



DEPARTMENT OF EARLY LEARNING
P.O. Box 40970, Olympia, Washington 98504-0970
(360) 725-4523 • FAX (360) 725-4925

TO: Interested Stakeholders

FROM: Lori Anderson, Rules Coordinator

SUBJECT: Concise Explanatory Statement
Proposed amended WAC 170-300-0005 and new sections in chapter 170-300 WAC

RCW [34.05.325](#)(6) requires a state agency to prepare a “*Concise Explanatory Statement*” (CES) when adopting a permanent rule (known as Washington Administrative Code or WAC). The CES summarizes:

- Comments, summarized by category, received at public hearings or in written form on the proposed version of the rule;
- Whether the final rule was changed as a result of the comments; and
- Changes from the proposed to the final version of the rule.

The Department of Early Learning (DEL) sends the Concise Explanatory Statement to everyone who testified at the public hearing, sent a written comment, or asks to receive the CES. The CES is also posted on the DEL website (see <http://www.del.wa.gov/laws/development/Default.aspx>, *DEL Rules Under Development*).

This document also serves as the summary of public hearing comments to the agency director required under RCW 34.05.325(4).

I. Background

The Early Start Act required DEL to adopt a single set of licensing standards that 1) provide minimum health and safety standards for child care and preschool programs; 2) rely on the standards established in the early achievers program to address quality issues in participating early childhood programs; 3) take into account the separate needs of family child care providers and child care centers; and 4) promote the continued safety of child care settings.

Drafting: Prior to drafting, DEL engaged in a series of meetings around the state to gather early learning providers’ input. DEL released initial draft rules in April 2016 and solicited comments through June 2016. Revised drafts were released November 2016 and comments were solicited again.

Negotiating: DEL facilitated 220 hours of negotiation in which representatives of family homes and center child care providers, Head Start/ECEAP providers, families, and DEL licensing staff participated. Negotiators’ revisions to DEL’s draft rules were released in October 2017 and public comments were solicited again. Negotiations were held June 2017 through March 2018 and were informed by over 1,500 public comments.

Director review: Director Moss pledged to the negotiating teams that she would honor their work whenever possible and make revisions only when necessary to better ensure the critical health and safety needs of enrolled children, compliance with CCDF requirements, language clarity, stakeholder

needs, and DEL priorities. After thoughtfully considering the negotiated draft rules and public comments that informed the negotiation teams’ work, Director Moss revised 30 of the 116 draft sections. The decision chart explaining the revisions is attached.

On May 9, 2018, DEL filed proposed rules.¹ The comments on the proposed rules are what are compiled here.

II. Public Comment.

DEL accepted comments through June 27, 2018. Hearings were held in Everett, Chehalis, and Yakima to receive in-person comments and written comments were accepted through email, U. S. mail, and an online portal available on DEL’s website. The comments received about the rules are compiled here along with DEL’s responses for all comments that are not merely commentary. Identical or nearly identical comments that were received from multiple individuals are included here once. Comments received about subsidy rates, Early Achievers ratings, and other subjects that were not somehow tied to the proposed rules are not included here. To the extent possible, comments received are categorized as the rule sections have been grouped throughout this rule making action: Definitions, Professional Development, Environment, Program Administration, Interactions & Curriculum, Child Outcomes, Family Engagement, and Intent.

