

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

WAC 110-300-0400 Application materials.

- (1) After completing a department orientation an applicant must submit a complete license application packet, pursuant to chapter [43.216](#) RCW. This requirement also applies to a change of ownership. A complete license application packet includes:
- (a) Professional and background information about the applicant:
 - (i) A completed department application form for the type of license being applied for (center or family home);
 - (ii) A copy of the applicant's certificate from an orientation completed within twelve months of the application;
 - (iii) A Washington state business license or a tribal, county, or city business or occupation license, if applicable;
 - (iv) Liability insurance, if applicable;
 - (v) Certificate of incorporation, partnership agreement, or similar business organization document, if applicable;
 - (vi) The license fee;
 - (vii) A copy of current government issued photo identification;
 - (viii) A copy of Social Security card or sworn declaration stating that the applicant does not have one;
 - (ix) Employer identification number (EIN) if applicant plans to hire staff; and
 - (x) Employment or education verification. For example, diploma, transcripts, or a sworn declaration stating that the applicant cannot verify education requirements.
 - (b) Information about the facility to be licensed:
 - (i) A floor plan, including use of proposed licensed and unlicensed space, with identified emergency exits and emergency exit pathways;
 - (ii) Certificate of occupancy, if applicable;
 - (iii) An on-site septic system inspection report within six months of the inspection, if applicable;
 - (iv) Well water coliform and nitrate testing results within six months of license application, if applicable;
 - (v) A lead or arsenic evaluation agreement, only for sites located in the Tacoma smelter plume (counties of King, Pierce, and Thurston); and
 - (vi) Lead and copper test results for drinking water.
 - (c) Program hours of operation, including closure dates and holiday observances;
 - (d) Information about early learning program staff:
 - (i) List of applicant, staff persons, volunteers, and household members, if applicable, required to complete the background check process as outlined in chapter [110-06](#) WAC;

- (ii) Resume for applicant, center director, assistant director, program supervisor, and family home lead teacher, if applicable; and
- (iii) Three letters of professional reference for applicant, director, assistant director, program supervisor, and family home lead teacher.

(2) An applicant must include the following policy documents with the application, which will be reviewed by the department and returned to the applicant:

- (a) Parent and program policies;
- (b) Staff policies;
- (c) An emergency preparedness plan;
- (d) Health policies; and
- (e) A plan to prevent exposure to blood and body fluids.

(3) An applicant must submit the completed application packet at least ninety calendar days prior to the planned opening of the early learning program. The department will inspect the early learning program space and approve all application submissions required in this chapter prior to issuing a license:

- (a) The ninety calendar days begins when the department receives a complete application packet.
- (b) Incomplete application packets will be returned to the applicant for completion.
- (c) An applicant who is unable to successfully complete the application and licensing process within ninety days may withdraw the application and reapply when the applicant is able to meet the licensing requirements.
- (d) An applicant who is unable to meet the application requirements and has not withdrawn his or her application will be denied a license, pursuant to RCW [43.216.325](#).

WAC 110-300-0401 License fees.

(1) The rules establishing licensing fees within this chapter are adopted pursuant to RCW [43.216.300](#).

(2) The license fee is nonrefundable and is due:

- (a) With the early learning applicant's initial license application packet; and
- (b) Annually thereafter, thirty calendar days prior to the anniversary date of the license.

(3) Payment must be in the form of a check, credit or debit card, or money order.

(4) The annual fee for family home early learning programs is thirty dollars, or as otherwise set by the legislature.

(5) The annual fee for center early learning programs is one hundred twenty-five dollars for the first twelve children plus twelve dollars for each additional child, or as otherwise set by the legislature.

WAC 110-300-0402 Changing early learning program space or location.

