

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

WAC 110-300-0331

Prohibited behavior, discipline, and physical removal of children.

(1) An early learning provider must take steps to prevent and, once aware of, must not tolerate:

- (a) Profanity, obscene language, "put downs," or cultural or racial slurs;
- (b) Angry or hostile interactions;
- (c) Threats of physical harm or inappropriate discipline such as, but not limited to, spanking, biting, jerking, kicking, hitting, slapping, grabbing, shaking, pulling hair, pushing, shoving, throwing a child, or inflicting pain or humiliation as a punishment;
- (d) Intimidation, gestures, or verbal abuse including sarcasm, name calling, shaming, humiliation, teasing, derogatory remarks about a child or the child's family;
- (e) Emotional abuse including victimizing, bullying, rejecting, terrorizing, extensive ignoring, or corrupting a child;
- (f) Prevent a child from or punish a child for exercising religious rights; or
- (g) Anyone to:
 - (i) Restrict a child's breathing;
 - (ii) Bind or restrict a child's movement unless permitted under WAC [110-300-0335](#);
 - (iii) Tape a child's nose, mouth, or other body part;
 - (iv) Deprive a child of sleep, food, clothing, shelter, physical activity, first aid, or regular or emergency medical or dental care;
 - (v) Force a child to ingest something as punishment such as hot sauce or soap;
 - (vi) Interfere with a child's ability to take care of his or her own hygiene and toileting needs;
 - (vii) Use toilet learning or training methods that punish, demean, or humiliate a child;
 - (viii) Withhold hygiene care, toileting care, or diaper changing from any child unable to provide such care for himself or herself;
 - (ix) Expose a child to extreme temperatures as punishment;

(x) Demand excessive physical exercise or strenuous postures. Excessive physical exercise includes, but is not limited to, running laps around the yard until overly tired, an extensive number of push-ups, having a child rest more than the child's development requires, standing on one foot for an uncomfortable amount of time, or holding out one's arms until tired or painful;

(xi) Place the separated child in a closet, bathroom, locked room, outside, or in an unlicensed space; and

(xii) Use high chairs, car seats, or other confining space or equipment to punish a child or restrict movement.

(2) An early learning provider must supervise to protect children from the harmful acts of other children. A provider must immediately intervene when they become aware that a child or children are teasing, fighting, bullying, intimidating, or becoming physically aggressive.

(3) An early learning provider may separate a preschool age or school age child from other children when that child needs to regain control of him or herself.

(a) During separation time, the child must remain under the appropriate level of supervision of a licensee, center director, assistant director, program supervisor, lead teacher or an assistant teacher.

(b) Separation time should be minimized and appropriate to the needs of the individual child.

(4) If a child is separated from other children, an early learning provider must:

(a) Consider the child's developmental level, language skills, individual and special needs, and ability to understand the consequences of his or her actions; and

(b) Communicate to the child the reason for being separated from the other children.

(5) If an early learning provider follows all strategies in this section, and a child continues to behave in an unsafe manner, only a licensee, center director, assistant director, program supervisor, lead teacher, or an assistant teacher may physically remove the child to a less stimulating environment. Staff must remain calm and use a calm voice when directing or removing the child. Physical removal of a child is determined by that child's ability to walk:

(a) If the child is willing and able to walk, staff may hold the child's hand and walk him or her away from the situation.

(b) If the child is not willing or able to walk, staff may pick the child up and remove him or her to a quiet place where the child cannot hurt themselves or others.

WAC 110-300-0335

Physical restraint.

(1) An early learning provider must have written physical restraint protocols pursuant to WAC [110-300-0490](#), and implement such protocols only when appropriate and after complying with all requirements of WAC [110-300-0330](#) and [110-300-0331](#).

(2) Physical restraint must only be used if a child's safety or the safety of others is threatened, and must be:

- (a) Limited to holding a child as gently as possible to accomplish restraint;
- (b) Limited to the minimum amount of time necessary to control the situation;
- (c) Developmentally appropriate; and

(d) Only performed by early learning providers trained in a restraint technique pursuant to WAC [110-300-0106](#)(9).

(3) No person may use bonds, ties, blankets, straps, car seats, high chairs, activity saucers, or heavy weights (including an adult sitting on a child) to physically restrain children.

(4) Licensees, center directors, assistant directors, program supervisors, lead teachers or trained staff must remove him or herself from a situation if they sense a loss of their own self-control and concern for the child when using a restraint technique if another early learning provider is present. If an early learning provider observes another staff using inappropriate restraint techniques, the staff must intervene.

(5) If physical restraint is used, staff must:

(a) Report the use of physical restraint to the child's parent or guardian as soon as possible, but no later than the release of the child at the end of the day, and to the department within twenty-four hours, pursuant to WAC [110-300-0475](#);

(b) Assess any incident of physical restraint to determine if the decision to use physical restraint and its application were appropriate;

(c) Document the incident in the child's file, including the date, time, early learning program staff involved, duration and what happened before, during and after the child was restrained;

(d) Develop a written plan with input from the child's primary care or mental health provider, parents or guardians, to address underlying issues and reduce need for further physical restraint if:

- (i) Physical restraint has been used more than once; and
- (ii) A plan is not already a part of the child's individual care plan.
- (e) Notify the department when a written plan has been developed.

WAC 110-300-0340

Expulsion.

(1) To promote consistent care and maximize opportunities for child development and learning, an early learning provider must develop and follow expulsion policies and practices, pursuant to WAC [110-300-0486](#).

(2) An early learning provider may expel a child only if:

(a) The child exhibits behavior that presents a serious safety concern for that child or others; and

(b) The program is not able to reduce or eliminate the safety concern through reasonable modifications.

(3) If a child is expelled, an early learning provider must:

(a) Review the program's expulsion policy with the parent or guardian of the child;

(b) Provide a record to the parent or guardian about the expulsion and the steps that were taken to avoid expulsion. The record must include the date, time, early learning program staff involved, and details of each incident that led to expulsion; and

(c) Provide information to the parent or guardian of the child that includes, but is not limited to, community-based resources that may benefit the child.

(4) The early learning provider must report to the department when children are expelled. The information must include:

(a) Child demographic data including, but not limited to, the age, race, ethnicity, and gender of the child;

(b) The reason the child was expelled; and

(c) The resources that were provided to the parent or guardian of the child.

WAC 110-300-0486

Expulsion policy.

(1) An early learning provider must have and follow an expulsion policy, pursuant to WAC [110-300-0340](#).

(2) An expulsion policy must:

(a) Provide examples of behavior that could lead to expulsion from the early learning program;

(b) Detail steps the provider takes to avoid expelling a child including, but not limited to, environmental and staffing changes;

(c) Detail how the provider communicates to the parent or guardian of a child the steps taken under (b) of this subsection; and

(d) Include information that may benefit an expelled child including, but not limited to, community based resources.

WAC 110-300-0490

Child restraint policy.

(1) An early learning provider must have and follow a child restraint policy that contains behavior management and practices, pursuant to WAC [110-300-0335](#).

(2) A restraint policy must be:

(a) Appropriate for children's developmental level, abilities, and language skills;

(b) Directly related to the child's behavior; and

(c) Designed to be consistent, fair, and positive.

(3) Family home licensees, center directors, assistant directors, program supervisors, lead teachers and other appropriate staff members must be trained annually in the program's child restraint policy.

(4) Only trained staff may restrain a child in care in accordance with WAC [110-300-0335](#).