Comment	DEL Response	Rule Changed?
Category: Definitions		
DISAGREE.....THEY ARE ALREADY HAVING ISSUES WITH THEIR DEFINITIONS. THEY ARE UP TO INTERPRETATION OF THE LICENSOR AND THE SUPERVISORS. THEY ARE NOT EVEN FOLLOWING THE DEFINITIONS AS WROTE CURRENTLY, HOW CAN THEY POSSIBLY DO IT TO THE NEW RULES AND DEFINITIONS. GET REAL PEOPLE.	Commentary – no response.	No
Requiring children to be in the provider’s sight at all times mean that children can’t go to the bathroom by themselves. You are violating children’s privacy.	<i>Active supervision</i> requires a provider to be within sight and hearing range and is necessary when children are engaging in high risk activities. <i>Supervision</i> requires a provider to be able to see or hear and would be the appropriate supervision level to use when either the children in care or the provider is using the bathroom.	No
WAC 170-300-0005 Definitions What does this mean? This statement does not qualify what a “Heightened standard of care beyond supervision” refer? New wording: a heightened standard of care beyond supervision. This standard requires an early learning provider to see and hear the children they are responsible for during higher risk activities. The provider must be able to prevent or instantly respond to unsafe or harmful events.	Added clarification is not necessary in definition. Proposed WAC 170-300-0345(5)(c) specifies activities for which active supervision is necessary.	No

¹ This is the first of three separate rule making actions that DEL plans to enact the negotiated rules. Proposed amendments to current WACs 170-300-0148, 170-300-0235, 170-300-0291, 170-300-0400, 170-300-0410, and 170-300-0465 are expected to proceed in February 2019 with a planned effective date to coincide with that of the rules being adopted now. The last action, amending Chapter 170-300 WAC to include weights for enforcement purposes, is expected to proceed in 2020 after DEL completes a weight validation study.

<p>What are higher risk activities this WAC anticipates? What does instantly mean when it is a group of children not one? "Active supervision" or "actively supervise" means a heightened standard of care beyond supervision. This standard requires an early learning provider to see and hear the children they are responsible for during higher risk activities. The provider must be able to prevent or instantly respond to unsafe or harmful events.</p>	<p>See previous response.</p>	<p>No</p>
<p>I agree with much of this proposed WAC, however, more clarification is needed on what "water activities" means. I am desperately hoping that a 1:1 staff to child ratio for infants is NOT needed to simply sensory play with water. If so, infants will never have exposure to this important sensory activity, as a 1:1 ratio is never going to happen. Sad. Likewise, parent/guardian permission required for water play is excessive and bizarre.</p>	<p>Proposed WAC 170-300-0005 defines "water activities" and specifically excludes sensory tables.</p>	<p>No</p>
<p>Please give measurable criteria in regards to the definition terms "Accessible and Inaccessible" "Accessible to children" means items, areas or materials of an early learning program that a child can reasonably reach, enter, use, or get to on their own. "Inaccessible to children" means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of an early learning program. There is inconsistency in regards to how licensors make the decision in regards to household cleaners, hand soap, shampoo, dish soap also. A child cannot easily reach the dish soap back on the counter as far as it can be away from the edge. Is it were a toy it would be cited as not accessible but is cited accessible when it comes the dish soap. Some licensors cite for toxins being accessible if items are on high shelves because a child "could" climb a chair then climbing onto the kitchen counter and then reaching a soap etc. that is 9ft off the floor. Can licensors be consistent. Can providers have a clear definition measurable so they can avoid being cited if a different licensor inspects the facility.</p>	<p>Implementation suggestion – no response.</p>	<p>No</p>
<p>Definition of "chromated copper arsenate" or "CCA": Change the reference to the Consumer Product Safety Commission's Guidance for Outdoor Wooden Structures: https://www.cpsc.gov/PageFiles/122147/270.pdf</p> <p>Justification: This reference is better tailored to child care settings.</p>	<p>Disagree. Web links were intentionally not included in proposed rules. Additionally, proposed WAC 170-300-0146 refers providers to applicable CPSC guidelines.</p>	<p>No</p>
<p>Proposed edit to definition of "contagious disease:"</p> <p><u>Contagious disease</u> means an illness caused by an infectious agent of public health concern which can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission through an intermediate host or vector, food, water, or air. The Washington state department of health publishes a list of contagious diseases. Contagious diseases pertinent to this chapter are described in WAC 246-110-010.</p> <p>Justification: The Board of Health's rules pertaining to the control of contagious diseases in school districts and childcare centers are outlined in chapter 246-110 WAC. A list of examples of contagious diseases relevant to the rule are listed in WAC 246-110-010. The list of diseases in the rule is an "including but not limited to" list and therefore is not inclusive of all diseases that should be reported.</p>	<p>Agree.</p>	<p>Yes</p>
<p>Proposed edit to definition of "disinfect:"</p> <p>"Disinfect" means to eliminate virtually all germs from an inanimate surface by the process of cleaning and rinsing, followed by:(a) A</p>	<p>Disagree. The cited guidelines, while a helpful resource, may become outdated as products change. Instead, the definition will be changed</p>	<p>Yes</p>

