

Absence or Inactive Program Steps

Slide #1 Welcome

Welcome to this course titled, ***“Absence or Inactive Program Steps”***.

This course is developed as part of the Washington State Department of Children, Youth, and Families (DCYF) alignment process, to prepare providers and licensors in their understanding of the “why”, the “what” and the “how” of complying with the updated Foundational Quality Standards for Early Learning Programs (referred to in each course as the Foundational Quality Standards).

Slide #2 Helpful Hints

WA DCYF is pleased to present this e-Learning course! To help provide a positive learning experience for you, please take a moment to review the following “Helpful Hints” summary, detailing what you can expect from this course. A complete listing of Helpful Hints has been added to the Resources section of your learner’s screen for reference.

- If you would like to access and review the full course text, please visit the Resources section of your learner’s screen. You can view, print, or download a full version of the course text that is narrated within each module. The full text will be included in each course and listed as the first resource in the Resources section of your course frame.
- The time to complete the course will depend on the course topic and the pace at which you advance through the slides.
- To help you get the most out of the course, settings are in place to prevent users from skipping ahead through the slides. You can advance through the course when the narration for each slide concludes by selecting the “Next” button, or, go back to review material already presented by selecting the “Previous” button.
- Web links and additional resources will be utilized in some of the courses to enhance your learning experience. We hope you will take time to explore them to further develop your knowledge about the topics being presented.

Slide #3 Introduction

This course is designed to introduce you to the updated Washington Administrative Code or WAC, as well as outline strategies and examples of WAC compliance. Updated WACs will be detailed in each course as a reference and a full listing of the WAC is included in the Resources section of your learner’s screen. You can print or download this resource at any time, either as a reference while you complete this course, or as a resource after the course is completed.

Slide #4 Learning Outcomes

This course will help early learning professionals understand how to meet, assess for, and demonstrate ongoing compliance with the Foundational Quality Standards.

Upon completion of this course, participants will:

- Identify what is required and how and when to communicate a licensee or director absence to the department
- Identify the requirements of early learning programs prior to and during a voluntary and temporary closure
- Identify department steps to closures as well as reactivation of licenses

Slide #5 Guiding Principles

As we cover the material in this course, please keep in mind the following Guiding Principles. We will revisit these at the end of the course to “check in” with you and give you an opportunity to assess your understanding and application of the course content.

Guiding Principles:

- The purpose of licensing early learning programs is to monitor the provision of safe and healthy care in accordance with licensing standards for the benefit and well-being of children.
- While early learning providers are responsible for providing care that complies with licensing standards, the department is responsible for the continued monitoring of licensed early learning programs.
- When an early learning program communicates absences or temporary closures to the department and parents, all parties are able to take actions to ensure the continuation of responsive care for children.

Slide #6 Terms and Definitions

Take a moment to review and familiarize yourself with the following terms and definitions. For your reference, a listing of these terms has been added to the Resources section of your learner’s screen. You can access the list at any time by visiting the Resources section of your learner’s screen. You can download the file to keep as a future reference or print as a desk guide.

Annual means the calendar year, January 1st through December 31st.

Center early learning program licensee or **center licensee** means an entity licensed and authorized by the department to operate a center early learning program.

Early learning professionals are all early learning providers, child care licensing staff, and other professionals in the early learning field.

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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.

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.

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.

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.

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.

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.

License means a permit issued by the department legally authorizing an applicant to operate an early learning program.

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.

RCW means Revised Code of Washington.

WAC means Washington Administrative Code.

Slide #7 Course Introduction

Every day in the state of Washington, approximately 5,500 early learning providers care for more than 178,700 children in licensed early learning programs. The impact of this workforce cannot be overlooked, as research continues to show positive medium- and long-term educational outcomes for children who participate in early learning programs. One study found children participating in high-quality early learning programs were “less

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likely to be placed in special education, less likely to be retained in a grade, and more likely to graduate from high school than peers who didn't attend such programs.¹"

It takes the cooperative effort of all early learning professionals, including early learning providers and DCYF staff, to continue making this type of impactful early learning experience possible. This is done through open and ongoing communication throughout the licensing process, including periods where the licensee may take a prolonged absence, or the program may be temporarily and voluntarily closed.

