

Updated School-Age WAC 110-301: Intent and Authority

| Intent and Authority | | |
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| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
| <p>WAC 110-300-0001 Intent and authority.</p> <p>(1) The department of children, youth, and families was established under chapter 6, Laws of 2017. Chapter 43.216 RCW establishes the department's responsibility and authority to set and enforce licensing requirements and ECEAP standards, including the authority to adopt rules to implement chapter 43.216 RCW.</p> <p>(2) Under chapter 7, Laws of 2015 3rd sp. sess. (Early Start Act), the state legislature directed the department to create a single set of licensing standards for center and family home providers.</p> <p>(3) This chapter reflects the department's commitment to:</p> <p>(a) Promoting the health, safety, and well-being of children;</p> <p>(b) Expanding access to high quality early learning opportunities to improve outcomes for young children;</p> <p>(c) Promoting strong school readiness; and</p> <p>(d) Recognizing parents and guardians as a child's primary teacher and advocate.</p> <p>(4) Pursuant to this chapter, the department will periodically monitor and assess early learning programs to determine compliance with these foundational quality standards.</p> | <p>WAC 110-301-0001 Intent and authority.</p> <p>(1) The department of children, youth, and families was established under chapter 6, Laws of 2017. Chapter 43.216 RCW establishes the department's responsibility and authority to set and enforce licensing requirements, including the authority to adopt rules to implement chapter 43.216 RCW.</p> <p>(2) This chapter reflects the department's commitment to:</p> <p>(a) Promoting the health, safety, and well-being of children;</p> <p>(b) Expanding access to high quality school-age programs to improve outcomes for children;</p> <p>(c) Supporting strong school success; and</p> <p>(d) Recognizing parents and guardians as a child's primary teacher and advocate.</p> <p>(3) Pursuant to this chapter, the department will periodically monitor and assess a school-age program to determine compliance with these foundational quality standards.</p> <p>(4) Pursuant to RCW 43.216.250(2)(b), the provisions of this chapter governing the physical facility, including buildings and other physical structures attached to buildings and premises, do not apply to licensed school-age programs that operate in facilities used by public or private schools. The department regulates only health, safety, and quality standards that do not relate to</p> | <p>WAC 110-305-0001 Authority.</p> <p>The department of early learning was established under chapter 265, Laws of 2006. Chapter 43.215 RCW establishes the department's responsibility and authority to set and enforce licensing requirements and standards for licensed child care agencies in Washington state, including the authority to adopt rules to implement chapter 43.215 RCW. The provisions of this chapter governing the physical facility environment, including buildings and other physical structures attached to buildings and premises, do not apply to licensed early learning programs that operate in facilities used by public or private schools. The department regulates only health, safety, and quality standards that do not relate to the physical facility environment for programs operating in facilities used by public or private schools.</p> <p>WAC 110-305-0005 Intent.</p> <p>This chapter reflects the department's commitment to quality early learning experiences for children, and promotes the health, safety, and positive development of children receiving care in a licensed school age setting serving only children five years of age through twelve years of age who are attending kindergarten or school.</p> |

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| | the physical facility for programs operating in facilities used by public or private schools. | |
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What's Different? WAC 110-301-0001 Intent and authority.

- *Previous 110-305 vs Updated 110-301:* Same info in both versions.
- *110-300 vs Updated 110-301:* Same rule, except 110-300 mentions Early Start Act and 110-301 does not; 110-301 includes info about RCW 43.216.250(2)(b) re: programs that operate in facilities used by public or private schools. RCW 43.216.250(2)(b) does not apply to 110-300.