<p>chlorine bleach and water solution of one tablespoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes following the <u>Disinfecting and sanitizing with bleach guidelines for mixing bleach solutions for child care and similar environments, DOH 970-216, January 2015</u>; or(b) Other disinfectant products registered with the EPA, if used strictly according to the manufacturer's label instructions including, but not limited to, quantity, time the product must be left in place, adequate time to allow the product to dry or rinsing if applicable, and appropriateness for use on the surface to be disinfected. Any disinfectant used on food contact surfaces or toys must be labeled "safe for food contact surfaces."</p> <p>Justification: The proposed formula in (a) should not be used. Disinfection depends on the concentration of bleach to make the bleach solution effective against the targeted organisms. In 2015, DOH and DEL developed this guideline for child care settings. Specific illness outbreaks may require a higher bleach concentration, depending on the organism.</p>	<p>to direct that providers follow directions on the product packaging to ensure a safe and effective mixture.</p>	
<p>Proposed edit to definition of "disinfectant:" "Disinfectant" means a chemical liquid used to destroy bacteria (commonly chlorine, chloramine, or ozone) or physical process (for example ultraviolet light) that kills microorganisms such as bacteria, viruses, and protozoa.</p> <p>Justification: The proposed definition is incomplete. The recommendation reflects EPA standards and is more thorough.</p>	<p>DEL believes the proposed edit is too technical for the intended reader of the final rules. DEL will edit definition to include suggested inserts or physical process and viruses.</p>	<p>Yes</p>
<p>Early Learning Provider - I am an in-home child care provider that cares for children. Ensuring their health and safety to the best of my ability while their parents are working. I do a preschool program by choice. We each learn new things every day just as any typically functioning human being does. I do not want to be referred to as an "Early Learning Provider" as if my job is to drill learning into the children that I care for at every waking moment from the time they enter my day care at 3 months of age until they no longer attend. Are we exterminating people who love to be with kids and help them to learn manners, the golden rule, make sure they are fed and safe in an effort to set them on a path of being a genius? There are 8 definitions in this document that begin with "Early". Give it a rest and let these children learn at their own pace. In my opinion our job is to provide opportunity and encouragement not implement the states agenda.</p>	<p>DEL engages in this rule making to comply with the Early Start Act. Among other things, the Early Start Act intended to maximize the critical developmental windows of early childhood by ensuring that learning opportunities exist for children during their early years, age birth to five. DEL believes that the negotiated rules recognize that children develop at different rates and accommodate individual development.</p>	<p>No</p>
<p>WAC 170-300-0005 Changes the Family home childcare to Family home early learning program. This I disagree agree with! We are a home Not a center</p>	<p>See previous response.</p>	<p>No</p>
<p>As a licensed family childcare provider, my clients choose my home childcare to provide licensed, caring, nurturing, safe and loving home environment childcare for their children. I'm not an early learning provider. I don't feel Early Learning should be regulated in our WACs. It is a choice for each family childcare to offer what they want in their setting. They are private business owners not employees of DEL or "DCYF&". They are owned primarily by women. Parents have the responsibility to choose what they feel is important for their children and you are taking that choice away from them. Everything that has to do with early learning, curriculum, and lesson planning should be removed from these WACs. You have over stepped your bounds of health and safety.</p>	<p>See previous response.</p>	<p>No</p>

