

## Standards Alignment - Intent and Authority

Intent and Authority		
Family Home WAC	Center WAC	WAC 110-300
<p>WAC 170-296A-0001</p> <p>The department of early learning was established under chapter 265, Laws of 2006. Chapter <a href="#">43.215</a> 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 <a href="#">43.215</a> RCW.</p> <p>WAC 170-296A-0005</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 family home setting.</p>	<p>WAC 170-295-0001</p> <p>(1) The rules for child care centers are governed under chapter <a href="#">43.215</a> RCW.</p> <p>(2) The rules establishing licensing fees are adopted under authority of RCW <a href="#">43.215.255</a></p>	<p><b>WAC 110-300-0001</b></p> <p><b>Intent and authority.</b></p> <p>(1) The department of children, youth, and families was established under chapter 6, Laws of 2017. Chapter <a href="#">43.216</a> 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 <a href="#">43.216</a> 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> <ul style="list-style-type: none"> <li>(a) Promoting the health, safety, and well-being of children;</li> <li>(b) Expanding access to high quality early learning opportunities to improve outcomes for young children;</li> <li>(c) Promoting strong school readiness; and</li> <li>(d) Recognizing parents and guardians as a child's primary teacher and advocate.</li> </ul> <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>

## Standards Alignment - Intent and Authority

Definitions		
Family Home WAC	Center WAC	WAC 110-300
RCW 43.215.010 Definitions	RCW 43.215.010 Definitions	<b>170-300-0005</b> Definitions –in a separate document
License required		
Family Home WAC	Center WAC	WAC 110-300
<p>WAC 170-296A-1000 License required.</p> <p>(1) An individual who provides care for children in his or her home must be licensed by the department unless exempt under RCW <a href="#">43.215.010(2)</a>.</p> <p>(2) The individual claiming an exemption must provide to the department proof that they qualify for an exemption using a department approved form.</p> <p>170-296A-1025 Who must be licensed.</p> <p>An individual must be licensed to care for children if any of the following apply:</p> <p>(1) Care is provided in the individual's home and outside the child's home on a regular and ongoing basis for one or more children not related to the licensee.</p>	<p>WAC 170-295-0020 Who needs to become licensed?</p> <p>(1) Individuals, entities and agencies that provide care for children must be licensed unless specifically exempt under RCW <a href="#">43.215.010(2)</a>.</p> <p>(2) The person or organization claiming an exemption must provide us with proof of right to the exemption if we request it.</p> <p>(3) We do not license a center that is legally exempt from licensing per RCW <a href="#">43.215.010(2)</a>. However, if the applicant requests it, we follow all licensing regulations to investigate and may certify the center as meeting licensing and other pertinent requirements. In such a case, all our licensing requirements and procedures apply equally to certification.</p>	<p><b>WAC 110-300-0010</b> <b>License required.</b></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 <a href="#">43.216.295</a>, unless exempt under RCW <a href="#">43.216.010(2)</a> and WAC <a href="#">110-300-0025</a>.</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> <ul style="list-style-type: none"> <li>(a) Licensing process;</li> <li>(b) Placement of a child in a licensed early learning program; or</li> <li>(c) Authorization of payment for the child in care.</li> </ul> <p>(3) A license is required when an individual provides child care and early learning services in his or her family home:</p>

## Standards Alignment - Intent and Authority

As used in this section, "not related" means not any of the relatives listed in RCW [43.215.010](#) (2)(a); or

(2) Care is provided in the individual's home for preschool age children for more than four hours a day.

See WAC [170-296A-8350](#) regarding providing child care without a license.

(4) We may certify a child care center for payment without further investigation if the center is:

(a) Licensed by an Indian tribe;  
(b) Certified by the Federal Department of Defense; or  
(c) Approved by the superintendent of public instruction's office.

(5) The center listed in subsection (4)(a), (b), or (c) of this section must be licensed, certified, or approved in accordance with national or state standards, or standards approved by us. It must be operated on the premises where the entity operating the center has jurisdiction.