Intent and Authority

| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
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| <p>WAC 110-300-0005 Definitions. The following definitions apply to this chapter:</p> <p>"Accessible to children" means items, areas or materials of an early learning program that a child can reasonably reach, enter, use, or get to on their own.</p> <p>"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.</p> <p>"Active supervision" or "actively supervise" means a heightened standard of care beyond supervision. This standard requires an early learning 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.</p> <p>"ADA" refers to the Americans with Disabilities Act, as now and hereafter amended.</p> <p>"Aide" is a person who offers support to the early learning program staff.</p> <p>"Allergy" or "allergies" refers to 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 overreacts by releasing chemicals that may cause symptoms ranging from mildly annoying to life threatening. Common allergens include certain</p> | <p>WAC 110-301-0005 Definitions. The following definitions apply to this chapter:</p> <p>"Accessible to children" means items, areas, or materials of a school-age program that a child can reasonably reach, enter, use, or get to on their own.</p> <p>"Accommodations" means program activities, spaces, and materials that have been adapted to help children and adults with special needs function within their surroundings.</p> <p>"Active supervision" or "actively supervise" means a heightened standard of care beyond supervision. This standard requires a school-age 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.</p> <p>"ADA" refers to the Americans with Disabilities Act.</p> <p>"Aide" is a person who offers support to the school-age program staff.</p> <p>"Allergy" or "allergies" refers to 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 overreacts 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,</p> | <p>WAC 110-305-0010 Definitions. The following definitions apply throughout this chapter unless the context clearly indicates otherwise. Certain definitions appear in the section the term is used if the definition applies only to a specific section or sections:</p> <p>"Accessible to children" means areas of the facility and materials that the children can easily get to on their own.</p> <p>"Agency" as used in this chapter, has the same meaning as in RCW 43.215.010 (1)(c).</p> <p>"Applicant" is the individual or entity that seeks a license to provide early learning services under this chapter.</p> <p>"Available" means accessible and ready for use or service.</p> <p>"Bathroom" means any room containing a built-in flush-type toilet.</p> <p>"Capacity" means the maximum number of children the licensee is authorized by the department to have in care at any given time.</p> <p>"Child" means a child not less than five years of age through twelve years of age who is attending kindergarten or school.</p> <p>"Child abuse or neglect" has the same meaning as "abuse or neglect" under RCW 26.44.020 and chapter 388-15 WAC.</p> <p>"Child care" means the developmentally appropriate care, protection, and supervision of children that is designed to promote positive</p> |
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| <p>foods (milk, eggs, fish, shellfish, common tree nuts, peanuts, wheat, and soybeans) pollen, mold, or medication.</p> <p>"Annual" means the calendar year, January 1st through December 31st.</p> <p>"Applicant" means an individual who has made a formal request for a child care license, certification, exemption, or portable background check.</p> <p>"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.</p> <p>"Appropriately" means correct or properly suited for a particular situation.</p> <p>"Assistant director" is a person responsible for the overall management of the center early learning program including the facility and operations.</p> <p>"Assistant teacher" is 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.</p> <p>"ASTM" refers to the American Society for Testing and Materials.</p> <p>"Bathroom" means a room containing a built-in, flush-type toilet.</p> <p>"Bias" means a tendency to believe that some people or ideas are better than others that usually results in treating some people unfairly.</p> <p>"Body of water" or "bodies of water" is 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,</p> | <p>peanuts, wheat, and soybeans) pollen, mold, or medication.</p> <p>"Annual" or "annually" means an event that occurs each calendar year, not to exceed 365 days between occurrences.</p> <p>"Applicant" means an individual who has made a formal request for a child care license, certification, exemption, or portable background check.</p> <p>"Appropriate" when used to refer to program or educational materials means that the materials will interest and challenge children in terms of their ages and abilities.</p> <p>"Appropriately" means correct or properly suited for a particular situation.</p> <p>"Assistant teacher" is a person whose work is to assist a lead teacher, site director, or program director in providing instructional supports to children and implementing a developmentally appropriate program. The assistant teacher must carry out assigned tasks under the supervision of a lead teacher, site director, or program director.</p> <p>"ASTM" refers to the American Society for Testing and Materials.</p> <p>"Bathroom" means a room containing a built-in, flush-type toilet.</p> <p>"Bias" means a tendency to believe that some people or ideas are better than others that usually results in treating some people unfairly.</p> <p>"Body of water" or "bodies of water" is 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 retention areas, excavations, and quarries.</p> <p>"CACFP" means the Child and Adult Care Food Program established by Congress and funded</p> | <p>growth and educational experiences for children outside the child's home for periods of less than twenty-four hours a day.</p> <p>"Clean" or "cleaning" means to remove dirt and debris (such as soil, food, blood, urine, or feces) by scrubbing and washing with a soap or detergent solution and rinsing with water. Cleaning is the first step in the process of sanitizing or disinfecting a surface or item.</p> <p>"Confidential" means the protection of personal information, such as the child's records, from persons who are not authorized to see or hear it.</p> <p>"Denial of a license" means department action to not issue a child care license to an applicant for an initial license, or to a licensee operating under an initial license seeking a nonexpiring full license, based on the applicant's or initial licensee's inability or failure to meet the requirements of chapter 43.215 RCW or requirements adopted by the department pursuant to chapter 43.215 RCW.</p> <p>"Department" or "DEL" means the Washington state department of early learning.</p> <p>"Developmentally appropriate" means curriculum, materials or activities provided at a level that is consistent with the abilities or learning skills of the child.</p> <p>"Discipline" means a method used to redirect a child in order to achieve a desired behavior.</p> <p>"Disinfect" or "disinfecting" means to eliminate virtually all germs on a surface by the process of cleaning and rinsing, followed by:</p> <p>(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</p> <p>(b) Other disinfectant product if used strictly according to the manufacturer's label instructions including, but not limited to, quantity used, time</p> |
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| <p>canals, fish ponds, water retention areas, excavations, and quarries.</p> <p>"CACFP" means the Child and Adult Care Food Program established by Congress and funded by the United States Department of Agriculture (USDA).</p> <p>"Cannabis" (also known as "marijuana") refers to all parts of the cannabis plant, whether growing or not, the seeds thereof, the resin or concentrate extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.</p> <p>"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.</p> <p>"Center early learning program" is a facility providing regularly scheduled care for a group of children birth through twelve years of age for periods of less than twenty-four hours a day, pursuant to RCW 43.216.010 (1)(a) (child day care center).</p> <p>"Center early learning program licensee" or "center licensee" means an entity licensed and authorized by the department to operate a center early learning program.</p> <p>"Certificate of exemption (COE)" means a form that is approved by the Washington state department of health and consistent with the requirements of WAC 246-105-050(2), or an immunization form produced by the state immunization information system.</p> <p>"Certificate of immunization status (child)" means a form that is approved by the Washington</p> | <p>by the United States Department of Agriculture (USDA).</p> <p>"Cannabis" (also known as "marijuana") refers to all parts of the cannabis plant, whether growing or not, the seeds thereof, the resin or concentrate extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.</p> <p>"Capacity" means the maximum number of children a school-age program is authorized by the department to have in care at any given time. This includes any children on-site at the school-age 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.</p> <p>"Certificate of exemption (COE)" means a form that is approved by the DOH and consistent with the requirements of WAC 246-105-050, or an immunization form produced by the state immunization information system.</p> <p>"Certificate of immunization status (child)" means a form that is approved by the DOH and consistent with the requirements of WAC 246-105-050, or an immunization form produced by the state immunization information system.</p> <p>"Certification" means, as applied to the licensing process, department approval of a person, home, or facility that is exempt from licensing but requests evidence that the program meets these foundational licensing standards.</p> <p>"Child" means an individual who is five years of age through twelve years of age and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.</p> | <p>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.</p> <p>"DOH" means the Washington state department of health.</p> <p>"DSHS" means the Washington state department of social and health services.</p> <p>"Enforcement action" means a department issued:</p> <ul style="list-style-type: none"> (a) Denial, suspension, revocation or modification of a license; (b) Probationary license; (c) Civil monetary penalty (fine); or (d) Disqualification from having unsupervised access to children in care. <p>"Fine" has the same meaning as "civil monetary penalty," "civil fines," or "monetary penalty" under chapter 43.215 RCW.</p> <p>"Inaccessible to children" means an effective method or barrier that reasonably prevents a child's ability to reach, enter, or use items or areas.</p> <p>"Licensed space" means the indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care.</p> <p>"Licensee" for the purposes of this chapter, means the individual listed on a school age child care license issued by the department of early learning authorizing that individual to provide child care under the requirements of this chapter and chapter 43.215 RCW.</p> <p>"Licensor" means an individual employed by the department and designated by the director to inspect and monitor an agency or other child care</p> |
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| <p>state department of health and consistent with the requirements of WAC 246-105-050(1), or an immunization form produced by the state immunization information system.</p> <p>"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.</p> <p>"Child" means an individual who is younger than age thirteen, including any infant, toddler, preschool-age child, or school-age child as defined in this chapter.</p> <p>"Child abuse" or "neglect" means the physical abuse, sexual abuse, sexual exploitation, abandonment, negligent treatment or maltreatment of a child by any person as defined in RCW 26.44.020.</p> <p>"Child care" refers to supervision of children outside the child's home for periods of less than twenty-four hours a day.</p> <p>"Child care basics" or "CCB" means 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.</p> <p>"Chromated copper arsenate" or "CCA" is a wood preservative and insecticide that contains roughly twenty-two percent 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 of arsenic can be found on the department of health's website.</p> <p>"Clean" or "cleaning" means to remove dirt and debris from a surface by scrubbing and washing</p> | <p>"Child abuse" or "neglect" means the physical abuse, sexual abuse, sexual exploitation, abandonment, negligent treatment or maltreatment of a child by any person as defined in RCW 26.44.020.</p> <p>"Child care" refers to supervision of children outside the child's home for periods of less than twenty-four hours a day.</p> <p>"Chromated copper arsenate" or "CCA" is a wood preservative and insecticide that contains roughly twenty-two percent 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 of arsenic can be found on the DOH's website.</p> <p>"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.</p> <p>"Confidential" means the protection of personal information, such as the child's records, from individuals who are not authorized to see or hear the information.</p> <p>"Consistent care" means providing steady opportunities for children to build emotionally secure relationships by primarily interacting with a limited number of school-age program staff.</p> <p>"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. Contagious diseases pertinent to this chapter are described in WAC 246-110-010.</p> | <p>facility for compliance with the requirements of this chapter and chapter 43.215 RCW.</p> <p>"MERIT" means the managed education registry information tool used to track professional development for early learning professionals. See also "STARS."</p> <p>"Modification of a license" means department action to change the conditions identified on a current license.</p> <p>"Nonexpiring full license" or "nonexpiring license" means a full license with no expiration date that is issued to a licensee following the initial licensing period as provided in WAC 170-297-1430.</p> <p>"Nonprescription medication" means any of the following:</p> <ul style="list-style-type: none"> (a) Nonaspirin fever reducers or pain relievers; (b) Nonnarcotic cough suppressants; (c) Cold or flu medications; (d) Antihistamines or decongestants; (e) Vitamins; (f) Ointments or lotions specially intended to relieve itching; (g) Diaper ointments and talc free powders specially used in the diaper area of children; (h) Sun screen; (i) Hand sanitizer gels; or (j) Hand wipes with alcohol. <p>"Personal needs" means an individual's hygiene, toileting, medication, cleansing, eating or clothing needs. Personal needs does not mean 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 care unattended.</p> <p>"Physical facility environment" means all of the physical structures maintained within or attached to the structural building and premises.</p> |
