

Foundational Quality Standards for Early Learning Programs Covered in this Learning Session

WAC 110-300-0345 Supervising children.

- (1) An early learning provider must only allow the following persons to have unsupervised access to a child in care:
 - (a) That child's own parent or guardian;
 - (b) Licensees or early learning program staff authorized by the department in chapter [110-06](#) WAC;
 - (c) A government representative including an emergency responder who has specific and verifiable authority for access, supported by documentation; and
 - (d) A person authorized in writing or over the phone by that child's parent such as a family member, family friend, or the child's therapist or health care provider.
- (2) An early learning provider must meet capacity, group size, mixed age grouping, and staff-to-child ratios while children are in care. This includes, but is not limited to:
 - (a) Indoor and outdoor play activities;
 - (b) Off-site activities;
 - (c) During transportation;
 - (d) Meal times;
 - (e) Rest periods;
 - (f) Evening or overnight care; and
 - (g) When children are on different floor levels of the early learning program.
- (3) An early learning provider must supervise children in care by:
 - (a) Scanning the environment looking and listening for both verbal and nonverbal cues to anticipate problems and plan accordingly;
 - (b) Visibly checking children on many occasions with little time in between;
 - (c) Positioning him or herself to supervise all areas accessible to children;
 - (d) Attending to children and being aware of what children are doing at all times;
 - (e) Being available and able to promptly assist or redirect a child as necessary; and
 - (f) Considering the following when deciding whether increased supervision is needed:
 - (i) Ages of children;
 - (ii) Individual differences and abilities of children;
 - (iii) Layout of the indoor and outdoor licensed space and play area;
 - (iv) The risk associated with the activities children are engaged in; and
 - (v) Any nearby hazards including those in the licensed or unlicensed space.
- (4) An early learning program staff member may undertake other activities for a temporary time period when not required to be providing active supervision required under subsection (5)(c) of this section. Such activities include, but are not limited to,

cleaning up after an activity or preparing items for a new activity. This early learning staff member must remain in visual or auditory range, and be available and able to respond if needed.

(5) An early learning provider must:

- (a) Not use devices such as a baby monitors, video monitors, or mirrors in place of supervision, unless used pursuant to WAC [110-300-0270](#)(5);
- (b) Be able to hear when doors in the immediate area are opened to prevent children from leaving unsupervised;
- (c) Actively supervise children when the children:
 - (i) Interact with pets or animals;
 - (ii) Engage in water or sand play;
 - (iii) Play in an area in close proximity to a body of water;
 - (iv) Use a safe route to access an outdoor play area not immediately adjacent to the early learning program;
 - (v) Engage in planned activities in the kitchen;
 - (vi) Ride on public transportation;
 - (vii) Engage in outdoor play; and
 - (viii) During field trips.
- (d) Ensure no infant or child is left unattended during:
 - (i) Diapering;
 - (ii) Bottle feeding; or
 - (iii) Tummy time.
- (e) Provide developmentally appropriate supervision to children while bathing.

WAC 110-300-0350 Supervising children during water activities.

(1) During water activities, an early learning provider must meet all supervision requirements of this section and WAC [110-300-0345](#).

(2) During water activities, an early learning provider must:

- (a) Ensure a one-to-one (1:1) staff-to-child ratio for infants;
- (b) Hold or have continuous touch of infants, nonambulatory toddlers, and children with special needs as required; and
- (c) Keep toddlers within arm's length.

(3) An early learning provider must have written permission for water activities from each child's parent or guardian.

(4) For water activities on or off the early learning program premises, where the water is more than twenty-four inches deep, an early learning provider must ensure:

- (a) A certified lifeguard is present and on duty; and
- (b) At least one additional staff member than would otherwise be required is present to help actively supervise if the children are preschool age or older.

(5) An early learning provider must have life-saving equipment readily accessible during water activities if a pool is six feet or more in any direction and two feet or more in depth. Life-saving equipment may include a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook that will not conduct electricity.

(6) If an early learning provider takes children off-site to an area with an accessible body of water more than four inches deep (for example, a park with a lake or stream) but children are not engaging in a water activity, there must be:

- (a) At least one more staff person than required in the staff-to-child ratio; and
- (b) At least one attending staff person must be able to swim.

WAC 110-300-0354 Indoor early learning program space capacity.

(1) To define capacity, licensed indoor early learning program space must have a minimum of thirty-five square feet per child in attendance and further comply with the requirements of this chapter.

(a) Center early learning program space must provide fifteen additional square feet for each infant or toddler using a crib or playpen if the crib or playpen is located or placed in the sleeping or play area.

(b) Floor space under tables, desks, chairs, and other equipment used as part of children's activities must be included in the overall capacity.

(c) Office or kitchen space that is inaccessible to children and not intended for their use must not be included in the overall capacity.

(d) Napping areas may be used as early learning program space if mats and cots are removed when not in use and children have free access to the area.

(2) The following indoor space must not be counted in the overall capacity:

(a) Unlicensed space;

(b) Hallway space that is used for emergency evacuation or is not approved to be used for program activities;

(c) Bathrooms and diaper changing areas (including twenty-four inches surrounding diaper changing areas and handwashing sink, unless the diaper changing area has a two foot high barrier);

(d) Laundry areas;

(e) Closets;

(f) Stairways; and

(g) Floor space occupied by shelves, built-in cabinets, file cabinets, desks, or other office equipment not intended to be accessible to children.

(3) A large, licensed indoor gross motor activity space may be used to supplement the requirements of outdoor program space, pursuant to WAC [110-300-0145](#), but must not be counted in the overall capacity if:

(a) The space provides seventy-five square feet per child for the maximum number of children listed on the license or the provider rotates groups of children; and

(b) The space is safe and appropriate for activities otherwise performed in an outdoor play space.