Whether due to personal reasons or environmental factors, these absences or closures may become necessary during a licensee's tenure. Licensing regulations are designed to allow licensees and programs the latitude to take this time when needed.

Slide #8 Course Introduction continued

The purpose of the requirements found in the Foundational Quality Standards is to protect the health and safety of children in care. The sections addressed in this module are found in the "Intent and Authority" section of the Foundational Quality Standards and contain the requirements and responsibilities for both early learning providers and the department.

These sections are:

- WAC 110-300-0015 Licensee Absence.
- WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

By outlining requirements for all early learning professionals, there can be clarity regarding processes and responses as early learning providers and the department interact and work together through licensee absences and voluntary and temporary closures.

Slide #9 WAC 110-300-0015

We will begin by exploring WAC 110-300-0015 Licensee absence. In both family home and center early learning program settings, licensees are responsible for planning for how children in the program will be cared for while the program is open, even if the licensee is absent. Please note, early learning providers only need to submit notification to the department if absences are more than ten consecutive days. Subsection (1) focuses on the family home early learning program setting.

¹ Feldman, M. (March 2018). *New Harvard study reveals lasting benefits of quality early childhood education*. Retrieved from <https://www.ffyf.org/new-harvard-study-reveals-lasting-benefits-quality-early-childhood-education/>

WAC 110-300-0015 Licensee absence.

(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.

Written notification of a licensee absence is important as it informs:

- **Families:** Written notification allows parents to know who is overseeing the quality of care their child is receiving while the licensee is absent. This is especially important for parents should a concern or family emergency arise. Consider how a parent would react or feel if they were unable to reach the early learning program licensee to share an urgent concern regarding their child and they did not know who else to contact. What safety implications could this have for the child's safety or health? What impact would this have on the provider-family partnership?
- **Early learning program staff:** A written plan clarifies the roles and responsibilities of program staff. This reduces confusion among staff and may decrease the possibility of important compliance or supervision responsibilities being missed or overlooked.
- **The department:** The department is tasked with monitoring the compliance of all licensed programs. Receiving this type of important information will keep the department informed and available to provide support as needed to the early learning program, early learning professionals including licensors, and community stakeholders.

Slide #10 WAC 110-300-0015

Subsection (2) focuses on center early learning program licensee absences.

WAC 110-300-0015 Licensee absence.

(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.

Written plans are valuable because they:

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- **Provide clarity and ease of communication:** When plans are written down, there are clear expectations for the roles and responsibilities of staff within the early learning program. If early learning professionals have questions about the care of children or leadership within the program, there is a documented resource for them to review.
- **Creates accessibility of information and clear expectations for parents:** Just as clear expectations are set for early learning professionals, parents will know how the early learning program is maintaining responsive care for their child while the licensee or other supervisors are absent.
- **Providing documentation that the early learning program has prepared for the licensee's absence:** One example is if an emergency occurs. The early learning program will have recorded documentation that they planned for satisfactory care in the absence of the licensee.

Slide #11 WAC 110-300-0015

Standard 9.1.0.2. in *Caring for Our Children, 3rd Edition, National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs* (or *Caring for Our Children*) notes that caregivers are “responsible for the protection of children in their care at all times.” If licensees are absent from the program, they still must ensure the ongoing care of children who continue to attend their program. This is done by planning for the continued operation of the early learning program while they are away. Detailed requirements for the written notification plan are outlined in subsection (3).

WAC 110-300-0015 Licensee absence.

(3) A written notification under this section must include the following information:

- (a) The time period of the absence;**
- (b) Emergency contact information for the absent early learning provider; and**

WAC 110-300-0015 Licensee absence.

- (c) A written plan for program staff to follow that includes:**
 - (i) A staffing plan that meets child-to-staff ratios;**
 - (ii) Identification of a lead teacher to be present and in charge;**
 - (iii) Early learning program staff roles and responsibilities;**
 - (iv) How each child's needs will be met during the absence; and**
 - (v) The responsibility for meeting licensing requirements.**

This level of detail, contained in the written notification of an absence, will help the parents, staff, and department know how responsive care will continue in the absence of the licensee.

