The date; and
 - (e) Start and end times of the assigned staff or volunteers.
- (4) If the attendance records are kept electronically, the electronic system must:
 - (a) Record either an electronic signature, swipecard, personal identification number (PIN), biometric reader, or similar action by the parent or authorized person when

- signing the child in or out of care (or staff notation of who picked up or dropped off along with time in and out if authorized person does not have electronic signature, swipe card, PIN, biometric reader or similar action);
- (b) Ensure the authenticity, confidentiality, integrity, security, accessibility, and protection against disproof of the electronic records;
 - (c) Be able to produce an authentic, verifiable and uniquely identified written record for each transaction;
 - (d) Be able to authenticate (prove the identity of) the sender of the record and ensure that the electronic record has not been altered;
 - (e) Be able to capture an electronic record for each transaction conducted;
 - (f) Be able to retain the electronic record in an accessible form for their legal minimum retention period;
 - (g) Be able to search and retrieve electronic records in the normal course of business; and
 - (h) Be able to perform in an accurate, reliable, and consistent manner in the normal course of business.
- (5) Electronic attendance records must contain information necessary to reproduce the entire electronic record and associated signatures in a form that permits a person viewing or printing the entire electronic record to verify:
- (a) The contents of the electronic record;
 - (b) The person signing the electronic record; and
 - (c) The date signatures were executed.

0460 Child records.

- (1) An outdoor preschool provider must keep current individualized enrollment and health records for all enrolled children, including children of staff, updated annually or more often as health records are updated.
 - (a) A child's record must be kept in a confidential manner but in an area easily accessible to staff.
 - (b) A child's parent or guardian must be allowed access to all of his or her own child's records.
- (2) Each child's enrollment record must include the following:
 - (a) The child's birth date;
 - (b) An enrolled child's parent or phone numbers, address, and contact information for reaching the family while the child is in care;
 - (c) Emergency contact information. If no emergency contact is available, a written and signed emergency contact plan may be accepted;
 - (d) Names and phone numbers of persons authorized to pick up enrolled children;
 - (e) Pursuant to standard 0300 a plan for special or individual needs of the child, if applicable, including parent or guardian signatures;
 - (f) Signed parent or guardian permissions and waivers as applicable, for the following activities:
 - i. Field trips;
 - ii. Transportation;
 - iii. Bathing;
 - iv. Water activities including swimming pools or other bodies of water;

- v. Pursuant to standard 0351, campfire activities;
 - vi. Pursuant to standard 0471, applicable outdoor preschool risk management policies and waivers; and
 - vii. Photo, video, or surveillance activity.
- (g) The beginning and end enrollment date for children no longer in the outdoor preschool program's care;
 - (h) A parent or guardian approved plan for use of physical restraint and documentation of parental or guardian notification;
 - (i) Expulsion information, documentation, and steps taken to avoid expulsion;
 - (j) Termination of services documentation and communication; and
 - (k) Notification of child developmental screening information given to the child's parent or guardian, if applicable.
- (3) Each child's health record and the information described in subsection (2)(a) through (k) of this section must be available to staff for medical administration or emergencies.
- (4) A health record is required for every enrolled child that is counted in an outdoor preschool program's capacity. A health record must include:
- (a) Pursuant to standard 0210(1), an immunization record;
 - (b) The child's health history including any known health conditions and the child's individual care plan, if applicable;
 - (c) Pursuant to standard 0215, if applicable a medication authorization and administration log,;
 - (d) If applicable, documentation of special medical procedure training by parent or guardian;
 - (e) Medical and dental care provider names and contact information or what facility the parent or guardian would prefer for treatment;
 - (f) Dates of the child's last physical exam and dental exam, if available;
 - (g) Consent to seek medical care and treatment of the child in the event of injury or illness, signed by the child's parent or guardian;
 - (h) Signed parent or guardian permission for visiting health professionals who provide direct services to children at the outdoor preschool program;
 - (i) An incident or injury report that includes:
 - i. The date and description of the child's incident or injury;
 - ii. Treatment provided to the child while in care;
 - iii. The names of the outdoor preschool program staff providing the treatment; and
 - iv. Evidence that a copy of the incident or injury report was given to the child's parent or guardian.
 - (j) Documentation that a provider reported food poisoning or contagious diseases to the local health jurisdiction or the department of health, if applicable.