WAC 110-300-0356 Center capacity, ratio, and group size.

(1) The department issues initial or nonexpiring center early learning provider licenses. The department will not issue a center license to care for more children than permitted by the rules in this chapter. The department may issue a license to care for fewer than the maximum allowable enrolled children. For each center, licenses state:

- (a) The maximum number of children that may be in care at any one time (total capacity);
- (b) The licensed capacity for each space within the center licensed for use by children; and
- (c) The age range of children allowed in care.

(2) The department determines capacity for a center early learning program after considering:

- (a) Square footage of the early learning program;
- (b) A provider's education and ongoing training;
- (c) The age range of children requested or approved by the department;
- (d) The amount of developmentally appropriate equipment, materials, and toys an early learning program can provide children to use;
- (e) A provider's licensing history with the department; and
- (f) The number of qualified staff available to meet staff-to-child ratios.

(3) A center licensee must not exceed the total capacity or age range stated on the child care license at any time except as provided in this section. All children on the premises, signed in to child care, on an off-site trip from the early learning program, or being transported by the early learning program staff are counted in capacity including the children of staff.

- (a) A center licensee must receive department approval to care for a child with special needs, pursuant to WAC [110-300-0300](#), if the child is older than the maximum age identified on the license. A child with documented special needs may be in care up to age nineteen and must be counted in capacity and staff-to-child ratio.
- (b) A child with special needs who requires individualized supervision pursuant to WAC [110-300-0300](#) does not count in the staff-to-child ratio.
- (c) A child who turns thirteen years old permitted by chapter [110-15](#) WAC must be counted in both capacity and staff-to-child ratio.

(4) A center licensee must provide qualified staff to fulfill staffing requirements, staff-to-child ratios, group size, and mixed age grouping during operating hours, including off-site activities or when transporting children in care.

(5) In each classroom or well-defined space, the maximum group size and ratio of center staff members to children, including children related to staff or the licensee, must be:

- (a) Infants (birth through eleven months of age) with a:
 - (i) Maximum group size of eight with a ratio of one staff to four children (1:4);
 - (ii) Maximum group size of nine with a ratio of 1:3.
- (b) Toddlers (twelve through twenty-nine months of age) with a:
 - (i) Maximum group size of fourteen with a ratio of 1:7;
 - (ii) Maximum group size of fifteen with a ratio of 1:5.
- (c) Preschoolers (thirty months through six years of age who are not attending kindergarten or elementary school) with a maximum group size of twenty with a ratio of 1:10; and
- (d) School-age children (five years through twelve years of age who are enrolled in or attending kindergarten or elementary school) with a maximum group size of thirty with a ratio of 1:15.

(6) A center licensee may combine children of different age groups for periods of no more than the first two hours of the day or the last two hours of the day, not to exceed two hours in any given day, provided the staff-to-child ratio and group size designated for the youngest child in the mixed group are maintained.

(7) Children at least five years old and enrolled in or attending kindergarten may be a part of the preschool or school-age group if developmentally appropriate and the child's parent or guardian agrees to this placement.

(8) A center licensee must conduct activities for each group of children in a specific room or other defined space within a larger area.

(9) A center licensee must provide additional staff as described in WAC [110-300-0350](#) when children are participating in water activities or activities near water.

(10) When only one center staff is required to care for the only group of children on-site for up to an hour at the beginning or end of the day, the center licensee must ensure:

- (a) That staff member provides an appropriate level of supervision at all times to the children in care;
- (b) That staff member is free of all other duties while providing care to children; and
- (c) A second individual with a cleared background check is on-site and readily available to respond if needed, or the department approves an alternate plan.

WAC 110-300-0357 Center mixed age group capacity, ratio, and group size.

(1) A center early learning program must do the following to mix age groups of children in care (in addition to any specific requirements of this section):

- (a) Meet the square footage and staff-to-child ratio requirements for the youngest child present in the group;

- (b) Meet the health, safety, and developmental needs for all ages of children in the mixed group; and
 - (c) Inform the department of the center's mixed age group policy.
- (2) A center early learning program must do the following to mix groups of children birth to thirty-six months old with a maximum group size of eight children:
- (a) Have at least two staff present with the group, consisting of one lead teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:4.
- (3) A center early learning program must do the following to mix groups of children birth to thirty-six months old with a maximum group size of nine children:
- (a) Have at least three staff present with the group, consisting of one lead teacher and two other staff members qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:3.
- (4) A center early learning program must do the following to mix groups of children twelve to thirty-six months old:
- (a) Have at least two staff present with the group, consisting of one lead teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:7 with a maximum group size of fourteen children.
- (5) A center early learning program must do the following to mix groups of children twelve to thirty-six months old:
- (a) Have at least three staff present with the group, consisting of one lead teacher and two other staff members qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:5 with a maximum group size of fifteen children.
- (6) A center early learning program must do the following to mix groups of children between thirty-six months old through kindergarten with a maximum group size of twenty children:
- (a) Have at least two staff present with the group, consisting of one lead teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.
- (7) A center early learning program must do the following to mix groups of children between thirty-six months old through kindergarten with a maximum group size of twenty-six children:
- (a) Have at least three staff present with the group, consisting of one lead teacher and two other staff members qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.
- (8) A center early learning program must do the following to mix groups of children four and one-half to nine years old with a maximum group size of twenty children:
- (a) Have at least two staff present with the group, consisting of one lead teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.

(9) A center early learning program must do the following to mix groups of children four and one-half to nine years old with a maximum group size of twenty-six children:

- (a) Have at least three staff present with the group, consisting of one lead teacher and two other staff members qualified under this chapter; and
- (b) Keep a staff-to-child ratio of 1:10.