For example, a family home early learning licensee has one lead teacher working in the program with her. The licensee will be absent for three weeks for a medical procedure. The program will remain open during this time. The lead teacher will be responsible for the care of the children. The written plan will include the number and ages of children being cared for during the licensee's absence as well as outlining the role and responsibilities of the lead teacher.

Slide #12 WAC 110-300-0015

During a licensee absence, routines may be out of the norm or early learning providers may be acting in new roles with unfamiliar responsibilities. The potential is raised, therefore, that crucial policies or practices may be missed. If this occurs, a facility licensing compliance agreement (FLCA) may be developed with the early learning program. This is addressed in the following WAC:

WAC 110-300-0015 Licensee absence.

- (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:**
- (a) Retrain early learning program staff on the foundational quality standards documented on the FLCA; and**
 - (b) Document that the retraining occurred.**

The purpose of retraining is to ensure staff understand the practices and their responsibilities in maintaining crucial health and safety practices for keeping young children safe.

Consider this scenario: while a licensee is absent, a licensor stops by the early learning program for an unannounced monitoring visit.

During the visit a lead teacher and an assistant teacher are present. While going through the routines to get ready for naptime, the assistant teacher reports to the lead teacher that she gave medication to the wrong child. She reported that both children get medication after lunch, but she accidentally gave the second child's medication to the first child. The licensor provides technical assistance and poison control is contacted. They learn from poison control the child may experience upset stomach or nausea, but no further side effects are expected. The parent is informed. Due to the high risk of the violation, a FLCA is developed. Upon return of the licensee, each staff person is retrained on all medication policies including storage, administration, and documentation procedures. The process of retraining also allows the licensee to communicate with the staff to identify the underlying cause of the violation and put systems into place to minimize the chance of such a violation to occur in the future.

Slide #13 Test Your Learning!

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

How many business days in advance must an early learning licensee notify parents of a planned absence of more than 10 consecutive days?

- A. 1
- B. 2
- C. 3
- D. 4

Slide #14 Test Your Learning!

Review the question and select the best response.

Which of the following is NOT required as part of the written notification of a licensee absence lasting more than 10 consecutive days?

- A. Emergency contact information for the absent early learning provider
- B. The time period of the absence
- C. A written staffing plan that meets the child-to-staff ratios
- D. Statement detailing the purpose of the planned absence

Slide #15 WAC 110-300-0016

Now, we will move on to WAC 110-300-0016 which examines voluntary and temporary closures when a license status would be changed to "Inactive." There are a variety of reasons an early learning program may need to close temporarily for an extended period of time. It may be related to the personal needs of the licensee or key staff, including medical needs or planned travel. Temporary closures may also be related to the physical program space, such as building remodeling or the relocation of a program site.

Regardless if a license is "Active" or "Inactive", the department is still responsible for monitoring and upholding licensing standards. This section outlines the responsibilities of both the early learning program licensee and the department during temporary closures.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(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:

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

- (a) The date the early learning program will cease operating;**
- (b) The reasons why the licensee is going on inactive status; and**
- (c) A projected date the early learning program will reopen.**

Communicating the reasons and timeframe around the program's temporary closure will provide the department with key information they will use as they work with licensors, families, and other programs or departments.

For example, the department is notified an early learning program located in a family home will be closing for two months for remodeling due to flood damage. The department communicates the timeframe and reason for temporary closure to licensors, who may need to adjust monitoring visit schedules currently on their calendar as well as schedule a health and safety visit in the timeframe the early learning program anticipates reopening.

Slide #16 WAC 110-300-0016

Not all early learning programs who close temporarily qualify for inactive status.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(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.

Where temporary closures are part of an early learning program's regular schedule, the department and other wraparound programs or services are already aware of, and have made accommodations for the program's calendar.

For instance, an early learning program is located in a school building and follows the school district's calendar, closing for two months in the summer. Because this is the

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regular annual program calendar, the department has already adjusted their monitoring practices to meet the needs of the program's schedule. Similarly, the USDA Child and Adult Care Food Program (CACFP) already has this planned closure noted in their documentation and does not require additional notification of the closure.

Slide #17 WAC 110-300-0016

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(3) A licensee may not request inactive status during their first initial licensing period (six months) unless for an emergency.