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| <p>with a detergent solution and rinsing with water. This process must be accomplished before sanitizing or disinfecting a surface.</p> <p>"Confidential" means the protection of personal information, such as the child's records, from individuals who are not authorized to see or hear the information.</p> <p>"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.</p> <p>"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. Contagious diseases pertinent to this chapter are described in WAC 246-110-010.</p> <p>"Continuous" means without interruptions, gaps, or stopping.</p> <p>"Core competencies" are 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.</p> <p>"CPSC" means the United States Consumer Product Safety Commission.</p> <p>"Cultural" or "culturally" means in a way that relates to the ideas, customs, and social behavior of different societies.</p> <p>"Curriculum philosophy" means a written statement of principles developed by an early learning provider to form the basis of the learning program of activities, including age appropriate developmental learning objectives for children.</p> | <p>"Continuous" means without interruptions, gaps, or stopping.</p> <p>"Core competencies" are standards required by the Department that detail what a school-age provider need to know and are able to do to provide quality care and education for children and their families.</p> <p>"CPSC" means the United States Consumer Product Safety Commission.</p> <p>"Cultural" or "culturally" means in a way that relates to the ideas, customs, and social behavior of different societies.</p> <p>"Department of children, youth, and families," "DCYF," or "the department" refers to the Washington state department of children, youth, and families.</p> <p>"DOH" refers to the Washington department of health.</p> <p>"Developmentally appropriate" means:</p> <ul style="list-style-type: none"> (a) A school-age provider interacts with each child in a way that recognizes and respects the child's chronological and developmental age; (b) Knowledge about how children grow and learn; (c) Reflects the developmental level of the individual child; and (d) Interactions and activities are planned with the developmental needs of the individual child in mind. <p>"Disability" or "disabilities" has the same meaning in this chapter as in RCW 49.60.040(7), the Washington law against discrimination.</p> <p>"Disaster" means a sudden event, such as an accident or natural catastrophe, that causes great damage or loss of life.</p> <p>"Discipline" means a method used to redirect a child in order to achieve a desired behavior.</p> | <p>"Physical restraint" means the practice of rendering a child helpless or keeping a child in captivity.</p> <p>"Poison" for the purposes of this chapter includes, but is not limited to, 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 they are swallowed or come into contact with a child's skin, eyes, mouth, or mucus membranes.</p> <p>"Premises" means the licensed or unlicensed space at the licensed address including, but not limited to, buildings, land and residences.</p> <p>"RCW" means Revised Code of Washington.</p> <p>"Revocation" or "revoke" means the formal department action to close a child care business and take the license due to the licensee's failure to comply with chapter 43.215 RCW or requirements adopted pursuant to chapter 43.215 RCW.</p> <p>"Sanitize" means to reduce the number of microorganisms on a surface by the process of:</p> <ul style="list-style-type: none"> (a) Cleaning and rinsing, followed by using: <ul style="list-style-type: none"> (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) Another sanitizer product if used strictly according to manufacturer's label instructions including, but not limited to, quantity used, time the product must be left in place, and 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; or (b) For laundry and dishwasher use only, "sanitize" means use of a bleach and water |
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| <p>"DCYF" or "the department" refers to the Washington state department of children, youth, and families.</p> <p>"Developmental screening" is the use of standardized tools to identify a child at risk of a developmental delay or disorder. (Source: American Academy of Pediatrics, <i>Healthy Child Care America</i>, 2009).</p> <p>"Developmentally appropriate" means:</p> <p>(a) An early learning provider interacts with each child in a way that recognizes and respects the child's chronological and developmental age;</p> <p>(b) Knowledge about how children grow and learn;</p> <p>(c) Reflects the developmental level of the individual child; and</p> <p>(d) Interactions and activities are planned with the developmental needs of the individual child in mind.</p> <p>"Director" means the person responsible for the overall management of a center early learning program including the facility and operation.</p> <p>"Disability" or "disabilities" has the same meaning in this chapter as in RCW 49.60.040(7), the Washington law against discrimination.</p> <p>"Discipline" means a method used to redirect a child in order to achieve a desired behavior.</p> <p>"Disinfect" means to eliminate virtually all germs from an inanimate surface by the process of cleaning and rinsing, followed by:</p> <p>(a) The application of a fragrance-free chlorine bleach and water solution following the department of health's current guidelines for mixing bleach solutions for child care and similar environments; or</p> <p>(b) The application of other disinfectant products registered with the EPA, if used strictly according to the manufacturer's label instructions including,</p> | <p>"Disinfect" means to eliminate virtually all germs from an inanimate surface by the process of cleaning and rinsing, followed by:</p> <p>(a) The application of a fragrance-free chlorine bleach and water solution following the DOH's current guidelines for mixing bleach solutions for child care and similar environments; or</p> <p>(b) The application of 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."</p> <p>"DOD" means the United States department of defense.</p> <p>"Disinfectant" means a chemical or physical process that kills bacteria and viruses.</p> <p>"Drinking water" or "potable water" is water suitable for drinking by the public as determined by the DOH or a local health jurisdiction.</p> <p>"Dual language learners" refers to children who 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: <i>The Washington State Early Learning and Development Guidelines</i>.)</p> <p>"Electronic record" means a record generated, communicated, received or stored by electronic means for use in an information system</p> | <p>solution or temperature control of a minimum 140 degrees Fahrenheit.</p> <p>"Screen time" means watching, using or playing television, computers, video games, video or DVD players, mobile communication devices, and similar devices.</p> <p>"Staff" means a person or persons employed by the licensee to provide child care and to supervise children served at the center.</p> <p>"STARS" means the state training and registry system.</p> <p>"Suspension of a license" means a formal department action to immediately stop a license pending a department decision regarding further enforcement action.</p> <p>"Unlicensed space" means the indoor and outdoor areas of the premises not approved as licensed space by DEL that the licensee must make inaccessible to the children during child care hours.</p> <p>"Unsupervised access" has the same meaning as unsupervised access in WAC 170-06-0020.</p> <p>"WAC" means the Washington Administrative Code.</p> <p>"Weapons" 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.</p> |
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| <p>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."</p> <p>"Disinfectant" means a chemical or physical process that kills bacteria and viruses.</p> <p>"Drinking water" or "potable water" is water suitable for drinking by the public as determined by the Washington state department of health or a local health jurisdiction.</p> <p>"Dual language learners" refers to children who 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 <i>Washington State Early Learning and Development Guidelines</i>.)</p> <p>"Early achievers" is a statewide 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.</p> <p>"Early childhood education (ECE) initial certificate" (twelve quarter credits) is Washington's initial certificate in early childhood education and serves as the point of entry for a career in early learning and covers foundational content for early learning professionals.</p> <p>"Early childhood education (ECE) short certificate" (initial certificate plus eight quarter credits) is Washington's short certificate in early childhood education and offers areas of</p> | <p>or for transmission from one information system to another.</p> <p>"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.</p> <p>"Electronic workforce registry" refers to the Washington state department of children, youth, and families' current database of professional records of individual school-age providers.</p> <p>"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.</p> <p>"Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.216.325. A school-age provider may contest enforcement actions and seek an adjudicative proceeding pursuant to chapter 110-03 WAC.</p> <p>"EPA" means the United States Environmental Protection Agency.</p> <p>"Exempt" or "exemption" means, as applied to immunizations, a type of immunization status where a child has not been fully immunized against one or more vaccine preventable diseases required by chapter 246-105 WAC for full immunization due to medical, religious, philosophical or personal reasons. Under chapter 362, Laws of 2019, if a child plans on attending or</p> | |
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| <p>specialization, building on the state's initial certificate.</p> <p>"Early childhood education (ECE) state certificate" (short certificate plus twenty-seven quarter credits) is Washington's state certificate in early childhood education and is the benchmark for Level 2 core competencies for early care and education professionals and prepares for the next step, an associate's degree in early childhood education.</p> <p>"Early learning program" refers to regularly scheduled care for a group of children birth through twelve years of age for periods of less than twenty-four hours, licensed by the department.</p> <p>"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.</p> <p>"Early learning program staff" refers to all persons who work, substitute, or volunteer in an early learning program during hours when children are or may be present, excluding licensees.</p> <p>"Early learning provider" or "provider" refers to an early learning licensee or designee who works in an early learning program during hours when children are or may be present. Designees include center directors, assistant directors, program supervisors, lead teachers, assistants, aides, and volunteers.</p> <p>"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.</p> <p>"Electronic record" means a record generated, communicated, received or stored by electronic means for use in an information system or for</p> | <p>is attending a school-age program, a philosophical or personal objection may not be used to exempt a child from the measles, mumps, and rubella vaccine.</p> <p>"Expel" or "expulsion" means to end a child's enrollment in a school-age program. A school-age 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.</p> <p>"Facility Licensing Compliance Agreement (FLCA)" means an agreement issued by the department in lieu of the department taking enforcement action against a school-age provider.</p> <p>"FDA" means the United States Food and Drug Administration.</p> <p>"Food worker card" means a food and beverage service worker's permit as required under chapter 69.06 RCW.</p> <p>"Foundational quality standards" refers to the administrative and regulatory requirements contained within this chapter. These standards are designed to promote the development, health, and safety of children enrolled in a school-age program. The department uses these standards to equitably serve children, families, and school-age providers throughout Washington state.</p> <p>"Good repair" means about eighty percent of materials and components are unbroken, have all their pieces, and can be used by children as intended by the manufacturer or builder.</p> <p>"Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the law of Washington state to provide health care in the ordinary course of business or practice of a profession.</p> <p>"Immunization" is the process of administering a vaccine to make a person immune or resistant to an infectious disease.</p> | |