(6) We must not license a department employee or a member of their household when the employee is involved directly, or in an administrative or supervisory capacity, in the:

(a) Licensing or certification process;  
(b) Placement of a child in a licensed or certified center; or  
(c) Authorization of payment for the child in care.

(7) We may license a center located in a private family residence when the portion of the residence accessible to the child is:

(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.

As used in this chapter, "not related" means not any of the relatives listed in RCW [43.216.010](#) (2)(a).

(4) The department may license a center located in a private family residence when the portion of the residence accessible to children is:

(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.

(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.

## Standards Alignment - Intent and Authority

- (a) Used exclusively for the child during the center's operating hours or while the child is in care; or
- (b) Separate from the family living quarters.

### Licensee absence

Family Home WAC	Center WAC	WAC 110-300
<p>WAC 170-296A-5775 Licensee Absence</p> <p>(1) The licensee must have a written policy and procedure for staff to follow any time the licensee is absent from the child care. The policy and procedure must include, but is not limited to:</p> <ul style="list-style-type: none"> <li>(a) A staffing plan to include:                             <ul style="list-style-type: none"> <li>(i) That a qualified primary staff person will be present and in charge at all times during the licensee's absence;</li> <li>(ii) Staff roles and responsibilities;</li> <li>(iii) How staff-to-child ratios will be met; and</li> <li>(iv) How staff will meet the individual needs of children in care.</li> </ul> </li> <li>(b) How parents will be notified in writing of the licensee's absence described in WAC 170-296A-5810 (1), closures, or staffing changes;</li> <li>(c) Responsibility for meeting the requirements of this chapter and</li> </ul>	<p>170-295-0001 What gives the authority to the department to license child care and charge licensing fees?</p> <p>(1) The rules for child care centers are governed under <a href="#">chapter 43.215</a> RCW.</p>	<p><b>WAC 110-300-0015</b> <b>Licensee absence.</b></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 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>

## Standards Alignment - Intent and Authority

<p>chapter 43.215 RCW; (d) Emergency contact information for the licensee; and (e) Licensee's expected outside work schedule if applicable.</p> <p>(2) Prior to engaging in outside employment or ongoing activities outside the child care during operating hours, the licensee must inform the department in writing.</p> <p>(3) The department must approve the licensee's policy and procedure for licensee absence. The department may require modifications to the proposed policy and procedure if it does not meet licensing requirements.</p> <p>WAC 170-296A- 5810 Licensee notice of absences</p> <p>(1) The licensee must notify the department forty-eight hours prior to the following absences when the absence is during child care hours:</p> <ul style="list-style-type: none"><li>(a) Outside employment;</li><li>(b) Vacation or absence exceeding seven consecutive days when the child care will remain open; or</li><li>(c) Regular absences scheduled during child care</li></ul>		<ul style="list-style-type: none"><li>(a) The time period of the absence;</li><li>(b) Emergency contact information for the absent early learning provider; and</li><li>(c) A written plan for program staff to follow that includes:<ul style="list-style-type: none"><li>(i) A staffing plan that meets child-to-staff ratios;</li><li>(ii) Identification of a lead teacher to be present and in charge;</li><li>(iii) Early learning program staff roles and responsibilities;</li><li>(iv) How each child's needs will be met during the absence; and</li><li>(v) The responsibility for meeting licensing requirements.</li></ul></li></ul> <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> <ul style="list-style-type: none"><li>(a) Retrain early learning program staff on the foundational quality standards documented on the FLCA; and</li><li>(b) Document that the retraining occurred.</li></ul>
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## Standards Alignment - Intent and Authority

hours. As used in this section, "regular absence" is an absence that is planned and reoccurring, and is more than four hours duration.

- (2) The licensee must inform the department of the following regarding the licensee's absence:
- (a) Time period of the absence;
  - (b) Written plan including who will be left in charge of the child care. See WAC 170-296A-5775;
  - (c) Contact information for licensee; and
  - (d) How parents will be informed prior to the absence.