<p>Why is this changed from “child care” to expand the meaning into education. What about someone who only takes infants? How is that a program? Why do you need a program to provide loving, home like care to small children? “Family home early learning program” means an early learning program licensed by the department where a family home licensee provides child care or education services for twelve or fewer children in the family living quarters where the licensee resides as provided in RCW 43.216.010 (1)(c) (family day care provider).</p>	<p>See previous response.</p>	<p>No</p>
<p>I am an in home child care provider. I offer a home atmosphere that is safe and loving, teaching manners, respect, kindness, empathy and learning through play. This is why I was chosen by clients. In home providers should not be forced to be called “Early Learning Providers”</p>	<p>See previous response.</p>	<p>No</p>
<p>Proposed edit to definition of “food worker card:” “Food worker card” refers to a card issued by the Washington state department of health that permits a trained individual to safely and appropriately handle food served to the public means a food and beverage service worker’s permit as required under chapter 69.06 RCW.</p> <p>Justification: DOH does not issue food worker cards. Food worker cards are issued by a local health jurisdiction. It’s important to reference chapter 69.06 in the rule to reduce ambiguity and assure consistency between chapter 173-300 WAC and chapter 246-215 WAC.</p>	<p>Agree.</p>	<p>Yes</p>
<p>"Inaccessible to children" means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of an early learning program. Please give some definite examples to how to make unlicensed space inaccessible. Some licensors, offices, allow Door Knob covers on doorways that lead to un licensed space. Others do not. If it's a product sold as a child proof item should we accept it, if it's approved by the CPSC? There is also much inconsistency in regards to outlet covers Some outlet covers have additional child proof steps causing them to be almost impossible for even an adult to remove. DEL need to be consistent about the type of child proof items we can use. So licensors and providers can have a clear understanding what is acceptable in making unlicensed space inaccessible.</p>	<p>Some sections in chapter 170-300 WAC requiring specific items to be inaccessible to children do give examples.</p> <p>Implementation suggested will be forwarded to appropriate staff.</p>	<p>No</p>
<p><i>Inaccessible</i> definition is impossible to comply with due to the varied ages and developmental levels in a Family Home program. Some school age children are more than capable to unlock or access something if so inclined. Our homes would have to be a fortress with keys on our persons at all times. Supervision needs to be a part of inaccessible. Knowing the children in care and their individual abilities is a better way of judging the process needed to make areas or items inaccessible. The official definition of <i>inaccessible</i> is <i>difficult or impossible to reach, approach, or understand: not accessible. Hard or impossible to reach or get hold of.</i> (According to the Merriam Webster dictionary) The definition should return to: “Inaccessible to children”; means an effective method or barrier that reasonably prevents a child’s ability to reach, enter, or use items or areas. WAC 170-296A-0010 <i>Family living quarters</i> should not include <i>other spaces or building on the premises</i>. In a Family Home program this is an invasion of privacy. Children in care do not have access to these areas so it should not be included in the definition. There is nothing in the RCW that includes outbuildings and premises. RCW 43.216.010 (c) “Family day care provider” means a child care provider who regularly provides early childhood education and early learning services for not more than twelve children in the</p>	<p>“Inaccessible to children” does not imply that items are under lock and key if there are other methods a provider could use to prevent a child’s access. Licensors are willing and able to help providers find ways to make items inaccessible.</p> <p>The definition of “family living quarters” is intended to provide flexibility for a family home provider who is defined by statute as someone “who regularly provides early childhood education and early learning services for not more than 12 children in the provider’s home in the family living quarters.” RCW 43.215.010(1)(c). By broadly defining “family living quarters,” DEL is giving providers licensed space options</p>	<p>No</p>