For programs in their initial licensing period, or first six months, a planned closure lasting more than 30 days in the initial period may indicate underlying issues or areas of needed support that may impact the early learning program's ability to provide safe and healthy care for children.

For example, if a licensee applies for a license in September knowing they will be closing the program for six weeks in November and December to attend to family needs, the department may recommend that the licensee begin their initial licensing period in January. As noted in subsection (3), when a closure is due to an unforeseen emergency, the department will work closely with the licensee.

Slide #18 WAC 110-300-0016

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(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.

Since families rely on child care while attending school, working, or managing other responsibilities, communicating temporary closures with parents in advance allows for parents to make alternative accommodations for their child's care.

Notifying the department of changes allows the department to effectively monitor the program for compliance with the licensing regulations, which is their responsibility delegated by the state of Washington.

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Consider this scenario: an early learning program located in a family home closes temporarily for two months due to medical needs of the licensee. While the licensee is recovering, a new household member moves in to provide family support. Prior to reopening, the licensee notifies the department of the new household member who will continue to live in the household when the program reopens. Notifying the department will allow the department to review background records prior to children's return to the program, verifying the new household member is not a threat to children's safety.

Slide #19 WAC 110-300-0016

As noted in the previous example, background checks allow employers and the department to be aware of crucial information that may directly impact the health and safety of children while in care.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(6) Background check rules in chapter 110-06 WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.

Subsection (6) is included in the Foundational Quality Standards given the significant impact of information revealed by background checks connected to the well-being of children in care. It aligns with Caring for Our Children, Standard 1.2.0.2. which states "to ensure their safety and physical and mental health, children should be protected from any risk of abuse or neglect."²

For more information on background checks for early learning providers, visit dcyf.wa.gov

Slide #20 WAC 110-300-0016

The following subsection addresses the actions early learning providers can expect of the department during this process of placing a license on "Inactive" status.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(7) After receiving a notice of inactive status, the department will:

- (a) Place the license on inactive status;**
- (b) Inform the licensee that the license is inactive; and**
- (c) Notify the following programs of the inactive status:**
 - (i) The department's child care subsidy programs;**
 - (ii) USDA Child and Adult Care Food Program (CACFP); and**
 - (iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.**

² American Academy of Pediatrics; American Public Health Association. (2011). *Caring for our children: National health and safety performance standards; Guidelines for early care and education programs*. Retrieved from <http://nrckids.org>

It is the responsibility of the department to communicate with other agencies or programs who may be impacted by the temporary closure of an early learning program.

For example, an early learning program will be closed for a month. During this time, children receiving child care subsidy will be attending a different early learning program. The child care subsidy program will need to be aware of the change in early learning programs as they prepare the program payments.

Slide #21 WAC 110-300-0016

It is important to remember a license is not only a permit that allows early learning programs to operate; it is also an agreement that regulations will be followed. This agreement continues even when a license is “Inactive”.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW [43.216.305](#).

For instance, an early learning program will temporarily be closed during their annual licensing review. Does the licensee still need to submit their licensing fee, the declaration of compliance, and applicable background check documentation? Yes, because the licensee still holds a license, they must still complete steps to maintain their license if they plan to be moved back to “Active” status.

Slide #22 WAC 110-300-0016

The purpose of licensing early learning programs is ensuring the provision of healthy and safe environments and care which allow the child to learn and grow. When early learning programs are not actively providing care for extended periods of time, the license is not serving its intended purpose.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(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\(3\)](#).

When an early learning program closes for an extended period of time, the continuity of care children are receiving as well as the consistent employment of program staff is greatly impacted. This lack of ongoing consistency and continuity may point to an underlying cause that is keeping the licensee from operating their business.

For example, if a licensee has requested seven 30 day temporary closures to address building maintenance and pest control, this may indicate the early learning program premises are not suited to provide safe and healthy care for children. In this case, the licensee would be counseled on how to find new program space or what steps could be taken to resolve the ongoing concerns.