WAC 170-296A-5825

License absence - Retraining for staff if standards are violated

- (1) The licensee must provide an orientation to all staff on licensing standards in this chapter, including the licensee's policies and procedures, and document when training occurred and identify the staff that received the training.

## Standards Alignment - Intent and Authority

<p>(2) If the department issues a facility license compliance agreement as a result of staff not following the licensing standards of this chapter in the licensee's absence, the licensee must:</p> <p>(a) Retrain the staff on the licensing standards in this chapter; and</p> <p>(b) Document that the retraining occurred.</p>		
<b>Inactive status - voluntary and temporary closure</b>		
<b>Family Home WAC</b>	<b>Center WAC</b>	<b>WAC 110-300</b>
<p>No WAC</p>	<p>No WAC</p>	<p><b>WAC 110-300-0016</b></p> <p><b>Inactive status—Voluntary and temporary closure.</b></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 style="margin-left: 40px;">(a) The date the early learning program will cease operating;</p> <p style="margin-left: 40px;">(b) The reasons why the licensee is going on inactive status; and</p> <p style="margin-left: 40px;">(c) A projected date the early learning program will reopen.</p>

## Standards Alignment - Intent and Authority

- (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.
- (3) A licensee may not request inactive status during their first initial licensing period (six months) unless for an emergency.
- (4) An early learning provider must inform parents and guardians that the program will temporarily close.
- (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.
- (6) Background check rules in chapter [110-06](#) WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.
- (7) After receiving a notice of inactive status, the department will:
- (a) Place the license on inactive status;
  - (b) Inform the licensee that the license is inactive; and
  - (c) Notify the following programs of the inactive status:
    - (i) The department's child care subsidy programs;



## Standards Alignment - Intent and Authority

		<p>(ii) USDA Child and Adult Care Food Program (CACFP); and</p> <p>(iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.</p> <p>(8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW <a href="#">43.216.305</a>.</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 <a href="#">43.216.305</a>(2). The licensee must reapply for licensing pursuant to RCW <a href="#">43.216.305</a>(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"><li>(a) The early learning provider has not been available to permit the monitoring visits;</li><li>(b) The monitoring visits were attempted within a three-month time period; and</li><li>(c) The department attempted to contact the provider by phone during the third attempted visit while still on the early learning premises.</li></ul> <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> <ul style="list-style-type: none"><li>(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;</li></ul>
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## Standards Alignment - Intent and Authority

		<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> <ul style="list-style-type: none"> <li>(i) The department's child care subsidy programs;</li> <li>(ii) CACFP; and</li> <li>(iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.</li> </ul>
<b>Unlicensed programs</b>		
<b>Family Home WAC</b>	<b>Center WAC</b>	<b>WAC 110-300</b>
<p>WAC 170-296A-8350 Providing unlicensed care – Notice</p> <p>(1) If the department determines that an individual is providing unlicensed child care in his or her home, the department will send the individual written notice within ten calendar days to explain;</p> <ul style="list-style-type: none"> <li>(a) Why the department suspects that the individual is providing child care without a license;</li> <li>(b) That a license is required and why;</li> <li>(c) that the individual must immediately stop providing child care;</li> <li>(d) That if the individual wishes to obtain a license, within thirty calendar days</li> </ul>	<p>WAC 170-295-0120 How much can I be fined?</p> <p>We can impose a civil fine for the following:</p> <p>(1) If we determine that an agency or child care center is operating without a license we may assess a fine of two hundred fifty dollars per day for each day you provide unlicensed child care. A fine is effective and payable within thirty days of receipt of the notification.</p> <p>WAC 170-295-0130 When can an individual be fined for operating an unlicensed program? If the department receives information that an individual is operating a child care center without</p>	<p><b>WAC 110-300-0020</b></p> <p><b>Unlicensed programs.</b></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 <a href="#">43.216.360</a>.</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> <ul style="list-style-type: none"> <li>(a) Attend and participate in the next available department licensing orientation; and</li> <li>(b) Submit a licensing application after completing orientation.</li> </ul> <p>(3) The department's written notice under subsection (1) of this section must inform the individual or agency providing unlicensed child care:</p>