<p>provider's home in the family living quarters;</p>	<p>beyond just their house.</p>	
<p>Proposed edit to definition of "private septic system:" "Private septic system" means a septic system as defined in chapter 246-272A WAC that is not connected to a public sewer system <u>or a large on-site sewage system as defined in WAC 246-272B, maintained by a government agency.</u> A private septic system includes, but it not limited to, the septic system's drain field and tanks. Justification: On-site sewage systems, also known as septic systems are regulated under Chapter 246-272A WAC. It's important to reference chapter 246-272A to reduce ambiguity and confusion between chapter 173-300 WAC and chapter 246-272A WAC.</p>	<p>Disagree. The WAC citing large on-site systems might confuse providers as those rules are not relevant to Chapter 170-300 WAC. DEL will insert reference to Chapter 246-272A WAC in definition.</p>	<p>Yes</p>
<p>Proposed edit to definition of "sanitize:" means to reduce the number of microorganisms on a surface by the process of: (a) Cleaning and rinsing with water at a high temperature pursuant to this chapter; or (b) Cleaning and rinsing, followed by using:(i) A chlorine bleach and water solution of three quarters teaspoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes; <u>Disinfecting and sanitizing with bleach guidelines for mixing bleach solutions for child care and similar environments, DOH 970-216, January 2015;</u> or (ii) Other sanitizer product if it is registered with the EPA and used strictly according to manufacturer's label instructions including, but not limited to, quantity used, time the product must be left in place, adequate time to allow the product to dry, and appropriateness for use on the surface to be sanitized. If used on food contact surfaces or toys, a sanitizer product must be labeled as "safe for food contact surfaces." Justification: (a) should state the exact temperature or the standard is just too ambiguous. (b)(i) There are too many different concentrations of bleach on the market to have a formula in the definitions. The link to this guidance should suit your needs. It was developed between DOH and DEL and other partners in 2015.</p>	<p>Disagree with the proposed edit, but the definition will be changed to include instructions that the manufacturer's instructions should be followed when using bleach.</p>	<p>Yes</p>
<p>WAC 170-300 Definitions. I represent DEL Infant Toddler Consultation/CCDF funded as an Infant Toddler Coach. I have been in this role for nearly 3 years and am in infant and toddler classrooms supporting those teachers almost daily at a number of child care programs in our community. The idea that a "Toddler" would be defined as 12-29 months does not align with many other programs, and to expect a 2 1/2 year old to be in a classroom with other children 3 years and up is not developmentally appropriate. The definition of "Toddler" needs to change to 12-36 months. As it currently is, these teachers in preschool classrooms with 2 1/2 year olds does not set teachers or children up for success. Please change definition of toddler to 12-36 months to better support the children in our communities, and the hard-working teachers that support them.</p>	<p>DEL is aligning its definition of "toddler" with the definition used by the Child Care Development Fund (CCDF).</p>	<p>No</p>
<p>WAC 300-170 Definitions. The definition for a "toddler" and "preschooler" in this document do not match Caring for Our Children 3rd edition or Caring for Our Children Basics. These documents which describe best practices for health and safety in early learning settings define a toddler as a child 13-35 months of age and a preschooler as a child 36 months- 5 years of age. The definitions described in WAC 300-170 are used to determine adult-child ratios which then do not support the safety of young children in early learning. Adult-child ratios are the most important factor in assuring the health and safety of young</p>	<p>See previous response.</p>	<p>No</p>