(1) An early learning provider must notify the department prior to making a change to early learning program space that may impact the health, safety, or welfare of enrolled children. Such changes include, but are not limited to:

- (a) Moving early learning programs to a different residence, building, or facility (even if the new location is on the same premises);
- (b) An early learning program altering a planned use of space including, but not limited to, the ages of children served in a room or previously unlicensed areas;
- (c) Modifying facilities in a way that requires a permit under the Washington state building code or by a local jurisdiction, such as remodeling or renovating early learning program space; and
- (d) Changing outdoor play areas, such as adding or altering the type of surface or altering stationary climbing or play equipment.

(2) An early learning provider must submit to the department the new proposed floor plan prior to making changes under subsection (1)(a) through (c) of this section.

(3) An early learning provider planning a change under subsection (1)(a) of this section must also:

- (a) Submit a complete application, pursuant to WAC [110-300-0400](#), as soon as the provider plans to move and has an identified address, but not more than ninety calendar days before moving;
- (b) Not significantly change or move a center early learning program until the department has first inspected the new location and determines it meets the requirements in this chapter and RCW [43.216.305](#); and
- (c) Not operate a family home early learning program for more than two weeks following the move before having the department inspect the new location, pursuant to RCW [43.216.305](#).

WAC 110-300-0410 License and program location.

(1) applicant for a license under this chapter must be at least eighteen years old.

(2) A licensee refers to the individual or organization:

- (a) Whose name appears on a license issued by the department;
- (b) Responsible for complying with the standards in this chapter, chapter [43.216](#) RCW including, but not limited to, liability insurance requirements pursuant to RCW [43.216.700](#), chapter [110-06](#) WAC, DEL background check rules, and other applicable laws or rules; and
- (c) Responsible for training early learning program staff on the foundational quality standards in this chapter.

- (3) An early learning provider must comply with and implement all requirements in this chapter unless another code or ordinance is more restrictive (for example: A local municipal, building, or health authority code).
- (4) An early learning provider must have the character, suitability, and competence pursuant to chapter [110-06](#) WAC to meet the needs of children in care.
- (5) Early learning program space must be located:
 - (a) On a site free from environmental hazards;
 - (b) In an area where nonemergency services and utilities can serve the early learning program space; and
 - (c) In an area served by emergency fire, medical, and police during the hours the early learning provider provides care to children.
- (6) An early learning provider must prevent child exposure to the following within and around the licensed premises:
 - (a) Lead based paint;
 - (b) Plumbing and fixtures containing lead or lead solders;
 - (c) Asbestos;
 - (d) Arsenic, lead, or copper in the soil or drinking water;
 - (e) Toxic mold; and
 - (f) Other identified toxins or hazards.
- (7) An early learning provider must place address numbers on the outside of the house or building containing the early learning program space, and the numbers must be legible and plainly visible from the street or road serving the premises.
- (8) A license applicant planning to open an early learning program in the designated Tacoma smelter plume (counties of King, Pierce, and Thurston) must contact the state department of ecology (DOE) and complete and sign an access agreement with DOE to evaluate the applicant's property for possible arsenic and lead soil contamination.

WAC 110-300-0415 Zoning, codes, and ordinances.

- (1) The department adopts and incorporates by reference the Washington state building code (chapter [19.27](#) RCW), as now and hereafter amended.
- (2) Early learning program space must comply with the Washington state building code or local building code as enacted at the time of licensure. Facility modifications must comply with WAC [110-300-0402](#).
- (3) Prior to licensing, an applicant must contact state, city, and local agencies that regulate the early learning program. An early learning provider must obtain regulations and comply with the direction given by such agencies. These agencies may include, but are not limited to, the Washington state department of labor and industries, the Washington state fire marshal, the Washington state department of health, and local health jurisdictions.

- (4) Prior to licensing, a center early learning applicant must:
- (a) Have a certificate of occupancy issued by the local building, planning, or zoning department, or a local equivalent if locality does not have the certificate of occupancy; and
 - (b) Be inspected and approved by the state fire marshal.

WAC 110-300-0425 Initial, nonexpiring, dual licenses, and license modification.