0465 Retaining facility and program records.

- (1) An outdoor preschool provider must keep the records required in these standards for a minimum of three years unless otherwise indicated by state or federal law.
- (2) Attendance records must be kept for a minimum of five years.
- (3) Facility and program records from the previous twelve months must be easily accessible and kept on-site or in the program's administrative office for department or other state agency review.

- (4) Records older than twelve months must be provided to the department or other state agency within two weeks of the delivery of a written request by the department or other state agency.
- (5) An outdoor preschool provider must keep the following records available for department review:
 - (a) The parent or guardian handbook;
 - (b) Furniture, sleep, and play equipment forms and specifications, if applicable;
 - (c) Chromated copper arsenate test results, if applicable;
 - (d) Annual fire inspection by qualified fire professional, if applicable;
 - (e) Annual inspection of chimney, wood stove, or fireplace, if applicable;
 - (f) Monthly inspection to identify fire hazards and elimination of such hazards;
 - (g) Monthly testing of smoke and carbon monoxide detectors;
 - (h) Monthly fire extinguisher inspection and annual maintenance;
 - (i) Food temperature logs pursuant to CACFP, if applicable;
 - (j) Child incident and illness logs;
 - (k) Vaccination records for pets or animals housed at the early learning program, if applicable;
 - (l) Lead and copper testing results;
 - (m) Private well and septic systems inspection and testing results, if applicable;
 - (n) Cleaning log for large area rugs or carpets, if applicable;
 - (o) Pesticide use (seven years);
 - (p) Car insurance policy, if applicable;
 - (q) Monthly site visits from a child care health consultant, if applicable;
 - (r) Tacoma smelter inspection results, if applicable;
 - (s) Curriculum planning schedule;
 - (t) Strengthening Families Program Self-Assessment or an equivalent assessment;
 - (u) Documents from department visits (inspections, monitoring, compliance agreements, and safety plans);
 - (v) Land use agreements for outdoor preschools;
 - (w) Insurance policies, for outdoor preschools;
 - (x) Land maintenance records, such as arborist records, for outdoor preschools operating on private land; and
 - (y) Waivers or variances from department rules, if applicable.

0470 Emergency preparedness plan.

- (1) An outdoor preschool provider must have and follow a written emergency preparedness plan. The plan must be reviewed and approved by the department prior to when changes are made and prior to being licensed as an outdoor preschool. Emergency preparedness plans must:
 - (a) Be designed to respond to fire, natural disasters, and other emergencies that might affect the outdoor preschool program;
 - (b) Be specific to the outdoor preschool program and able to be implemented during hours of operation;
 - (c) Address what the provider would do if he or she has an emergency and children may be left unsupervised;
 - (d) Address what the outdoor preschool program must do if parents are not able to get to their children for up to three days;

- (e) Follow the requirements contained in chapter 212-12 WAC (Fire marshal standards) as now or hereafter amended and the state fire marshal's office requirements of an outdoor preschool program;
 - (f) Be reviewed at program orientation, annually with all outdoor preschool program staff with documented signatures, and when the plan is updated; and
 - (g) Be reviewed with parents or guardians when a child is enrolled and when the plan is updated.
 - (h) Be made for all locations utilized by an outdoor preschool if the outdoor preschool is licensed to operate in those locations.
- (2) The written emergency preparedness plan must cover at a minimum:
- (a) Disaster plans, including fires that may require evacuation:
 - i. An evacuation floor plan that identifies room numbers or names of rooms, emergency exit pathways, emergency exit doors, and for family home based programs, emergency exit windows if applicable;
 - ii. Methods to be used for sounding an alarm and calling 911;
 - iii. Actions to be taken by a person discovering an emergency;
 - iv. How the outdoor preschool provider will evacuate children, especially those who cannot walk independently. This may include children with disabilities, functional needs requirements, or other special needs;
 - v. Where the alternate evacuation location is;
 - vi. What to take when evacuating children, including:
 - (A) First-aid kit(s);
 - (B) Copies of emergency contact information;
 - (C) Child medication records; and
 - (D) Individual children's medication, if applicable.
 - vii. How the provider will maintain the required staff-to-child ratio and account for all children;
 - viii. How parents or guardians will be able to contact the outdoor preschool program; and
 - ix. How children will be reunited with their parents or guardians after the event.
 - (b) Earthquake procedures including:
 - i. What a provider will do during an earthquake;
 - ii. How a provider will account for all children; and
 - iii. How a provider will coordinate with local or state officials to determine if the licensed space is safe for children after an earthquake.
 - (c) Public safety related lockdown scenarios when an individual at or near an outdoor preschool program is harming or attempting to harm others with or without a weapon. This plan must include lockdown of the outdoor preschool program or shelter-in-place including:
 - i. How doors and windows will be secured to prevent access, if needed; and
 - ii. Where children will safely stay inside the early learning program, or inside an alternate evacuation location for outdoor preschools without a suitable structure in the licensed area.
 - (d) Extreme Weather procedures including but not limited to a description of the following:
 - i. How staff will determine whether to cancel or alter the scheduled daily