children in early learning settings.		
<p>170-300 WAC/ Definition of Toddler. DEL Infant Toddler Consultation/CCDF funded/ I have been a Consultant/Coach for over a year with Catholic Charities, and previously a Preschool, infant and toddler teacher for over 16 years. The following is the definition you have listed for Toddler: "Toddler" means a child twelve months through twenty-nine months of age. I do not agree with this definition for many reasons, a Toddler should be considered 12 months to 3 years of age (12 to 36 months). Children under the age of three still need more Teacher guidance and help. For child care providers, this can also cause a burden when choosing materials for their preschool classrooms when there are many materials that are clearly labeled <i>not for children under 3 years of age</i>. Changing the definition to 36 months will align this WAC with National standards, product safety labels and many DEL programs. I believe the first three years of life is crucial, there should be more Funding going to infant and toddler programs, and more support from the state and government to produce quality care for those crucial early years. I believe changing the definition will also relieve some stress put on the providers and give children more flexibility and time to grow...as well as help to send more potty trained children to preschool classroom. Please consider my comment, and please let me know if you want to talk further with me on this topic. Thank you for your consideration.</p>	See previous response.	No
<p>In regards to WAC 170-300 Definition of a Toddler I disagree with changing the age definition of a toddler. It should remain at 16-36 months of age as stated in The Early Learning and Development Guidelines by Department of Early Learning, page 41. Head Start, EACAP and Birth to Three programs all agree that Preschool starts at age 3 years. Thank you for your careful consideration. Laura F- Lead Teacher 3 year old class of an Early Achievers Center</p>	See previous response.	No
<p>This is regarding new WAC 170-300. Children considered toddler age should be up to the age of 36 months. Children at 2 and a half years of age shouldn't be placed in a preschool classroom just yet. This 6-month age gap makes a huge difference developmentally for children. Also, having toddler age up to 36 months will also meet national standards, product safety labels and the programs within DEL that consider infants and toddlers to be children under 3 such as ESIT, Home Visiting, the Early Learning and Development Guidelines, and the EHS Childcare Partnerships. Thank you, Monica Rodriguez Family, Friend and Neighbor Program Coordinator 10-year employee Catholic Charities Serving Central Washington - Child Care Aware program</p>	See previous response.	No
<p>"Foundational quality standards" is a fancy change from minimum licensing requirements. I believe the Department (DEL) has severely over reached in its revamp of the WACs. DEL has become the biggest threat to the childcare industry in the state of Washington. What ever happened to serving the people of the State of Washington? Providers are the people. In the five years I have been a child care provider, DEL appears to have moved to a mindset of protecting the bureaucracy at the expense of children. "Preschool-age children" Should mean children thirty-six months through six years of age not attending kindergarten or elementary school. This would be consistent with national standards and the needs of young children. "Toddler" Should mean a child twelve months through Thirty-five months of age. This would bring Washington in line with national standards. For the last two years my program has had a two year old class room for kids 24-35 months. It protects the younger toddlers (under 24 months) from the more aggressive older toddlers. It also allows the 30-35 month old kids</p>	See previous response.	No

<p>to master potty training and further develop other social skills and self-care skills before moving to a larger group and higher child to teacher ratio.</p>		
<p>Either use “variance” or “waiver” as the term and avoid confusion by the use and definition of both for a similar purpose. “Variance” is an official approval by the department to allow an early learning program to achieve the outcome of a rule or rules in this chapter in an alternative way than described due to the needs of a unique or specific program approach or methodology. The department must grant a request for variance if the proposed alternative provides clear and convincing evidence that the health, welfare, and safety of all enrolled children is not jeopardized. An early learning provider does not have the right to appeal the department’s disapproval of request for variance under chapter 170-03 WAC, as hereafter recodified or amended. The provider may challenge a variance disapproval on a department form. “Waiver” is an official approval by the department allowing an early learning provider not to meet or satisfy a rule in this chapter due to specific needs of the program or an enrolled child. The department must grant a request for waiver if the proposed waiver provides clear and convincing evidence that the health, welfare, and safety of all enrolled children is not jeopardized. An early learning provider does not have the right to appeal the department’s disapproval of a waiver request under chapter 170-03 WAC, as hereafter recodified or amended.</p>	<p>“Waiver” and “variance” have different meanings. “Waiver” is authorized noncompliance. “Variance” means compliance is reached through a department-approved method different than what is prescribed in rule.</p>	<p>No</p>
<p>Does creating a formal plan undermine “at will” employment status in the State of Washington? This kind of plan implies increases in compensation. Who will provide the money to pay staff well when families are paying 20% of their income to child care as it is now? “Professional development support plan” is a formal means by which an individual who is supervising staff sets out the goals, strategies, and outcomes of learning and training.</p>	<p>A professional development support plan will help track progress for those who are working towards meeting professional development requirements or equivalencies.</p>	<p>No</p>
<p>What if you have a house or building with lots of natural light and a large view or the rooms with few or no windows are too small to place all the children in? What if the room is outside of licensed space? “Lockdown” means restricted to an interior room with few or no windows while the facility or building is secured from a threat.</p>	<p>Centers and family homes are currently required to have a plan for emergencies that require lockdown or shelter-in-place. Licensed providers will work with the licenser to determine if space currently used is still the best option when these rules take effect. For applicants, the application process includes determining the most suitable lockdown area.</p>	<p>No</p>
<p>Why are children above preschool age not included in this definition and toddlers are capable of playing together and preschoolers may play near one another without playing together. “Peer interaction” refers to relationships children have with one another, which includes how infants and toddlers play near one another and how preschoolers play together, communicate, and whether they fight or get along.</p>	<p>The defined term is used just once in the proposed rules. It is specific to proposed WAC 170-300-0296 Infant and toddler development.</p>	<p>No</p>
<p>Eliminate the specific bleach to water ratio which does not take into consideration that bleach is available in differing concentrations. “Disinfect” means to eliminate virtually all germs from an inanimate surface by the process of cleaning and rinsing, followed by: (a) A chlorine bleach and water solution of one tablespoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes; or (b) Other disinfectant products registered with the EPA, if used strictly according to the manufacturer’s label instructions</p>	<p>Agreed. DEL will revise language to require following the bleach manufacturer’s instructions.</p>	<p>Yes</p>