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| <p>transmission from one information system to another.</p> <p>"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.</p> <p>"Electronic workforce registry" refers to the Washington state department of children, youth, and families' current database of professional records of individual early learning providers.</p> <p>"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.</p> <p>"Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.216.325(3). An early learning provider may contest enforcement actions and seek an adjudicative proceeding pursuant to chapter 110-03 WAC.</p> <p>"EPA" means the United States Environmental Protection Agency.</p> <p>"Equivalency" when referring to staff qualifications means an individual is allowed to meet the requirements of this chapter through a department recognized alternative credential, or demonstration of competency, that indicates similar knowledge as the named credential.</p> <p>"Exempt" or "exemption" means, as applied to immunizations, a type of immunization status where a child has not been fully immunized against one or more vaccine preventable diseases</p> | <p>"Inaccessible to children" means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of a school-age program.</p> <p>"Inactive" when used by the department to indicate a licensing status, means a school-age provider who have requested and have been approved to temporarily cease caring for children and close their school-age program.</p> <p>"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.</p> <p>"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 a school-age provider.</p> <p>"Inspection report" refers to a written or digital record developed by the department that identifies violations of licensing standards.</p> <p>"Internal review process" has the same meaning in this chapter as in RCW 43.216.395.</p> <p>"Lead teacher" means a school-age provider who works as the lead staff person in charge of a child or group of children and implements activity programs.</p> <p>"License" means a permit issued by the department legally authorizing an applicant to operate a school-age program.</p> <p>"Licensed space" means the indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care in a school-age program.</p> <p>"Licensee" means an individual or legal entity listed on a license issued by the department,</p> | |
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| <p>required by chapter 246-105 WAC for full immunization due to medical, religious, philosophical or personal reasons. Under chapter 362, Laws of 2019, if a child plans on attending or is attending a center early learning program, a philosophical or personal objection may not be used to exempt a child from the measles, mumps, and rubella vaccine.</p> <p>"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.</p> <p>"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).</p> <p>"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.</p> <p>"Family living quarters" means a family home licensee or applicant's residence and other spaces or building on the premises.</p> <p>"Food worker card" means a food and beverage service worker's permit as required under chapter 69.06 RCW.</p> <p>"Foundational quality standards" refers to the administrative and regulatory requirements contained within this chapter. These standards are designed to promote the development, health, and safety of children enrolled in center and family home early learning programs. The department uses these standards to equitably</p> | <p>authorized to provide child care in a school-age program.</p> <p>"Lockdown" means restricted to an interior room with few or no windows while the facility or building is secured from a threat.</p> <p>"Locking mechanism" means a lock that requires a key, tumbler, dial, passcode, touchpad, or similar device or method to lock and unlock.</p> <p>"Modification" when used in reference to a school-age provider's licensing status, means an enforcement action by the department to change the conditions identified on a licensee's current license.</p> <p>"Nonexpiring license" means a license that is issued to a school-age provider following the initial licensing period, pursuant to chapter 43.216 RCW.</p> <p>"Operating hours" means the hours listed in a school-age program parent handbook when the program is open and providing care and services to children.</p> <p>"OSPI" means the Washington state office of superintendent of public instruction.</p> <p>"Parent" or "guardian" means birth parent, custodial parent, foster parent, legal guardian or those authorized by the parent or entity legally responsible for the welfare of the child.</p> <p>"Peer interaction" refers to relationships children have with one another, which includes how children play together, communicate, and whether they fight or get along.</p> <p>"Personal needs" means a school-age provider's toileting or medication needs. Personal needs do not include smoking or use of tobacco products, illegal drug use or misuse or prescription drugs, conducting business or related activities,</p> | |
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| <p>serve children, families, and early learning providers throughout Washington state.</p> <p>"Good repair" means about eighty percent of materials and components are unbroken, have all their pieces, and can be used by children as intended by the manufacturer or builder.</p> <p>"Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the law of Washington state to provide health care in the ordinary course of business or practice of a profession.</p> <p>"Household member" means one or more individuals who live in the same dwelling or share living arrangements, and may consist of family relatives or other groups of people.</p> <p>"Immunization" is the process of administering a vaccine to make a person immune or resistant to an infectious disease.</p> <p>"Inaccessible to children" means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of an early learning program.</p> <p>"Inactive" when used by the department to indicate a licensing status, means early learning providers who have requested and have been approved to temporarily cease caring for children and close their early learning program.</p> <p>"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.</p> <p>"Infant" is a child birth through eleven months of age.</p> <p>"In-service training" means professional development requirements for continuing education delivered or approved by the department to maintain staff standards and</p> | <p>sleeping or napping, screen time, or leaving children in care unattended.</p> <p>"Pest" means an animal, plant, or insect that has a harmful effect on humans, food, or living conditions.</p> <p>"Pesticide" refers to chemicals used to kill pests.</p> <p>"Pet" means a domestic or tamed animal or bird kept for companionship or pleasure.</p> <p>"Physical barrier" means a nonclimbable fence or a wall that is at least five feet tall and has no openings greater than two inches or a gate or door that allows entry to and exit from a body of water and has the following requirements in addition to those already listed: A locking mechanism, a self-closing or self-latching device, and a device used to open the locks which is inaccessible to children but readily available to staff.</p> <p>"Physical restraint" means holding a child as gently as possible for the minimum amount of time necessary to control a situation where that child's safety or the safety of others is threatened.</p> <p>"Poison" includes, but is not limited to, 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.</p> <p>"Premises" means the licensed and unlicensed space at the licensed address including, but not limited to, buildings, land, and residences.</p> <p>"Preservice training" means professional development standards or requirements for school-age program staff prior to hiring or within a department specified time frame and delivered or approved by the department.</p> | |
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| <p>qualifications while employed as an early learning provider.</p> <p>"Internal review process" has the same meaning in this chapter as in RCW 43.216.395, as now or hereafter amended.</p> <p>"Lead teacher" means an early learning provider who works as the lead staff person in charge of a child or group of children and implements activity programs.</p> <p>"License" means a permit issued by the department legally authorizing an applicant to operate an early learning program.</p> <p>"Licensed space" means the indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care.</p> <p>"Licensee" means an individual or legal entity listed on a license issued by the department, authorized to provide child care or early learning services in a center or family home setting.</p> <p>"Lockdown" means restricted to an interior room with few or no windows while the facility or building is secured from a threat.</p> <p>"Locking mechanism" means a lock that requires a key, tumbler, dial, passcode, touchpad, or similar device or method to lock and unlock.</p> <p>"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.</p> <p>"Nonexpiring license" means a license that is issued to an early learning provider following the initial licensing period, pursuant to chapter 43.216 RCW.</p> <p>"Operating hours" means the hours listed in an early learning program parent handbook when the</p> | <p>"Private septic system" means a septic system as defined in chapter 246-272A WAC that is not connected to a public sewer system or a large on-site sewage system as defined in chapter 246-272B WAC. A private septic system includes, but is not limited to, the septic system's drain field and tanks.</p> <p>"Probationary license" has the same meaning as in RCW 43.216.010(23).</p> <p>"Professional development support plan" is a formal means by which an individual who is supervising staff sets out the goals, strategies, and outcomes of learning and training.</p> <p>"Program director" means the person responsible for the overall management of a school-age program including the facility and operation. The program director is not responsible for being on-site at the program, unless the program director is filling in for an on-site role.</p> <p>"Program philosophy" means a written statement of principles developed by a school-age provider to form the basis of the program's activities in relation to a child's development.</p> <p>"RCW" means the Revised Code of Washington.</p> <p>"Readily available" means able to be used or obtained quickly and easily.</p> <p>"Revocation" or "revoke" when used in reference to a school-age provider's licensing status, means an enforcement action by the department to close a school-age program and permanently remove the license.</p> <p>"Routine care" means typical or usual care provided to a child during the time the child is enrolled in the school-age program (for example: Feeding, toileting, playing, and learning).</p> | |
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| <p>program is open and providing care and services to children.</p> <p>"Parent" or "guardian" means birth parent, custodial parent, foster parent, legal guardian or those authorized by the parent or entity legally responsible for the welfare of the child.</p> <p>"Peer interaction" refers to relationships children have with one another, which includes how infants and toddlers play near one another and how preschoolers play together, communicate, and whether they fight or get along.</p> <p>"Personal needs" means an early learning provider's toileting or medication needs. Personal needs do not include smoking or use of tobacco products, illegal drug use or misuse or prescription drugs, conducting business or related activities, sleeping or napping, screen time, or leaving children in care unattended.</p> <p>"Pest" means an animal, plant, or insect that has a harmful effect on humans, food, or living conditions.</p> <p>"Pesticide" refers to chemicals used to kill pests.</p> <p>"Pet" means a domestic or tamed animal or bird kept for companionship or pleasure.</p> <p>"Physical barrier" means a nonclimbable fence or a wall that is at least five feet tall and has no openings greater than two inches or a gate or door that allows entry to and exit from a body of water and has the following requirements in addition to those already listed: A locking mechanism, a self-closing or self-latching device, and a device used to open the locks which is inaccessible to children but readily available to staff.</p> <p>"Physical restraint" means holding a child as gently as possible for the minimum amount of</p> | <p>"Safe route" means a way or course taken to get from a starting point to a destination that is protected from danger or risk.</p> <p>"Safety plan" means a written plan to implement program changes to bring a school-age program into compliance with this chapter and chapter 43.216 RCW. Safety plans are developed at meetings involving at least a school-age provider and a department licensor 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 school-age program. Program changes must be agreed to in writing and signed by all participants at the meeting. Safety plans expire thirty calendar days after being signed by all parties. Safety plans may only be extended for an additional thirty days and extensions may only be authorized by a department supervisor.</p> <p>"Sanitize" means to reduce the number of microorganisms on a surface by the process of:</p> <ul style="list-style-type: none"> (a) Cleaning and rinsing with water at a high temperature pursuant to this chapter; or (b) Cleaning and rinsing, followed by using: <ul style="list-style-type: none"> (i) A fragrance-free chlorine bleach and water solution following the DOH's current guidelines for mixing bleach solutions for child care and similar environments; 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." <p>"School-age basics" means curriculum designed to meet the initial basic training</p> | |
