

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

### **WAC 110-300-0435**

#### **Waiver from department rules—WAC.**

- (1) The department cannot waive a requirement of state law (RCW) or federal law.
- (2) Pursuant to RCW [43.216.065](#), the department may approve a waiver from a rule in this chapter if it does not jeopardize the health, safety, or welfare of the children in care.
- (3) An early learning provider's request for a waiver from a rule in this chapter must be:
  - (a) Submitted in writing on the department's form to the local licensing office;
  - (b) Approved in writing by the department director or the director's designee prior to the early learning provider implementing the waiver from the rule; and
  - (c) For a specific program need or child.
- (4) A granted waiver may be time specific or may remain in effect for as long as the early learning provider continues to comply with the conditions of the waiver. If the waiver from the rule is time limited, the provider must not exceed the time frame established by the department.
- (5) The department may revoke a granted waiver if a licensing rule which was considered in granting the waiver is materially altered or amended.

### **WAC 110-300-0436**

#### **Variance from department rules—WAC.**

- (1) The department cannot provide variance from a requirement in state (RCW) or federal law.
- (2) Upon written request of an applicant, licensee, center director, assistant director, or program supervisor, the department may grant a variance from a rule in this chapter if the proposed program alternative does not jeopardize the health, safety, or welfare of the children in care.
- (3) A request for variance from a rule in this chapter must be:

- (a) Submitted in writing on the department's form to the local licensing office;
  - (b) Approved in writing by the department director or the director's designee prior to the early learning provider implementing the variance from the rule; and
  - (c) For a specific program approach or methodology.
- (4) A granted variance may be time specific or may remain in effect for as long as the early learning provider continues to comply with the conditions of the variance. If the variance from the rule is time limited, the provider must not exceed the time frame established by the department.
- (5) The department may revoke a granted variance if a licensing rule which was considered in granting the variance is materially altered or amended.