(1) The department may issue an initial license when an early learning program applicant demonstrates compliance with health and safety requirements of this chapter but may not be in full compliance with all requirements, pursuant to RCW [43.216.315](#).

- (a) An initial license is valid for six months from the date issued.
- (b) At the department's discretion, an initial license may be extended for up to three additional six-month periods, not to exceed a total of two years.
- (c) The department must evaluate the early learning provider's ability to follow requirements contained in this chapter during the initial license period.

(2) The department may issue a nonexpiring license to a licensee operating under an initial license who demonstrates compliance with the requirements of this chapter during the period of initial licensure, pursuant to RCW [43.216.305](#).

(3) A licensee must submit annual compliance documents at least thirty calendar days prior to that provider's anniversary date. A provider's anniversary date is the date the first initial license was issued. Pursuant to RCW [43.216.305](#), the required annual compliance documents are:

- (a) The annual nonrefundable license fee;
- (b) A declaration on the department's form indicating:
 - (i) The intent to continue operating a licensed early learning program;
 - (ii) The intent to cease operation as a licensed early learning program;
 - (iii) A change in the early learning program's operational hours or dates; and
 - (iv) The intent to comply with all licensing rules.
- (c) Documentation of completed background check applications as determined by the department's established schedule, pursuant to RCW [43.216.270](#)(2); and
- (d) For each individual required to have a background check clearance, the early learning provider must verify current background checks or require the individual to submit a background check application at least thirty calendar days prior to the anniversary date.

(4) If a licensee fails to meet the requirements for continuing a nonexpiring license by their anniversary date, the licensee's current license expires. The early learning provider must submit a new application for licensure, pursuant to RCW [43.216.305](#)(3).

(5) Nothing about the nonexpiring license process in this section may interfere with the department's established monitoring practices, pursuant to RCW [43.216.305](#) (4)(a).

- (6) A licensee has no right to an adjudicative proceeding (hearing) to appeal the expiration, nonrenewal, or noncontinuation of a nonexpiring license resulting from a failure to comply with the requirements of this section.
- (7) A licensee must have department approval to hold dual licenses (for example: An early learning program license and another care giving license, certification, or similar authorization).
- (8) If the department determines that a licensee is not meeting all applicable requirements and regulations:
- (a) The department and licensee may agree to modify the child care license;
 - (b) The licensee may give up one of the licenses, certifications, or authorizations;
or
 - (c) The department may suspend, deny, or revoke the early learning license, pursuant to RCW [43.216.325](#).
- (9) An early learning provider must report within twenty-four hours:
- (a) To the department and local authorities: A fire or other structural damage to the early learning program space or other parts of the premises;
 - (b) To the department:
 - (i) A retirement, termination, death, incapacity, or change of the program director, or program supervisor, or change of ownership or incorporation of a provider;
 - (ii) When a provider becomes aware of a charge or conviction against themselves, a staff person or, applicable household member, pursuant to WAC [110-06-0043](#);
 - (iii) When a provider becomes aware of an allegation or finding of abuse, neglect, maltreatment, or exploitation of a child or vulnerable adult made against themselves, a staff person, or a household member, if applicable;
 - (iv) A change in the number of household members living within a family home early learning program space. This includes individuals fourteen years old or older that move in or out of the home, or a resignation or termination, pursuant to RCW [43.216.390](#). A birth or death affecting the number of household members must be reported within twenty-four hours or at first opportunity; and
 - (v) Any changes in the early learning program hours of operation to include closure dates.
- (10) Prior to increasing capacity of an early learning program, the licensee, center director, assistant director, or program supervisor must request and be approved to increase capacity by the department.
- (11) Licensee, center director, assistant director, or program supervisor must have state fire marshal or department approval and comply with local building ordinances following a significant change under WAC [110-300-0402](#) (1)(a) through (c), if applicable.

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(12) Licensee, center director, assistant director, or program supervisor must notify the department within thirty calendar days when liability insurance coverage under RCW [43.216.700](#) has lapsed or been terminated.