Slide #23 WAC 110-300-0016

By holding a license, the licensee is agreeing to uphold the Foundational Quality Standards, which includes allowing department monitoring. Subsection (10) is included to clearly outline the possible outcome when monitoring inspections are unable to take place.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(10) The department may pursue enforcement actions after three failed attempts to monitor an early learning program if:

- (a) The early learning provider has not been available to permit the monitoring visits;**
- (b) The monitoring visits were attempted within a three-month span to the monitoring due date; and**
- (c) The department attempted to contact the provider by phone during the third attempted visit while still on the early learning premises.**

It is important to note this subsection grants the department the ability to pursue enforcement actions; it does not mandate or automatically apply enforcement actions.

For instance, a licensor has attempted two previous unannounced visits at a small early learning program where both times the licensee and children were off-site for activities. When the licensor returns to conduct the third monitoring visit the following month, they find the door to the early learning program locked. The licensor calls the licensee by phone while on the premise. The licensee lets the licensor know they were completing a lock down emergency drill and the licensee opens the door for the licensor. By calling the licensee while on site, the licensor was able to avoid an additional missed visit.

Slide #24 WAC 110-300-0016

An “Inactive” license status is meant to be temporary. The final subsection reviewed in the module addresses the process for changing a license status back to “Active”.

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(11) When a licensee is ready to reopen after a temporary closure, the licensee must notify the department in writing. After receiving notice of the intent to reopen, the department will:

- (a) Conduct a health and safety visit of the early learning program within ten business days to determine that the provider is in compliance with this chapter;**

WAC 110-300-0016 Inactive status—Voluntary and temporary closure.

(b) Activate the license and inform the licensee that the license is active; and

(c) Notify the following programs of the active status:

- (i) The department's child care subsidy programs;**
- (ii) CACFP; and**
- (iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.**

Just as notifying the department prior to a closure is important, it is also equally important to notify the department of reopening. This allows the department the time to notify other impacted programs or departments, so support and services may resume. It also allows the department to meet their obligation in determining the compliance of the program with health and safety regulations which directly impacts the well-being of children in care as well as early learning program staff.

For example, an early learning program may have been closed for two months while kitchen remodeling took place. In this instance, conducting a health and safety inspection is crucial to ensure the kitchen meets the health and safety requirements outlined in the "Environment" section of the Foundational Quality Standards.

Slide #25 Test Your Learning!

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

True or false?

A health and safety monitoring visit must occur before an inactive license status can be changed to active and children can be cared for on the premises.

- True
- False

Slide #26 Test Your Learning!

Review the question and select the best response.

Which of the following scenarios would qualify an early learning program for inactive status?

- A. The early learning program will be closed for 8 consecutive months.
- B. The early learning program follows the school district calendar and is closed June-August.
- C. The early learning program will be closed for 20 days.
- D. The early learning program will be closed for 45 days.

Slide #27 Guiding Principles

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

Before this course ends, please take a moment to reflect and set personal goals related to the following Guiding Principles and ways that each of the principles relate to early learning professionals.

Guiding Principles:

- The purpose of licensing early learning programs is to monitor the provision of safe and healthy care in accordance with licensing standards for the benefit and the well-being of children.
- While early learning providers are responsible for providing care that complies with licensing standards, the department is responsible for the continued monitoring of licensed early learning programs.
- When an early learning program communicates absences or temporary closures to the department and parents, all parties are able to take actions to ensure the continuation of responsive care for children.

What take-a-ways do you have? How will you change your practices as a result of participation in this learning module?

Slide #28 Course Evaluation

Please take a moment to answer the following end-of-course evaluation questions by selecting the appropriate choice.

This course improved my understanding of the course content.

- True
- False

Slide #29 Course Evaluation

The information presented in this course was clearly connected to the session and Learning Outcomes.

- True
- False

Slide #30 Course Evaluation

There are opportunities for application of this course content in my role as an early learning professional.

- True
- False

Slide #31 Course Evaluation

I would recommend this course to others who work in the field.

- True
- False

Slide #32 Course Conclusion

This concludes this course. If you have questions following this session, please contact your supervisor or licensor.

We hope this course has been helpful in providing information about the WAC and how programs can meet the new standards with compliance.

Our goal is that all early learning professionals viewing this course have left with an increased understanding and knowledge of the updated WAC, and that you will be able to either assess programs for compliance or be able to maintain and demonstrate compliance.

Be sure to visit the Learning Management System to review and select additional learning modules that are part of this series.