program based on weather, including but not limited to:

- (A) High winds;
- (B) Pursuant to standard 0147, extreme cold or heat;
- (C) Air quality;
- (D) Lightning storm;
- (E) Tornado;
- (F) Hurricane, or
- (G) As applicable, flooding, tsunami, or seiche.

- ii. How staff will inform parents/guardians of cancelled or altered daily programs.
 - iii. How staff will determine a need to use the emergency shelter.
 - iv. How staff will contact families if extreme weather requires a cancellation of the program after the day has already begun.
 - v. How and where staff will care for children whose parents cannot be contacted.
 - vi. The factors that will be used for determining how long staff will remain at the emergency shelter with children before relocating to an alternate evacuation location;
 - vii. How staff and children will relocate to an alternate evacuation location, including how parents will be notified of the evacuation;
 - viii. How the provider will maintain the required staff-to-child ratio and account for all children; and
 - ix. How children will be reunited with their parents or guardians after the event.
- (e) A description for how parents or guardians will be contacted after the emergency ends.
- (3) An outdoor preschool provider must keep on the premises a three day supply of food, water, and life-sustaining medication for the licensed capacity of children and current staff for use in case of an emergency. Outdoor preschools must ensure these resources are available at the alternate evacuation location.
- (4) An outdoor preschool provider must practice and record emergency drills with staff and children as follows:
- (a) Fire and evacuation drill once each calendar month;
 - (b) Earthquake, lockdown, or shelter-in-place drill once every three calendar months;
 - (c) Emergency drills must be conducted with a variety of staff and at different times of the day; and
 - (d) Drills must be recorded on a department form and include:
 - i. The date and time of the drill;
 - ii. The number of children and staff who participated;
 - iii. The length of the drill; and
 - iv. Notes about how the drill went and how it may be improved.
- (5) In areas where local emergency plans are already in place, such as school districts, an outdoor preschool program may adopt or amend such procedures when developing their own plan.

0471 Outdoor Preschool Benefit-Risk Assessments, Risk Management Policies and Waivers

- (1) Outdoor preschool providers must have and implement benefit-risk assessments and risk management plans. These assessments and plans must be available for department review at the time of initial licensing. An amended assessment or plan cannot be implemented until the department has approved it. Benefit-risk assessments must be developed under the following circumstances.
 - (a) The selection of a site for an outdoor preschool program that will be used by the program on a regular basis.
 - (b) For the different seasons of the year (for example, a summer plan versus winter plan), or as conditions change within sites that are used on a regular basis by the program.
 - (c) For risky play activities including, but not limited to the following:
 - i. Climbing without shock-absorbing ground cover;
 - ii. Using sharp tools;
 - iii. Campfire activities; and
 - iv. Activities near water, cliffs, steep slopes, or other potentially hazardous natural features.
 - (d) To provide guidance for when increased staffing is necessary, and provide guidance for the development of the applicable risk management policies and procedures described in subsection (2) of this section.
- (2) Outdoor preschools must have risk management policies and procedures to address potential hazards and risks of their nature-based program. These must include, but are not limited to policies or procedures related to the following:
 - (a) Encountering pets and wildlife pursuant to standard 0225;
 - (b) Interacting with strangers, limiting unsupervised access to any child in care, pursuant to standard 0345;
 - (c) The shared use of public space;
 - (d) Campfire activities pursuant to standard 0351;
 - (e) Water activities or activities near bodies of water more than 4 inches deep, pursuant to standard 0350;
 - (f) Weather requiring the use of an emergency shelter;
 - (g) Required clothing and keeping children dressed for the weather pursuant to standard 0147;
 - (h) Using any public facilities or buildings,
 - (i) Climbing natural features;
 - (j) Foraging or Egg Collection and Consumption pursuant to standard 0196;
 - (k) Encountering poisonous species;
 - (l) Use of sharp tools;
 - (m) Missing child protocols pursuant to standard 0475. Missing child protocols for outdoor preschools must also include how staff will:
 - i. Immediately check for the child's presence at hazardous features, such as a ravine, cliff, road, or body of water, within a quarter mile of the program, and
 - ii. Manage the behavior of the remaining children, and using techniques described in 0310 (4).
 - (n) Toileting in the outdoor preschool space;
 - (o) Hand-washing in the outdoors; and

