

Course Title Slide When is a License Required?

Slide #1 Welcome

Welcome to this course titled, ***“When is a License Required?”***

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 and demonstrate ongoing compliance with the Foundational Quality Standards.

Upon completion of this course, participants will:

- Have increased familiarity with the updated WAC components included in this course
- Know practices to comply with the Foundational Quality Standards
- Understand the licensing requirements for both licensed and unlicensed programs
- Understand the difference between certified and exempt early learning programs

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.

- DCYF values early learning professionals and will help to support all early learning professionals through the licensing process
- Research shows that licensed programs are more reliably safe, offer healthier environments for children, and are more likely to have a higher quality learning environment
- There are clear guidelines and processes for how early learning providers can obtain a license
- The importance of having a license is to ensure that early learning providers are meeting the Foundational Quality Standards for Early Learning Programs



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 have 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.



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

Preschool Age Children means children thirty months through six years of age not attending kindergarten or elementary schools.

RCW means Revised Code of Washington

WAC means Washington Administrative Code

Slide #7 WAC 110-300-0010

Washington state law requires a license to provide child care and early learning services in Washington State.

The Department of Children, Youth, and Families (DCYF) regulates early learning programs to make sure child health, safety and development standards are met. Licensed programs are inspected regularly by DCYF as a component of regulation. Research shows that obtaining a license is one of the first steps on the pathway to quality!



Slide #8 WAC 110-300-0010

WAC 110-300-0010 License required.

(1) An individual or entity that provides child care and early learning services for a group of children, birth through twelve years of age, must be licensed by the department, pursuant to RCW [43.216.295](#), unless exempt under RCW [43.216.010](#)(2) and WAC [110-300-0025](#).

Slide #9 WAC 110-300-0010 continued

It is important to note that RCW defines certain programs that are exempt from the requirement to be licensed. We will review a few of the more common exemptions in this course. Please reference RCW 43.216.010 (2) Exemptions for more information on license exemptions.



Slide #10 WAC 110-300-0010 continued

Let's start with relatives.

RCW 43.216.010 (2) (a) exempts persons related to the child in the following ways:

- Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;
- Stepfather, stepmother, stepbrother, and stepsister;
- A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or
- Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection, even after the marriage is terminated;



Slide #11 WAC 110-300-0010 continued

Another exemption is related to preschool programs.

RCW 43.216.010 (2) (e) exempts nursery schools that are engaged primarily in early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day.

A program that would not meet this exemption if any of the following were true:

- it was longer than four hours a day, or
- a child or children were present who were younger than 30 months or older than 6 years, or
- no educational curriculum was present



Slide #12 WAC 110-300-0010 continued

Here are a couple more examples of exempt programs.

RCW 43.216.010 (2) (g) exempts seasonal camps of three months or less duration engaged primarily in recreational or educational activities;

And

RCW 43.216.010 (2) (h) exempts facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

- Activities other than employment; or
- Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;



Slide #13 WAC 110-300-0010 continued

The department may “certify” an otherwise exempt provider if that provider is outside the jurisdiction of DCYF. Programs regulated by tribes, the federal government, or public school districts are outside of DCYF jurisdiction.

If such a program wishes to receive subsidy payments they may choose to become certified. The following WAC section discusses certified and exempt programs.

Slide #14 WAC 110-300-0025

WAC 110-300-0025 Certified and exempt programs.

(1) The department must not license a child care program that is legally exempt from licensing per RCW [43.216.010](#)(2). However, if a child care program requests to become certified by the department, the department shall apply all licensing rules to the otherwise exempt program. In such a case, the department shall apply licensing rules equally to licensed and certified child care programs.

(2) The department may certify an otherwise exempt child care program for subsidy payment without further inspection if the program is:

(a) Licensed by an Indian tribe, band, nation, or other organized community of Indians, including an Alaska native village as defined in 43 U.S.C. Sec. 1602(c), recognized as eligible for services by the United States Secretary of the Interior;

(b) Certified by the federal Department of Defense; or

(c) Approved by the office of superintendent of public instruction (OSPI).

Slide #15 WAC 110-300-0025 continued

Requirements for child care programs regulated by tribes, the federal government, or school districts are further detailed in the following rules:

Slide #16 WAC 110-300-0025 continued

WAC 110-300-0025 Certified and exempt programs.