## Standards Alignment - Intent and Authority

<p>from the date of the department's notice in this subsection (1) the individual must submit a written agreement on a department form, stating the he or she agrees to:</p> <p style="padding-left: 20px;">(i) Attend the next available department child care licensing orientation; and</p> <p style="padding-left: 20px;">(ii) Submit a child care licensing application after completing orientation; and</p> <p>(e) That the department has the authority issue a fine of one 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 style="padding-left: 20px;">(a) How to respond to the department;</p> <p style="padding-left: 20px;">(b) How to apply for a license;</p> <p style="padding-left: 20px;">(c) How a fine, if issued, may be suspended or withdrawn if the individual applies for a license;</p> <p style="padding-left: 20px;">(d) that the individual has a right to request an adjudicative proceeding</p>	<p>a license, the department investigates the allegation;</p> <p>(1) If the department suspects that an individual is providing an unlicensed child care, the department will send the individual written notice within ten calendar days to explain:</p> <p style="padding-left: 20px;">(a) Why the department suspects the individual is providing child care without a license;</p> <p style="padding-left: 20px;">(b) That a license is required and why;</p> <p style="padding-left: 20px;">(c) That the individual must immediately stop providing child care;</p> <p style="padding-left: 20px;">(d) That if the individual seeks to obtain a license, within thirty calendar days from the date of the department's notice in this subsection, the individual must submit a written agreement on a department form, stating the he or she agrees to:</p> <p style="padding-left: 40px;">(i) Attend the next available department child care licensing orientation; and</p> <p style="padding-left: 40px;">(ii) Submit a child care licensing application after completing orientation; and</p>	<p style="padding-left: 20px;">(a) That the individual or agency must stop providing child care, pursuant to RCW <a href="#">43.216.360</a>;</p> <p style="padding-left: 20px;">(b) How to respond to the department;</p> <p style="padding-left: 20px;">(c) How to apply for a license;</p> <p style="padding-left: 20px;">(d) How a fine, if issued, may be suspended or withdrawn if the individual applies for a license;</p> <p style="padding-left: 20px;">(e) That the individual has a right to request an adjudicative proceeding (hearing) if a fine is assessed; and</p> <p style="padding-left: 20px;">(f) How to ask for a hearing, under chapter <a href="#">34.05</a> RCW (Administrative Procedure Act), chapter <a href="#">43.216</a> RCW, and chapter <a href="#">110-03</a> 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 web site that the individual is providing child care without a license.</p> <p>(5) A person providing unlicensed child care:</p> <p style="padding-left: 20px;">(a) Shall be guilty of a misdemeanor pursuant to RCW <a href="#">43.216.365</a>; and</p> <p style="padding-left: 20px;">(b) May be subject to an injunction pursuant to RCW <a href="#">43.216.355</a>.</p>
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## Standards Alignment - Intent and Authority

<p>(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 web site that the individual is providing child care without a license.</p> <p>WAC 170-296A-8375 Unlicensed care – Fines and other penalties A person providing unlicensed child care may be:</p> <p>(1) Assessed a fine of one 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> <p>WAC 170-296A-8400 Hearing process.</p> <p>(1) Department notice of an enforcement action includes information about the individual's or licensee's right to request an adjudicative proceeding (hearing) and how to request a hearing.</p>	<p>(e) That the department has the authority 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 (2) 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 ;</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 (2)(d) of this section within thirty calendar days from the date of the department's written notice, the department will post information on its web site</p>	
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## Standards Alignment - Intent and Authority