- (p) All other risky play activities as described in subsection (1) (c) of this section.
- (3) Parents or guardians must sign an outdoor preschool risk waiver that acknowledges and accepts the potential hazards and risks associated with the outdoor preschool program. The program's applicable risk management policies or procedures, as described in subsection (2) of this section, along with the parent waiver, must be included in the parent handbook, pursuant to standard 0450.
 - (4) A copy of the waiver signed by the child's parent or guardian must be kept in each child's records.
 - (5) Outdoor preschool staff must be trained on the applicable outdoor preschool benefit-risk assessments, and risk management policies and risk procedures pursuant to standard 0110.
 - (6) Staff must consider the daily health and safety needs of children and staff, and may determine that more restrictive risk management practices are necessary to address an unforeseen increased risk. Such infrequent and immediate changes to risk management plans are not required to be approved by the department or presented to parents in the parent and guardian handbook.

0475 Duty to protect children and report incidents.

- (1) Pursuant to RCW 26.44.030, when an outdoor preschool provider has reasonable cause to believe a child has suffered abuse or neglect, that provider must report such incident, or cause a report to be made, to the proper law enforcement agency or the department.
- (2) An outdoor preschool provider must report as follows to the appropriate entity upon obtaining knowledge of the information described in subsections (2)(a) through (2)(e) of this section.
 - (a) Immediately report to law enforcement and, unless otherwise stated in this section, report to the department within forty-eight hours:
 - i. The death of a child while in the outdoor preschool program's care or the death from injury or illness that may have occurred while the child was in care;
 - ii. A child's attempted suicide or talk about attempting suicide;
 - iii. Any suspected physical, sexual or emotional child abuse;
 - iv. Any suspected child neglect, child endangerment, or child exploitation;
 - v. A child's disclosure of sexual or physical abuse; or
 - vi. Inappropriate sexual contact between two or more children.
 - (b) Emergency services (911) immediately, and to the department within twenty-four hours:
 - i. A child missing from care, triggered as soon as staff realizes the child is missing;
 - ii. A medical emergency that requires immediate professional medical care;
 - iii. A child who is given too much of any oral, inhaled, or injected medication;
 - iv. A child who took or received another child's medication;
 - v. A fire or other emergency;
 - vi. Poisoning or suspected poisoning; or
 - vii. Other dangers or incidents requiring emergency response.
 - (c) Washington poison center immediately after calling 911, and to the department within twenty-four hours:
 - i. A poisoning or suspected poisoning;
 - ii. A child who is given too much of any oral, inhaled, or injected medication; or
 - iii. A child who took or received another child's medication;

- iv. The provider must follow any directions provided by Washington poison center.
- (d) The local health jurisdiction or the department of health immediately, and to the department within twenty-four hours about an occurrence of food poisoning or reportable contagious disease as defined in chapter 246-110 WAC;
- (e) To the department at the first opportunity but in no case no longer than twenty-four hours upon receiving knowledge or information of any change in a person's background that is caused by any of the following circumstances:
 - i. A pending charge or conviction for a crime listed in chapter 110-06 WAC;
 - ii. An allegation or finding of child abuse, neglect, maltreatment or exploitation under chapter 26.44 RCW or chapter 388-15 WAC;
 - iii. An allegation or finding of abuse or neglect of a vulnerable adult under chapter 74.34 RCW; or
 - iv. A pending charge or conviction of a crime listed in the director's list in chapter 110-06 WAC from outside Washington state, or a "negative action" as defined in RCW 43.216.010.
- (3) In addition to reporting to the department by phone or email, an outdoor preschool provider must submit a written incident report of the following on a department form within twenty-four hours after the first report to the department:
 - (a) Situations that required an emergency response from emergency services (911), Washington poison center, or department of health;
 - (b) Situations that occur while children are in care that may put children at risk including, but not limited to, inappropriate sexual touching, neglect, physical abuse, maltreatment, or exploitation; and
 - (c) A serious injury to a child in care.
- (4) An outdoor preschool provider must immediately report to the parent or guardian:
 - (a) Their child's death, serious injury, need for emergency or poison services; or
 - (b) An incident involving their child that was reported to the local health jurisdiction or the department of health.