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| <p>time necessary to control a situation where that child's safety or the safety of others is threatened.</p> <p>"Poison" includes, but is not limited to, 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.</p> <p>"Premises" means the licensed and unlicensed space at the licensed address including, but not limited to, buildings, land, and residences.</p> <p>"Preschool-age children" means children thirty months through six years of age not attending kindergarten or elementary school.</p> <p>"Preservice training" means professional development standards or requirements for early learning program staff prior to hiring or within a department specified time frame and delivered or approved by the department.</p> <p>"Private septic system" means a septic system as defined in chapter 246-272A WAC that is not connected to a public sewer system or a large on-site sewage system as defined in chapter 246-272B WAC. A private septic system includes, but is not limited to, the septic system's drain field and tanks.</p> <p>"Probationary license" has the same meaning as in RCW 43.216.010(23).</p> <p>"Professional development support plan" is a formal means by which an individual who is supervising staff sets out the goals, strategies, and outcomes of learning and training.</p> <p>"Program supervisor" means the center early learning provider responsible for planning and supervising the learning and activity program.</p> <p>"RCW" means the Revised Code of Washington.</p> | <p>requirement for school-age program staff working in a licensed or certified school-age child care program in Washington state.</p> <p>"School-age child" means a child who is five years of age through twelve years of age and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.</p> <p>"School-age program" refers to regularly scheduled care for a group of children, five years of age through twelve years of age who are attending public or private school or receiving home-based instruction under chapter 28A.200 RCW, for periods of less than twenty-four hours, licensed by the department.</p> <p>"School-age program licensee" or "school-age licensee" means an entity licensed and authorized by the department to operate a school-age child care program.</p> <p>"School-age program space" means the licensed indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care in a school-age program.</p> <p>"School-age program staff" refers to all persons who work, substitute, or volunteer in a school-age program during hours when children are or may be present, excluding licensees.</p> <p>"School-age provider" or "provider" refers to a licensee or designee who works in a school-age program during hours when children are or may be present. Designees include program directors, site directors, lead teachers, assistant teachers, aides, and volunteers.</p> <p>"Screen time" means watching, using, or playing television, computer, video games, video or DVD players, mobile communication devices, or similar devices.</p> | |
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| <p>"Readily available" means able to be used or obtained quickly and easily.</p> <p>"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.</p> <p>"Routine care" means typical or usual care provided to a child during the time the child is enrolled in the early learning program (for example: Feeding, diapering, toileting, napping, resting, playing, and learning).</p> <p>"Safe route" means a way or course taken to get from a starting point to a destination that is protected from danger or risk.</p> <p>"Safety plan" means a written plan to implement program changes to bring an early learning program into compliance with this chapter and chapter 43.216 RCW. Safety plans are developed at meetings involving at least an early learning provider and a department licenser 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 early learning program. Program changes must be agreed to in writing and signed by all participants at the meeting. Safety plans expire thirty calendar days after being signed by all parties. Safety plans may only be extended for an additional thirty days and extensions may only be authorized by a department supervisor.</p> <p>"Sanitize" means to reduce the number of microorganisms on a surface by the process of:</p> <ul style="list-style-type: none"> (a) Cleaning and rinsing with water at a high temperature pursuant to this chapter; or (b) Cleaning and rinsing, followed by using: <ul style="list-style-type: none"> (i) A fragrance-free chlorine bleach and water solution following the department of health's | <p>"Serious injury" means:</p> <ul style="list-style-type: none"> (a) An injury resulting in an overnight hospital stay; (b) A severe neck or head injury; (c) Choking or serious unexpected breathing problems; (d) Severe bleeding; (e) Shock or an acute confused state; (f) Sudden unconsciousness; (g) Dangerous chemicals in eyes, on skin, or ingested; (h) Near drowning; (i) One or more broken bones; (j) A severe burn requiring professional medical care; (k) Poisoning; or (l) An overdose of a chemical substance. <p>"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.</p> <p>"Sign" means an individual formally placing their name or legal mark on a document by physical signature or electronic signature.</p> <p>"Site director" means the school-age provider responsible for planning and implementing the school-age program services under the oversight of the program director. The site director is responsible for being on-site during the program's operating hours and providing regular supervision of staff and volunteers.</p> <p>"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),</p> | |
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| <p>current guidelines for mixing bleach solutions for child care and similar environments; or</p> <p>(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."</p> <p>"School-age children" means a child not less than five years of age through twelve years of age who is attending kindergarten or elementary school.</p> <p>"Screen time" means watching, using, or playing television, computer, video games, video or DVD players, mobile communication devices, or similar devices.</p> <p>"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 in eyes, on skin, or ingested; near drowning; one or more broken bones; a severe burn requiring professional medical care; poisoning; or an overdose of a chemical substance.</p> <p>"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.</p> <p>"Sign" means an individual formally placing their name or legal mark on a document by physical signature or electronic signature.</p> | <p>individual health plan (IHP), 504 plan, or an individualized family service plan (IFSP).</p> <p>"Staff" means any school-age provider providing care in the school-age program.</p> <p>"Supervise" or "supervision" means a school-age provider must be able to see or hear the children they are responsible for at all times. A School-age provider 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. A School-age provider must also reposition themselves or the children to be aware of where children are and what they are doing during care. A school-age provider must reassess and adjust their supervision each time program activities change. See "active supervision" for a heightened standard of care.</p> <p>"Suspend" when used in reference to a school-age 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.</p> <p>"Swimming pool" means a pool that has a water depth greater than two feet (24 inches).</p> <p>"Technical assistance" means a service provided to a school-age provider by department staff or a contracted third party. The goal of technical assistance is to offer guidance, information, and resources to help a provider fully comply with the licensing requirements of this chapter and chapter 43.216 RCW.</p> <p>"Transition" is the process or period of time to change from one activity or place to another.</p> | |
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| <p>"Sleeping equipment" includes a bed, cot, mattress, mat, crib, bassinet, play yard or "pack and play" but does not include a car seat or infant swing.</p> <p>"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).</p> <p>"Staff" means any early learning provider providing care in the early learning program.</p> <p>"Strengthening families program self-assessment" refers to a research informed approach to increase family strengths, enhanced 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:</p> <ul style="list-style-type: none"> (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. <p>"Supervise" or "supervision" means an early learning provider must be able to see or hear the children they are responsible for at all times. Early learning 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. Early learning providers must also reposition themselves or the children to be aware of where children are and what they are doing during care. An early learning provider must reassess and</p> | <p>"Unlicensed space" means the indoor and outdoor areas of the premises not approved by the department as licensed space that the school-age provider must make inaccessible to the children during program hours.</p> <p>"Unsupervised access" as used throughout this chapter has the same meaning as in WAC 110-06-0020.</p> <p>"Usable space" means the areas that are available at all times for use by children in a school-age program and meets licensing requirements.</p> <p>"USDA" means the U.S. Department of Agriculture.</p> <p>"Vapor product" means any:</p> <ul style="list-style-type: none"> (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 a device or to refill such a device; or (c) Solution or substance intended for use in such a 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 services. "Vapor product" does not include any drug, device, or combination product approved for sale by the FDA that is marketed and sold for such approved purpose. <p>"Variance" is an official approval by the department to allow a school-age program to achieve the outcome of a rule or rules in this</p> | |
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| <p>adjust their supervision each time child care activities change. See "active supervision" for a heightened standard of care.</p> <p>"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.</p> <p>"Swimming pool" means a pool that has a water depth greater than two feet (24 inches).</p> <p>"Technical assistance" means a service provided to early learning providers by department staff or a contracted third party. The goal of technical assistance is to offer guidance, information, and resources to help a provider fully comply with the licensing requirements of this chapter and chapter 43.216 RCW.</p> <p>"Toddler" means a child twelve months through twenty-nine months of age.</p> <p>"Transition" is the process or period of time to change from one activity, place, grade level, or sleeping arrangement to another.</p> <p>"Tummy time" means placing an infant in a nonrestrictive prone position, lying on his or her stomach when not in sleeping equipment.</p> <p>"Unlicensed space" means the indoor and outdoor areas of the premises not approved by the department as licensed space that the early learning provider must make inaccessible to the children during child care hours.</p> <p>"Unsupervised access" as used throughout this chapter has the same meaning as in WAC 110-06-0020.</p> <p>"Usable space" means the areas that are available at all times for use by children in an early learning program and meets licensing requirements.</p> | <p>chapter in an alternative way than described due to the needs of a unique or specific program approach or methodology. The department may grant a request for variance if the proposed alternative provides clear and convincing evidence that the health, welfare, and safety of all enrolled children is not jeopardized. A school-age 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.</p> <p>"Volunteer" includes any person who provides labor or services to a school-age 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 WAC 110-301-0345. "Unsupervised access" has the same meaning here as in WAC 110-06-0020.</p> <p>"WAC" means the Washington Administrative Code.</p> <p>"Wading pool" means a pool that has a water depth of less than two feet (24 inches).</p> <p>"Waiver" is an official approval by the department allowing a school-age provider not to meet or satisfy a rule in this chapter due to specific needs of the program or an enrolled child. The department may 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. A school-age 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.</p> | |
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| <p>"USDA" means the U.S. Department of Agriculture.</p> <p>"Vapor product" means any:</p> <p>(a) Device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;</p> <p>(b) Cartridge or container of a solution or substance intended to be used with or in such a device or to refill such a device; or</p> <p>(c) Solution or substance intended for use in such a device including, but not limited to, concentrated nicotine, nonnicotine 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 services. "Vapor product" does not include any drug, device, or combination product approved for sale by the United States Food and Drug Administration that is marketed and sold for such approved purpose.</p> <p>"Variance" is an official approval by the department to allow an early learning program to achieve the outcome of a rule or rules in this chapter in an alternative way than described due to the needs of a unique or specific program approach or methodology. The department may grant a request for variance if the proposed alternative provides clear and convincing evidence that the health, welfare, and safety of all enrolled children is not jeopardized. An early learning provider does not have the right to appeal the department's disapproval of request for variance under chapter 110-03 WAC. The provider may</p> | <p>"Washington state early learning and development guidelines" refers to guidelines published by the department, 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.</p> <p>"Water activities" means school-age 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.</p> <p>"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.</p> <p>"Written food plan" is a document 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 school-age provider must sign a written food plan.</p> | |
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challenge a variance disapproval on a department form.