<p>(2) The hearing process is governed by chapter <a href="#">34.05</a> RCW Administrative Procedure Act, applicable sections of chapter <a href="#">43.215</a> RCW department of early learning, and chapter <a href="#">170-03</a> WAC, DEL hearing rules.</p>	<p>that the individual is providing child care without a license.</p>	
<b>Certified and exempt programs</b>		
<b>Family Home WAC</b>	<b>Center WAC</b>	<b>WAC 110-300</b>
<p>170-296A-1100 Tribal or military regulated or operated child care—Certification for payment.</p> <p>(1) A family home child care 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 seeking certification under this section must be located on the premises over which the tribe or federal Department of Defense has jurisdiction</p>	<p>170-295-0020</p> <p>(1) Individuals, entities and agencies that provide care for children must be licensed unless specifically exempt under RCW <a href="#">43.215.010</a>(2).</p> <p>(2) The person or organization claiming an exemption must provide us with proof of right to the exemption if we request it.</p> <p>(3) We do not license a center that is legally exempt from licensing per RCW <a href="#">43.215.010</a>(2). However, if the applicant requests it, we follow all licensing regulations to investigate and may certify the center as meeting licensing and other pertinent requirements. In such a case, all our licensing requirements and procedures apply equally to certification.</p> <p>(4) We may certify a child care center for payment without further investigation if the center is:</p>	<p><b>WAC 110-300-0025</b></p> <p><b>Certified and exempt programs.</b></p> <p>(1) The department must not license a child care program that is legally exempt from licensing per RCW <a href="#">43.216.010</a>(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>

## Standards Alignment - Intent and Authority

	<p>(a) Licensed by an Indian tribe;                  (b) Certified by the Federal Department of Defense; or                  (c) Approved by the superintendent of public instruction's office.</p> <p><b>WAC 170-295-6030</b></p> <p><b>What are the special requirements regarding American Indian children?</b></p> <p>When five percent or more of the center's child enrollment consists of American Indian children, you must develop social services resource and staff training programs designed to meet the special needs of such children through coordination with tribal, Indian health service, and Bureau of Indian Affairs social service staff, and appropriate urban Indian and Alaska native consultants.</p>	<p>(3) A child care program exempt from licensing pursuant to RCW <a href="#">43.216.010</a>(2) must use the department's form to submit their exempt status.</p> <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> <ul style="list-style-type: none"> <li>(a) For subsidy payment only; or</li> <li>(b) As meeting foundational quality standards of this chapter.</li> </ul> <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> <ul style="list-style-type: none"> <li>(a) Certification process;</li> <li>(b) Placement of a child in a certified program;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(c) Authorization of payment for the child in care.</li> </ul>
<b>Non-discrimination</b>		
<b>Family Home WAC</b>	<b>Center WAC</b>	<b>WAC 110-300</b>
There is no current FH WAC specific to this category.	WAC 170-295-6010 What are the regulations regarding discrimination?	<b>WAC 110-300-0030</b> <b>Nondiscrimination.</b>

## Standards Alignment - Intent and Authority

(1) Child care centers are defined by state and federal law as places of public accommodation and must not discriminate in employment practices and client services on the basis of race, creed, color, national origin, marital status, gender, sexual orientation, class, age, religion, or disability.

(2) You must:

(a) Post a nondiscrimination poster where families and staff can easily read it;

(b) Have a written nondiscrimination policy; and

(c) Comply with the requirements of the Americans with Disabilities Act.

WAC 170-295-6020

What are the regulations regarding religious activities?

You must:

(1) Respect and facilitate the rights of the child in care to observe the tenets of the child's faith, consistent with state and federal laws;

(2) Not punish or discourage the child for exercising these rights; and

(3) Maintain a written description of the center's religious policies and practices that affect the child in care.

(1) Early learning programs are defined by state law as places of public accommodation that must:

(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

(b) Comply with the requirements of the Washington law against discrimination (chapter [49.60](#) RCW) and the ADA.

(2) An early learning program must have a written nondiscrimination policy addressing at least the factors listed in subsection (1) of this section.

## Standards Alignment - Intent and Authority

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