including, but not limited to, quantity, time the product must be left in place, adequate time to allow the product to dry or rinsing if applicable, and appropriateness for use on the surface to be disinfected. Any disinfectant used on food contact surfaces or toys must be labeled “safe for food contact surfaces.”		
I would hope that changes in definitions would have the children’s best interest at heart meaning the change in the definitions would not add additional costs monthly or yearly costs to centers or family day care homes.	Commentary – no response.	No
Early achievers is a quality improvement and rating system. This definition overstates what Early Achievers provides. “Early achievers” is a statewide system of high-quality early learning that connects families to early learning programs with the help of an easy to understand rating system and offers coaching, professional development, and resources for early learning providers to support each child’s learning and development.	Disagree.	No
I object to the use of “is allowed” rather than “does meet” the requirements. “Equivalency” when referring to staff qualifications means an individual is allowed to meet the requirements of this chapter through a department recognized alternative credential, or demonstration of competency, that indicates similar knowledge as the named credential	“Allowed” is appropriate since equivalencies will be approved on a case by case basis.	No
There are other reasons to end an enrollment beyond being unable to meet a child’s needs. What if there is no room in the next age group as a child ages? “Expel” or “expulsion” means to end a child’s enrollment in an early learning program. An early learning provider will end a child’s enrollment if the provider is unable to meet a child’s needs due to the child’s challenging behavior.	Disagree. The definition is trying to distinguish when the provider can no longer meet meet a child’s needs without putting the provider or other children at risk for potential harm from other causes for terminating services.	No
“Discipline” is not redirection. This is only a component for very young children. Preschool and school age children will not respond to redirection. The root meaning of discipline is <i>teach</i> and <i>lead</i> . ☐ (Constructive Guidance and Discipline, 2018) Consequences for inappropriate behavior need to be based on DAP and the individual child, not punishment. Discipline needs to lead to self-regulation, which redirection does not accomplish.	Definition maintains consistency for family home providers who are currently complying with chapter 170-296A WAC and is broad enough to allow providers discretion. Furthermore, proposed WAC 170-300-0331 describes what would be inappropriate discipline.	No
Discipline includes more options than just redirect. “Discipline” means a method used to redirect a child in order to achieve a desired behavior.	Definition maintains consistency for family home providers who are currently complying with chapter 170-296A WAC and is broad enough to allow providers discretion. Furthermore, proposed WAC 170-300-0331 describes what would be inappropriate discipline.	No
0470 4(d) Drills must be recorded on a department form and include:.... Then your form better be correct. I had to create a completely different form because your current form does not meet WAC as written now. You have added addition requirements in these rewrites...so, you better make it right or give us the right to create our own forms so we can be compliant.	Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.	No