"Volunteer" includes any person who provides labor or services to an early learning 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 WAC [110-300-0345](#) (1)(c). "Unsupervised access" has the same meaning here as in WAC [110-06-0020](#).

"WAC" means the Washington Administrative Code.

"Wading pool" means a pool that has a water depth of less than two feet (24 inches).

"Waiver" is an official approval by the department allowing an early learning provider not to meet or satisfy a rule in this chapter due to specific needs of the program or an enrolled child. The department may 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 early learning 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.

"Walking independently" means an individual is able to stand and move easily without the aid or assistance of holding on to an object, wall, equipment, or another individual.

"Washington state early learning and development guidelines" refers to 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

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| <p>know and are able to do at different stages of their development.</p> <p>"Water activities" means early learning 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.</p> <p>"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.</p> <p>"Written food plan" is a document 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 early learning provider must sign a written food plan.</p> | | |
| <p>What's Different? WAC 110-301-0005 Definitions.</p> <ul style="list-style-type: none"> <i>Previous 110-305 vs Updated 110-301:</i> <p>In general, 110-301 defines <u>many</u> more words and terms than 110-305 does, and 110-301 mirrors the definitions used in 110-300 WAC, as applicable. The most significant changes between the Definitions sections are listed below:</p> <p>"Assistant teacher" 110-301 has assistant teacher; and 110-305 does not.</p> <p>"Child" 110-301 uses the definition for "school age child" found in RCW 43.216.010(24). 110-305 does not.</p> <p>"Site director" 110-301 uses this term to define the person who is on-site, managing the program; WAC 110-305 calls this person the "site coordinator."</p> <p>"Volunteer" 110-301 defines this term; and 110-305 does not.</p> <p><i>Note:</i> references to "early learning" are no longer used in SA WAC; "school-age" is used instead (the school-age provider community requested this change be made).</p> <ul style="list-style-type: none"> <i>110-300 vs Updated 110-301:</i> <p>110-301 does not include the terms "family home" or "center" since those terms don't apply to 110-301.</p> <p>"Accommodations" 110-301 does not include the words "curriculum and instruction", and 110-300 includes these words.</p> <p>"Annual" or "annually" AAG provided this definition in 110-301; 110-300 definition is different.</p> <p>"Assistant director" 110-301 does not have assistant directors; 110-300 does.</p> <p>"Child" 110-301 use the definition for "school age child" found in RCW 43.216.010(24). 110-300 definition of 'child' encompasses children birth thru 12 years.</p> <p>"Child care basics" or "CCB" this term is used in 110-300; in 110-301 "School-age basics" is the term used to reference this required training.</p> | | |

"**Curriculum philosophy**" this term is used in 110-300. In 110-301, "**Program philosophy**" is used.

"**Director**" this term is used in 110-300 to define the person in charge of the overall management of the program facility and operation. In 110-301, "**Program Director**" is the person in charge of the overall management of the program facility and operation. For school-age programs, the program director is not responsible for being on-site at the program, unless the program director is filling in for an on-site role.

"**Disaster**" 110-301 defines this term; 110-300 does not.

"**Early achievers**" 110-300 defines this term; 110-301 does not, because Early Achievers is not available to school-age programs at this time.

"**Early childhood education (ECE) initial certificate, short certificate, and state certificate**" 110-300 defines these terms; 110-301 does not because these certificates are not required for school-age providers."

"**Equivalency**" 110-300 defines this term; 110-301 does not because the term is not used in 110-301.

"**Facility Licensing Compliance Agreement (FLCA)**" 110-301 defines this term; 110-300 does not.

"**Household member**" 110-300 defines this term; 110-301 does not because the term is not used in 110-301.

"**Inspection report**" 110-301 defines this term; 110-300 does not.

"**Infant**" 110-300 defines this term; 110-301 does not because the term is not used in 110-301.

"**Preschool-age children**" 110-300 defines this term; 110-301 does not because the term is not used in 110-301.

"**Program director**" is used in 110-301; 110-300 uses the term "**Director**".

"**Program philosophy**" is used in 110-301; 110-300 uses the term "**Curriculum philosophy**".

"**Program supervisor**" 110-300 defines this term; 110-301 does not because the term is not used in 110-301.

"**School-age child**" 110-301 uses the definition for "school age child" found in RCW 43.216.010(24). 110-300 does not.

"**School-age basics**" this term is used in 110-301; in 110-300 "**Child care basics**" or "**CCB**" is the term used to reference this required training.

"**Site director**" is used in 110-301; 110-300 does not use the term.

"**Sleeping equipment**" 110-300 defines this term; 110-301 does not, because school-age providers are not required to have sleeping equipment.

"**Strengthening families program self-assessment**" 110-300 defines this term; 110-301 does not, because the this is not required for school-age programs.

"**Toddler**" is used in 110-301; 110-300 does not use the term.

"**Tummy time**" is used in 110-301; 110-300 does not use the term.

"**Walking independently**" is used in 110-301; 110-300 does not use the term.

Intent and Authority

| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
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| <p>WAC 110-300-0010 License required.</p> <p>(1) An individual or entity that provides child care and early learning services for a group of children, birth through twelve years of age, must be licensed by the department, pursuant to RCW 43.216.295, unless exempt under RCW 43.216.010(2) and WAC 110-300-0025.</p> <p>(2) The department must not license a department employee or a member of the employee's household if the employee is involved</p> | <p>WAC 110-301-0010 License required.</p> <p>(1) An individual or entity that operates a school-age program must be licensed by the Department as a school-age program, pursuant to RCW 43.216.295, unless exempt under RCW 43.216.010(2) and WAC 110-301-0025.</p> <p>(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:</p> | <p>WAC 110-305-1000 License required.</p> <p>(1) A school-age program that provides child care for children must be licensed by the department unless exempt under RCW 43.215.010(2).</p> <p>(2) A child care program claiming an exemption must provide to the department proof that they qualify for an exemption using a department approved form.</p> |

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| <p>directly, or in an administrative or supervisory capacity in the:</p> <p>(a) Licensing process; (b) Placement of a child in a licensed early learning program; or (c) Authorization of payment for the child in care.</p> <p>(3) A license is required when an individual provides child care and early learning services in his or her family home:</p> <p>(a) Outside the child's home on a regular and ongoing basis for one or more children not related to the licensee; or (b) For preschool age children for more than four hours a day.</p> <p>As used in this chapter, "not related" means not any of the relatives listed in RCW 43.216.010</p> <p>(2)(a).</p> <p>(4) The department may license a center located in a private family residence when the portion of the residence accessible to children is:</p> <p>(a) Used exclusively for children during the center's operating hours or when children are in care; or (b) Separate from the family living quarters.</p> | <p>(a) Licensing process; (b) Placement of a child in a licensed school-age program; or (c) Authorization of payment for the child in care.</p> | |
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What's Different? WAC 110-301-0010 License required.

- *Previous 110-305 vs Updated 110-301:* Previous 110-305 does not include info about the dept 'must not certify employee'; this info is included in Updated 110-301.
- *110-300 vs Updated 110-301:* Same rule.

| Intent and Authority | | |
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| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
| <p>WAC 110-300-0015 Licensee absence.</p> <p>(1) In a family home early learning program, the licensee must have a written plan for when the licensee will be absent but the program remains open for the care of children. If a family home licensee is absent more than ten consecutive operating days, the licensee must submit a written</p> | <p>WAC 110-301-0015 Program director and site director simultaneous absence.</p> <p>(1) The licensee must have a written plan for when the program director and site director will be simultaneously absent but the program remains open for the care of children. If the program director and site director are</p> | <p>No Previous rule.</p> |