0480 Transportation and off-site activity policy.

- (1) An outdoor preschool provider must have and follow a transportation and off-site activity policy for personal or public transportation service, or nonmotorized travel offered to children in care.
 - (a) The transportation and off-site activity policy must include routine trips, which must not exceed two hours per day for any individual child.
 - (b) Written parent or guardian authorization to transport the parent or guardian's child. The written authorization must be:
 - i. For a specific event, date, and anticipated travel time;
 - ii. For a specific type of trip (for example, transporting to and from school, or transporting to and from a field trip); or
 - iii. For a full range of trips a child may take while in the outdoor preschool provider's care; and
 - iv. For purposes of outdoor preschool emergency preparedness, emergency trip(s) to an alternative evacuation location.
 - (c) Written notices to parents or guardians, to be given at least twenty-four hours before field trips are taken.

- (2) During travel to an off-site activity, an outdoor preschool provider must:
 - (a) Have the health history, appropriate medication (if applicable), emergency information, and emergency medical authorization forms accessible for each child being transported;
 - (b) Have a phone to call for emergency help;
 - (c) Have a complete first-aid kit;
 - (d) Maintain the staff-to-child ratio, mixed groupings, and active supervision requirements;
 - (e) Have at least one staff member currently certified in first aid and CPR supervise children;
 - (f) Take attendance using a roll call or other method that ensures all children are accounted for each time children begin and end travel to an off-site activity, and every time children enter and exit a vehicle; and
 - (g) Never leave children unattended in the vehicle.
- (3) When an outdoor preschool provider supplies the vehicle to transport children in care, the program and provider must:
 - (a) Follow chapter 46.61 RCW (Rules of the Road) and other applicable laws regarding child restraints and car seats;
 - (b) Ensure that the number of passengers does not exceed the seating capacity of the vehicle;
 - (c) Maintain the vehicle in good repair and safe operating condition;
 - (d) Maintain the vehicle temperature at a comfortable level to children;
 - (e) Ensure the vehicle has a current license and registration as required by Washington state transportation laws;
 - (f) Ensure the vehicle has emergency reflective triangles or other devices to alert other drivers of an emergency;
 - (g) Ensure the driver has a valid driver's license for the type of vehicle being driven and a safe driving record for at least the last five years;
- (4) Prevent any driver with a known condition that would compromise driving, supervision, or evacuation capabilities from operating program vehicles; and
- (5) Have a current insurance policy that covers the driver, the vehicle, and all occupants.

0485 Termination of services policy.

An outdoor preschool provider may terminate a child's services due to that child's parent or guardian's inability to meet the expectations and requirements of the outdoor preschool program. Expectations and requirements of the program may include unpaid bills, continual late arrivals, or a parent, guardian or family member's inappropriate or unsafe behavior in or near outdoor preschool program space.

0486 Expulsion policy.

- (1) Pursuant to standard 0340, an outdoor preschool provider must have and follow an expulsion policy.
- (2) The expulsion policy must:
 - (a) Provide examples of behavior that could lead to expulsion from the outdoor preschool program;
 - (b) Detail the steps the provider must take to avoid expelling a child including, but not limited to, environmental and staffing changes;
 - (c) Detail how the provider communicates to the parent or guardian of a child the steps taken under subsection (b) of this section; and

- (d) Include information that may benefit an expelled child including, but not limited to, community based resources.

0490 Child restraint policy.

- (1) Pursuant to standard 0335, an outdoor preschool provider must have and follow a child restraint policy that contains behavior management and practices.
- (2) A restraint policy must be:
 - (a) Appropriate for children's developmental level, abilities, and language skills;
 - (b) Directly related to the child's behavior; and
 - (c) Designed to be consistent, fair, and positive.
- (3) The outdoor preschool provider, family home licensees, center directors, assistant directors, program supervisors, lead teachers and other appropriate staff members must be trained annually in the program's child restraint policy.
- (4) Pursuant to standard 0335, only trained staff may restrain a child in care.