(4) A child care program requesting certification must be located on the premises over which the tribe, federal Department of Defense, or OSPI has jurisdiction.

(5) A child care program regulated by a tribe, the federal Department of Defense, or OSPI may request certification:

(a) For subsidy payment only; or

(b) As meeting foundational quality standards of this chapter.

Slide #17 WAC 110-300-0025 continued

(6) The department must not certify a department employee or a member of their household when the employee is involved directly, or in an administrative or supervisory capacity, in the:

(a) Certification process;

(b) Placement of a child in a certified program; or

(c) Authorization of payment for the child in care.

Slide #18 Test Your Learning!

Before we move on, let's test your knowledge. Review the following list and select the item that is not required in the application materials.

- Washington state building code
- Staff policies
- Program hours and closures
- Curriculum outline

Slide #19 WAC 110-300-0020

Unlicensed child care programs are unlawful in Washington state. The following WAC section references the law that describes DCYF's duties when it suspects that a program is providing unlicensed child care. This section also details how an unlicensed program can obtain a license if they choose to do so.

WAC 110-300-0020 Unlicensed programs.

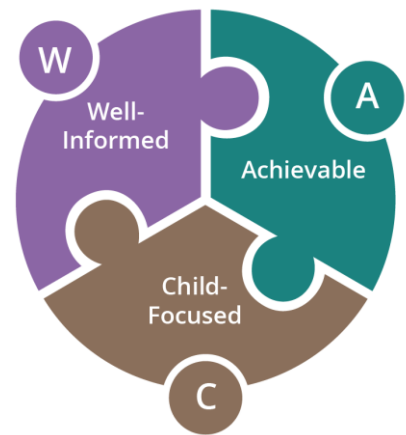
(1) If the department suspects that an individual or agency is providing unlicensed child care, the department must follow the requirements of RCW [43.216.360](#).

(2) If an individual decides to obtain a license, within thirty calendar days from the date of the department's notice in subsection (1) of this section, the individual or agency must

Slide #20 WAC 110-300-0020 continued

The updated Foundational Quality Standards for Early Learning Programs outline the requirements, timelines, and consequences for early learning professionals who are operating unlicensed programs.

Upon receipt of notice from DCYF, the unlicensed program must stop providing care. They may also apply for a license. The department is committed to supporting individuals and agencies with the licensing process. The course “The Licensing Journey” provides more information on the process to become licensed.



Slide #21 WAC 110-300-0020 continued

In the event the individual or agency providing unlicensed child care does not submit an agreement to obtain a license **within 30 days**, the department will post information on its website that the individual is providing care without a license. WAC 110-300-0020 (5) g provides further information for individuals or agencies providing unlicensed care.

Slide #22 WAC 110-300-0020 continued

WAC 110-300-0020 Unlicensed Programs.
(5) A person providing unlicensed child care:
(a) Shall be guilty of a misdemeanor pursuant to RCW 43.216.365; and
(b) May be subject to an injunction pursuant to RCW 43.216.355.

Choose one to fill in the blank:

If an unlicensed provider receives notification from the department that they are required to obtain a license if they want to continue caring for children, the unlicensed provider is required to submit an application for a license within _____ from the date of the department's notice of the requirement.

- A. 6 months
- B. 30 days
- C. 1 week



Slide #24

An individual or agency has been notified that they are out of compliance and are required to stop providing care yet fail to do so. Which of the following consequences would they face?

- A. Guilty of a misdemeanor
- B. May be subject to an injunction
- C. A and B
- D. None of the above



Slide #25 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 discussed at the beginning of the course. Consider the ways that each of the principles relate to early learning professionals.

- DCYF values early learning professionals and will help to support all early learning professionals through the licensing process.
- There are clear guidelines and processes for how early learning providers can obtain a license
- Research shows that licensed programs are more reliably safe, offer healthier environments for children, and are more likely to have a higher quality learning environment
- The importance of having a license is to ensure that early learning providers are meeting the Foundational Quality Standards for Early Learning Programs

What take-a-ways do you have? How will you change your practices as a result of participation in this learning module? If you have questions following this session please contact your supervisor or licensor.

Slide #26

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

This course improved my understanding of the course content.

- True
- False

Slide #27

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

- True
- False

Slide #28

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

- True
- False

Slide #29

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

- True
- False

Slide #30 End of Course

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

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

WA DCYF Educational Series
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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 educational modules that are part of this series.