

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.¹

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.²

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.³

WAC 110-300-0355 Family home capacity, ratio, and group size.

(1) The department issues initial or nonexpiring family home licenses for up to twelve children. The department will not issue a family license to care for more children than permitted by the rules in this chapter but may issue a license to care for fewer than the maximum allowable enrolled children. Family home licenses state:

- (a) The maximum number of children that may be in care at any one time (total capacity); and
- (b) The age range of children allowed in care.

(2) The department determines capacity for a Family Home Early Learning program after considering:

- (a) Square footage of the early learning program;
- (b) An early learning provider's years of experience in licensed child care (experience must be from working as a center director, program supervisor, lead teacher, family home licensee, or another similar role in a child care setting);
- (c) A provider's education and ongoing training;
- (d) The age range requested or approved by the department;
- (e) The amount of developmentally appropriate equipment, materials, and toys an early learning program can provide children to use;
- (f) A provider's licensing history with the department; and
- (g) The number of qualified staff available to meet staff-to-child ratios.

(3) A family home 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 family home 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 both capacity and staff-to-child ratio.
- (b) A child with special needs who requires individualized supervision pursuant to WAC [110-300-0300](#) counts towards capacity but does not count in the staff-to-child ratio.
- (c) A child who turns thirteen years old permitted by chapter [110-15](#) WAC and who must be counted in both capacity and staff-to-child ratio.
- (4) Any child birth through twelve years old on the premises, signed in to the child care, on an off-site trip from the early learning program, or being transported counts in capacity. This includes a family home licensee's own children, children of staff, or visiting children not accompanied or supervised by an adult.
- (5) A family home licensee must provide qualified staff to fulfill the staffing requirements and staff-to-child ratios during operating hours, including off-site activities and when transporting children in care.
- (6) A family home licensee must provide additional staff, pursuant to WAC [110-300-0350](#), when children are participating in water activities or activities near water.
- (7) When applying for an initial or nonexpiring family home license, a family home licensee with less than one year of experience may request from the department a capacity of up to six children, birth through twelve years of age.
- (a) A maximum of three children may be under two years of age.
- (b) If there are three children under two years of age, one of these children must be able to walk independently.
- (8) When applying for an initial or nonexpiring family home license, a family home licensee with at least one year but less than two years of experience and:
- (a) Working alone may request a capacity of up to eight children ages two through twelve years of age, with a maximum of four children under three years of age.
- (b) Working with a qualified assistant may request a capacity of up to nine children birth through twelve years of age with a maximum of four children under two years of age.
- (9) When applying for an initial or nonexpiring family home license, a family home licensee with at least two years' experience and:
- (a) Working alone may request a capacity of up to ten children ages three years through twelve years of age;
- (b) Working alone may request a capacity of up to twelve children for school age children only; and
- (c) Working with a qualified assistant, may request a capacity of up to twelve children birth through twelve years of age with a maximum of six children under two years of age with two children being able to walk independently.
- (10) A family home licensee, with two years of experience, may request a license for birth to twenty-four months of age with a maximum group size of eight when:

- (a) There are two staff present with the group consisting of one staff who meets the qualification of the licensee and another who meets the qualifications to be counted in ratio;
 - (b) The staff-to-child ratio is 1:4;
 - (c) Fifteen additional square feet are provided for each infant or toddler; and
 - (d) A second staff member is present whenever:
 - (i) More than two children in care do not walk independently; or
 - (ii) When there are more than four children in care.
- (11) The staff-to-child ratio is determined by the ages and number of children in care. Two early learning program staff are required anytime:
- (a) More than six children are in care and any child in care is under two years of age;
 - (b) More than eight children are in care and any child in care is under three years of age; or
 - (c) More than ten children are in care and any child is under school age.