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| <p>notification to the department and each child's parent or guardian at least two business days prior to the planned absence.</p> <p>(2) In a center 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 early learning 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.</p> <p>(3) A written notification under this section must include the following information:</p> <p>(a) The time period of the absence;</p> <p>(b) Emergency contact information for the absent early learning provider; and</p> <p>(c) A written plan for program staff to follow that includes:</p> <p>(i) A staffing plan that meets child-to-staff ratios;</p> <p>(ii) Identification of a lead teacher to be present and in charge;</p> <p>(iii) Early learning program staff roles and responsibilities;</p> <p>(iv) How each child's needs will be met during the absence; and</p> <p>(v) The responsibility for meeting licensing requirements.</p> <p>(4) If a facility licensing compliance agreement (FLCA) is developed as a result of early learning program staff failing to comply with licensing regulations during an absence described in this section, an early learning provider must:</p> | <p>simultaneously absent for more than ten consecutive operating days, a school-age 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.</p> <p>(2) A written notification under this section must include the following information:</p> <p>(a) The time period of the absence;</p> <p>(b) Emergency contact information for the absent school-age provider; and</p> <p>(c) A written plan for program staff to follow that includes:</p> <p>(i) A staffing plan that meets child-to-staff ratios;</p> <p>(ii) Identification of a lead teacher to be present and in charge;</p> <p>(iii) School-age program staff roles and responsibilities;</p> <p>(iv) How each child's needs will be met during the absence; and</p> <p>(v) The responsibility for meeting licensing requirements.</p> <p>(3) If a school-age program fails to comply with licensing regulations during an absence described in this section, the school-age provider must:</p> <p>(a) Retrain school-age program staff on the requirements of the rules noted on the Inspection Report; and</p> <p>(b) Document that the retraining occurred.</p> | |
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| <p>(a) Retrain early learning program staff on the foundational quality standards documented on the FLCA; and</p> <p>(b) Document that the retraining occurred.</p> | | |
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| <p>What's Different? WAC 110-301-0015 Program director and site director simultaneous absence.</p> <ul style="list-style-type: none"> • <i>Previous 110-305 vs Updated 110-301:</i> No Licensee Absence rule in previous 110-305. • <i>110-300 vs Updated 110-301:</i> Same rule. | | |
| Intent and Authority | | |
| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
| <p>WAC 110-300-0016 Inactive status – Voluntary and temporary closure.</p> <p>(1) If a center or family home licensee plans to temporarily close their early learning program for more than thirty calendar days, and this closure is a departure from the program's regular schedule, an early learning 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:</p> <p>(a) The date the early learning program will cease operating;</p> <p>(b) The reasons why the licensee is going on inactive status; and</p> <p>(c) A projected date the early learning program will reopen.</p> <p>(2) The requirements of this section do not apply to licensed early learning 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.</p> <p>(3) A licensee may not request inactive status during their first initial licensing period (six months) unless for an emergency.</p> <p>(4) An early learning provider must inform parents and guardians that the program will temporarily close.</p> | <p>WAC 110-301-0016 Inactive status – Voluntary and temporary closure.</p> <p>(1) If a school-age licensee plans to temporarily close their school-age program for more than thirty calendar days, and this closure is a departure from the program's regular schedule, a school-age 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:</p> <p>(a) The date the school-age program will cease operating;</p> <p>(b) The reasons why the licensee is going on inactive status; and</p> <p>(c) A projected date the school-age program will reopen.</p> <p>(2) The requirements of this section do not apply to licensed school-age 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.</p> <p>(3) A licensee may not request inactive status during their first initial licensing period (six months) unless for an emergency.</p> <p>(4) A school-age provider must inform parents and guardians that the program will temporarily close.</p> <p>(5) A school-age provider is responsible for notifying the department of changes to program</p> | <p>No previous rule.</p> |

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| <p>(5) An early learning 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.</p> <p>(6) Background check rules in chapter 110-06 WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.</p> <p>(7) After receiving a notice of inactive status, the department will:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. <p>(8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW 43.216.305.</p> <p>(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).</p> <p>(10) The department may pursue enforcement actions after three failed attempts to monitor an early learning program if:</p> <ul style="list-style-type: none"> (a) The early learning provider has not been available to permit the monitoring visits; (b) The monitoring visits were attempted within a three-month time period; and | <p>status including voluntary closures, new staff, or other program changes. Program status updates must also be completed in the department's electronic system.</p> <p>(6) Background check rules in chapter 110-06 WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.</p> <p>(7) After receiving a notice of inactive status, the department will:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) The department's child care subsidy programs; (ii) CACFP; and (iii) Child Care Aware of Washington. <p>(8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW 43.216.305.</p> <p>(9) If inactive status exceeds six months within a twelve-month period, the department must close the license. The licensee must reapply for licensing pursuant to RCW 43.216.305(3).</p> <p>(10) The department may pursue enforcement actions after three failed attempts to monitor a school-age program if the:</p> <ul style="list-style-type: none"> (a) School-age provider has not been available to permit the monitoring visits; (b) Monitoring visits were attempted within a three-month time period; and (c) Department attempted to contact the provider by phone during the third attempted visit while still on the school-age program premises. <p>(11) When a licensee is ready to reopen after a temporary closure, the licensee must notify</p> | |
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| <p>(c) The department attempted to contact the provider by phone during the third attempted visit while still on the early learning premises.</p> <p>(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:</p> <p>(a) Conduct a health and safety visit of the early learning program within ten business days to determine that the provider is in compliance with this chapter;</p> <p>(b) Activate the license and inform the licensee that the license is active; and</p> <p>(c) Notify the following programs of the active status:</p> <p>(i) The department's child care subsidy programs;</p> <p>(ii) CACFP; and</p> <p>(iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.</p> | <p>the department in writing. After receiving notice of the intent to reopen, the department will:</p> <p>(a) Conduct a health and safety visit of the school-age program within ten business days to determine that the provider is in compliance with this chapter;</p> <p>(b) Activate the license and inform the licensee that the license is active; and</p> <p>(c) Notify the following programs of the active status:</p> <p>(i) The department's child care subsidy programs;</p> <p>(ii) CACFP; and</p> <p>(iii) Child Care Aware of Washington.</p> | |
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What's Different? WAC 110-301-0016 Inactive status – Voluntary and temporary closure.

- *Previous 110-305 vs Updated 110-301:* No In-active rule in previous 110-305.
- *110-300 vs Updated 110-301:* Same rule, except difference in who DCYF will contact when provider goes in-active and returns to active status [see (7)(c)(iii) and (11)(c)(iii)].

Intent and Authority

| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
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| <p>WAC 110-300-0020 Unlicensed programs.</p> <p>(1) If the department suspects that an individual or agency suspected of providing unlicensed child care, the department must follow the requirements of RCW 43.216.360.</p> <p>(2) If an individual decides to obtain a license, within thirty calendar days from the date of the department's notice in subsection (1) of this section, the individual or agency must submit a written agreement on a department form stating they agree to:</p> | <p>WAC 110-301-0020 Unlicensed programs.</p> <p>(1) If the department suspects that an individual or agency is operating an unlicensed school-age program, the department must follow the requirements of RCW 43.216.360.</p> <p>(2) If an individual or agency decides to obtain a license, within thirty calendar days from the date of the department's notice in subsection (1) of this section, the individual or agency must submit a written agreement on a department form stating they agree to:</p> | <p>WAC 110-3050-8350 Providing unlicensed care – Notice.</p> <p>(1) If the department determines that an individual is providing unlicensed child care, the department will send the individual written notice within ten calendar days to explain:</p> <p>(a) Why the department suspects that the individual is providing child care without a license;</p> <p>(b) That a license is required and why;</p> <p>(c) That the individual must immediately stop providing unlicensed child care;</p> |

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| <p>(a) Attend and participate in the next available department licensing orientation; and</p> <p>(b) Submit a licensing application after completing orientation.</p> <p>(3) The department's written notice under subsection (1) of this section must inform the individual or agency providing unlicensed child care:</p> <p>(a) That the individual or agency must stop providing child care, pursuant to RCW 43.216.360;</p> <p>(b) How to respond to the department;</p> <p>(c) How to apply for a license;</p> <p>(d) How a fine, if issued, may be suspended or withdrawn if the individual applies for a license;</p> <p>(e) That the individual has a right to request an adjudicative proceeding (hearing) if a fine is assessed; and</p> <p>(f) How to ask for a hearing, under chapter 34.05 RCW (Administrative Procedure Act), chapter 43.216 RCW, and chapter 110-03 WAC (department hearing rules).</p> <p>(4) If an individual providing unlicensed child care does not submit an agreement to obtain a license as provided in subsection (2) of this section within thirty calendar days from the date of the department's written notice, the department will post information on its website that the individual is providing child care without a license.</p> <p>(5) A person providing unlicensed child care:</p> <p>(a) Will be guilty of a misdemeanor pursuant to RCW 43.216.365; and</p> <p>(b) May be subject to an injunction pursuant to RCW 43.216.355.</p> | <p>(a) Attend and participate in the next available department licensing orientation; and</p> <p>(b) Submit a licensing application after completing orientation.</p> <p>(3) The department's written notice under subsection (1) of this section must inform the individual or agency operating an unlicensed school-age program:</p> <p>(a) That the individual or agency must stop operating an unlicensed school-age program, pursuant to RCW 43.216.360;</p> <p>(b) How to respond to the department;</p> <p>(c) How to apply for a license;</p> <p>(d) How a fine, if issued, may be suspended or withdrawn if the individual applies for a license;</p> <p>(e) That the individual has a right to request an adjudicative proceeding (hearing) if a fine is assessed; and</p> <p>(f) How to ask for a hearing, under chapter 34.05 RCW (Administrative Procedure Act), chapter 43.216 RCW, and chapter 110-03 WAC (department hearing rules).</p> <p>(4) If an individual or agency operating an unlicensed school-age program does not submit an agreement to obtain a license as provided in subsection (2) of this section within thirty calendar days from the date of the department's written notice, the department will post information on its website that the individual is operating a school-age program without a license.</p> <p>(5) An individual operating an unlicensed school-age program:</p> <p>(a) Will be guilty of a misdemeanor pursuant to RCW 43.216.365; and</p> <p>(b) May be subject to an injunction pursuant to RCW 43.216.355.</p> | <p>(d) That if the individual wishes to obtain a license, within thirty calendar days from the date of the department's notice in this subsection (1) the individual must submit a written agreement, on a department form, stating that he or she agrees to:</p> <p>(i) Attend the next available department child care licensing orientation; and</p> <p>(ii) Submit a child care licensing application after completing orientation; and</p> <p>(e) That the department has the authority to issue a fine of two hundred fifty dollars per day for each day that the individual continues to provide child care without a license.</p> <p>(2) The department's written notice in subsection (1) of this section must inform the individual providing unlicensed child care:</p> <p>(a) How to respond to the department;</p> <p>(b) How to apply for a license;</p> <p>(c) How a fine, if issued, may be suspended or withdrawn if the individual applies for a license;</p> <p>(d) That the individual has a right to request an adjudicative proceeding (hearing) if a fine is assessed; and</p> <p>(e) How to ask for a hearing.</p> <p>(3) If an individual providing unlicensed child care does not submit an agreement to obtain a license as provided in subsection (1)(d) of this section within thirty calendar days from the date of the department's written notice, the department will post information on its website that the individual is providing child care without a license.</p> <p>WAC 110-305-8375 Unlicensed care – Fines and other penalties.</p> <p>A person providing unlicensed child care may be:</p> |
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| | | <p>(1) Assessed a fine of two hundred fifty dollars a day for each day unlicensed child care is provided;</p> <p>(2) Guilty of a misdemeanor; or</p> <p>(3) Subject to an injunction.</p> |
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What's Different? WAC 110-301-0020 Unlicensed programs.