0495 Consistent care policy.

- (1) An outdoor preschool program must have and follow a policy that promotes the consistent care of children.
- (2) When possible, an outdoor preschool provider must be assigned to work with a consistent group of children for much of the day with a goal of building long-term, trusting relationships.

0500 Health policy.

- (1) An outdoor preschool provider must have and follow a written health policy reviewed and approved by the department that includes the topics listed in subsection (2) of this section. The health policy must be reviewed and approved by the department when changes are made, and as otherwise necessary.
- (2) An outdoor preschool program's health policy must comply with the requirements described in these standards including, but not limited to:
 - (a) A plan for the prevention of exposure to blood and body fluids;
 - (b) A plan for meals, snacks, and food services including guidelines for food allergies and food brought from home;
 - (c) Handwashing and hand sanitizer use;
 - (d) Observing children for signs of illness daily;
 - (e) Exclusion and return of ill children, staff, or any other person in the program space;
 - (f) Contagious disease notification;
 - (g) Medical emergencies, injury treatment and reporting;
 - (h) Immunization tracking;
 - (i) Medication management, storage, administration and documentation;
 - (j) Care for pets and animals that have access to licensed space, how children may engage with pets and animals, and the health risks of interacting with pets and animals;
 - (k) How general cleaning will be provided and how areas such as food contact surfaces, kitchen equipment, toys, toileting equipment, and laundry will be cleaned, sanitized and disinfected;
 - (l) Pest control policies;

- (m) Caring for children with special needs or health needs, including allergies, as listed in the child's record; and
- (n) Dental hygiene practices and education.

0505 Postings.

- (1) Postings listed in subsection (2) of this section that are part of an outdoor preschool program must be clearly visible to parents, guardians, and outdoor preschool program staff, whenever possible. Outdoor preschools without the ability to post the following must, in lieu of posting:
 - (a) Have available on-site and easily accessible for parent or guardian review the same information as described in subsections (2)(a), (2)(b), (2)(d), (2)(f), (2)(k), and (2)(l) of this section.
 - (b) Deliver notice to the parents and guardians of the events described in subsections (2)(i), (2)(l), and (2)(m) of this section within twenty-four hours of the occurrence of such event or events.
 - (c) Have available on-site and easily accessible to staff the information contained in subsections (2)(a), (2)(b), (2)(c), (2)(e), (2)(f), (2)(g), (2)(h), (2)(i), (2)(j), and (2)(m) of this section.
- (2) Postings on outdoor preschool premises must include, whenever possible:
 - (a) Pursuant to standard 0010, the child care license;
 - (b) Pursuant to standard 0400(1)(b)(i) and (1)(b)(ii), and standard 0470(2)(a)(i), Outdoor preschool site map, with emergency routes and exits identified in each child care area;
 - (c) Pursuant to standard 0186(1), dietary restrictions, known allergies, and nutrition requirements, if applicable, in a location easily accessible for staff but not available to those who are not parents or guardians of the enrolled child;
 - (d) Pursuant to standard 0200 handwashing practices at each handwashing sink;
 - (e) Pursuant to standard 0220 and 0221(1)(d), if applicable, diaper changing or stand-up diapering procedure at each diapering station;
 - (f) If applicable, pesticide treatment notices pursuant to RCW 43.216.280 and RCW 17.21.410 (1)(d);
 - (g) Emergency numbers and information including, but not limited to:
 - i. 911 or emergency services number;
 - ii. Name, address and directions from the nearest arterial street or nearest cross street to the facility;
 - iii. The department's toll-free number;
 - iv. Washington poison center toll-free number; and
 - v. The contact information for child protective services.
 - (h) The location of emergency medical information for children and staff;
 - (i) Consistent with the requirements for child daycare centers and family daycare providers as described in RCW 43.216.687, a notice of any current or pending enforcement action, including probationary licenses. Notice must be posted:
 - i. Immediately upon receipt; and
 - ii. For at least two weeks or until the violation causing the enforcement action is corrected, whichever is longer.
 - (j) Pursuant to standard 0420(2)(f), "No smoking" and "no vaping" signs;

- (k) If applicable, a copy of a department approved waiver or variance from a rule or these standards. Waivers or variances must be posted for parent or guardian view when related to the overall program (not related to any specific child), and as long as the waiver or variance is approved;
- (l) Insurance coverage, or if applicable a lapse or termination of such coverage pursuant to RCW 43.216.700; and
- (m) Any other information listed or described in RCW 43.216.687.