- *Previous 110-305 vs Updated 110-301:* Same info in both versions, except the 110-305 mentions the fine amount of \$250 per day and 110-301 does not mention the fine amount; however 110-301 does state 'the department must follow the requirements of RCW [43.216.360](#)
- *110-300 vs Updated 110-301:* Same rule.

Intent and Authority

| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
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| <p>WAC 110-300-0025 Certified and exempt programs.</p> <p>(1) The department must not license a child care program that is legally exempt from licensing per RCW 43.216.010(2). However, if a child care program requests to become certified by the department, the department shall apply all licensing rules to the otherwise exempt program. In such a case, the department shall apply licensing rules equally to licensed and certified child care programs.</p> <p>(2) The department may certify an otherwise exempt child care program for subsidy payment without further inspection if the program is:</p> <p>(a) Licensed by an Indian tribe, band, nation, or other organized community of Indians, including an Alaska native village as defined in 43 U.S.C. Sec. 1602(c), recognized as eligible for services by the United States Secretary of the Interior;</p> <p>(b) Certified by the federal Department of Defense; or</p> <p>(c) Approved by the office of superintendent of public instruction (OSPI).</p> <p>(3) A child care program exempt from licensing pursuant to RCW 43.216.010(2) must use the department's form to submit their exempt status.</p> | <p>WAC 110-301-0025 Certified and exempt programs.</p> <p>(1) The department must not license a school-age program that is legally exempt from licensing pursuant to RCW 43.216.010(2). However, if a school-age program requests to become certified by the department, the department must apply all licensing rules to the otherwise exempt program. In such a case, the department must apply licensing rules equally to licensed and certified school-age programs.</p> <p>(2) The department may certify an otherwise exempt school-age program for subsidy payment without further inspection if the program is:</p> <p>(a) Licensed by an Indian tribe, band, nation, or other organized community of Indians, including an Alaska native village as defined in 43 U.S.C. Sec. 1602(c), recognized as eligible for services by the United States Secretary of the Interior;</p> <p>(b) Certified by the DOD; or</p> <p>(c) Approved by the OSPI.</p> <p>(3) A school-age program exempt from licensing pursuant to RCW 43.216.010(2) must use the department's form to submit their exempt status.</p> | <p>WAC 110-305-1100 Tribal or military regulated or operated child care – Certification for payment.</p> <p>(1) A child care program that is regulated by an Indian tribe or the federal Department of Defense is exempt from licensing.</p> <p>(2) A tribe or a child care regulated by the federal Department of Defense may request certification:</p> <p>(a) For subsidy payment only; or</p> <p>(b) As meeting licensing standards of this chapter.</p> <p>(3) A child care program seeking certification under this section must be located on the premises over which the tribe or federal Department of Defense has jurisdiction.</p> |

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| <p>(4) A child care program requesting certification must be located on the premises over which the tribe, federal Department of Defense, or OSPI has jurisdiction.</p> <p>(5) A child care program regulated by a tribe, the federal Department of Defense, or OSPI may request certification:</p> <p>(a) For subsidy payment only; or</p> <p>(b) As meeting foundational quality standards of this chapter.</p> <p>(6) The department must not certify a department employee or a member of their household when the employee is involved directly, or in an administrative or supervisory capacity, in the:</p> <p>(a) Certification process;</p> <p>(b) Placement of a child in a certified program;</p> <p>or</p> <p>(c) Authorization of payment for the child in care.</p> | <p>(4) A school-age program requesting certification must be located on the premises over which the tribe, DOD, or OSPI has jurisdiction.</p> <p>(5) A school-age program regulated by a tribe, DOD, or OSPI may request certification:</p> <p>(a) For subsidy payment only; or</p> <p>(b) As meeting foundational quality standards of this chapter.</p> <p>(6) The department must not certify a department employee or a member of their household when the employee is involved directly, or in an administrative or supervisory capacity, in the:</p> <p>(a) Certification process;</p> <p>(b) Placement of a child in a certified program; or</p> <p>(c) Authorization of payment for the child in care.</p> | |
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What's Different? WAC 110-301-0025 Certified and exempt programs.

- *Previous 110-305 vs Updated 110-301:* Previous 110-305 does not include OSPI or info about the dept 'must not certify employee'; this info is included in 110-301.
- *110-300 vs Updated 110-301:* Same rule.

Intent and Authority

| 110-300 WAC | Updated School-Age 110-301 WAC | Previous School-Age 110-305 WAC |
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| <p>WAC 110-300-0030 Nondiscrimination.</p> <p>(1) Early learning programs are defined by state law as places of public accommodation that must:</p> <p>(a) Not discriminate in employment practices or client services based on race, creed, color, national origin, sex, honorably discharged veteran or military status, marital status, gender, sexual orientation, age, religion, or ability; and</p> <p>(b) Comply with the requirements of the Washington law against discrimination (chapter 49.60 RCW) and the ADA.</p> | <p>WAC 110-301-0030 Nondiscrimination.</p> <p>(1) A school-age program is defined by state law as places of public accommodation that must:</p> <p>(a) Not discriminate in employment practices or client services based on race, creed, color, national origin, sex, honorably discharged veteran or military status, marital status, gender, sexual orientation, age, religion, or ability; and</p> <p>(b) Comply with the requirements of the Washington law against discrimination (chapter 49.60 RCW) and the ADA.</p> | |

| <p>(2) An early learning program must have a written nondiscrimination policy addressing at least the factors listed in subsection (1) of this section.</p> | <p>(2) A school-age program must have a written nondiscrimination policy addressing at least the factors listed in subsection (1) of this section.</p> | |
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| <p>What's Different? WAC 110-301-0030 Nondiscrimination.</p> <ul style="list-style-type: none"> • <i>Previous 110-305 vs Updated 110-301:</i> No nondiscrimination rule in Previous 110-305. • <i>110-300 vs Updated 110-301:</i> Same rule. | | |
| <p style="text-align: center;">Intent and Authority</p> | | |
| <p style="text-align: center;">110-300 WAC</p> | <p style="text-align: center;">Updated School-Age 110-301 WAC</p> | <p style="text-align: center;">Previous School-Age 110-305 WAC</p> |
| <p>No previous rule.</p> | <p>WAC 110-301-0035 Department access to agency premises, records, programs, and staff.</p> <p>(1) Pursuant to RCW 43.216.250(8), an applicant or school-age program must grant reasonable access to the department during the program's hours of operation for the purpose of announced or unannounced inspections.</p> <p>(a) Applicants, licensees, and school-age program staff must allow the department's authorized staff to inspect the indoor and outdoor licensed space and any adjacent enclosures, areas, spaces, substances, machinery, or devices that may directly impact the health, safety, or well-being of enrolled children to verify compliance with the requirements of this chapter and chapter 43.216 RCW. However, under RCW 43.216.250 (2)(b), department licensors are authorized to inspect only health, safety, and quality standards that do not relate to the physical facility for school-age programs operating in facilities used by public or private schools.</p> <p>(b) For the purposes of this chapter "hours of operation" means the hours of the day that a licensee offers school-age program services as reported to the department on the license application or modification paperwork, or as indicated in the parent or guardian handbook.</p> | <p>No previous rule.</p> |

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| | <p>(2) The department may deny, suspend, revoke, or not continue a license when an applicant, licensee, or program staff refuses to allow the department's authorized staff access to any of the following:</p> <ul style="list-style-type: none"> (a) Information relevant to the school-age program; (b) The agency's premises pursuant to subsection (1) of this section; (c) Child, staff, or program records or files; (d) Staff members; or (e) Children in care. | |
| <p>What's Different? WAC 110-301-0035 Department access to agency premises, records, programs, and staff.</p> <ul style="list-style-type: none"> • Previous 110-305 vs Updated 110-301: No access to agency premises, records, programs, and staff rule in Previous 110-305. • 110-300 vs Updated 110-301: No access to agency premises, records, programs, and staff rule in Previous 110-305. | | |