<p>ARE YOU KIDDING ME!!! 04801 3(f) Assure the vehicle has emergency reflective triangles or other devices to alert other drivers of an emergency; TRIANGLES!! These are not necessary. Our hazards lights are enough. OVER-REACHING again!!</p>	<p>The vehicle's hazard lights are "other devices" allowed by the proposed rule.</p>	<p>No</p>
<p>0480 3(g) Assure the driver has a valid driver's license for the type of vehicle being driven and a safe driving record for at least the last five years; What does a "safe driving record" mean? How would we know what a staff person does on their own time? Tickets ok? No tickets? Accident that is not their fault??</p>	<p>DEL honors the negotiation process and accepts the negotiated language. Comment will be forwarded to appropriate staff for consideration during implementation.</p>	<p>No</p>
<p>Transporting in a vehicle: Instead of emergency reflective triangle, can four way vehicle emergency flashers be okay? A safe driving record for at least 5 years is way too long and how do you tell a parent they can't drive on a field trip without seeing their driving record? That's very intrusive. What is someone has only had their license for 2 years, are they excluded from driving? What is a safe driving record?</p>	<p>See previous two responses.</p>	<p>No</p>
<p>Who will be paying for these quality standards if all the parents are privately paying for care? What if families cannot afford the increased cost of these standards? Where have all the children who were in licensed care gone since so many homes and centers have closed? How does creating standards help children if it has driven parents into unlicensed or unpredictable care situations? DEL is regulating an entire industry out of business while not ensuring children are cared for while parents work. "Foundational quality standards" refers to the administrative and regulatory requirements contained within this chapter. These standards are designed to promote the development, health, and safety of children enrolled in center and family home early learning programs. The department uses these standards to equitably serve children, families, and early learning providers throughout Washington state.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Category: Professional Development</p>		
<p>This is yet another example of special interest groups getting hold of DEL. When does it stop. When they have us all out of business??? As a daycare operator for over 25 years, these increasing changes are only putting more hardships on the owners trying to provide services. As an owner, I believe I can monitor my staff and their education needs without help from DEL telling me how to train my staff. My parents don't object to my programs and I feel very confident that my staff without their forced college ece classes are providing a loving safe environment for our kids.. Enough DEL.. back off.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Proposed WACs are unattainable, especially for family home providers. The amount of time required for paperwork takes far too much time away from the children therefore completely making the most important piece of the equation – the kids – by being so strict in what is required and so specific we take away a parent's right to choose what they feel is best for their kids. So we may have piles of paperwork that proves we are doing our jobs, which we should be trusted to do by some degree anyway, especially with the education requirements even as they stand, we are still required to do more and more paperwork. Even when we have the paperwork, you don't trust us because now we have electronic systems. You are trusting us to take of the kids, but you don't trust that what the parents wrote in a book is accurate. It has reached a point of ludicrous – the lack of trust that providers are given. Many of us have dedicated eons of our lives, our homes, time with our family, time with our own children to meet the requirements as it is. I have work 11-12 hours a day with the</p>	<p>Commentary – no response.</p>	<p>No</p>

<p>children. I do have a bachelor's degree but I don't feel that that is what every provider needs. My point in getting my degree was because I wanted my program to go in an early learning direction but there are parents who say that is not what they want. They want somebody to sit on the couch and rock the baby. They want someone to crawl on the floor and slosh paint around. Some families want centers. Family homes but the WAC is simply limiting options and opportunities for children. Requiring the amount of paperwork and the amount of time that's going to go into implementing this WAC, we are truly neglecting the most important piece – the kids.</p>		
<p>It is unbelievable to me that the lowest paid workers in the state, who are living in poverty as is, would need to take on the financial burden of obtaining additional training and education when college credits already taken are not considered valid and there is no proposed funding for these classes nor opportunity to be paid more. Whomever wrote these policies should be ashamed of themselves and I am horrified and embarrassed that it is even necessary for me to leave a comment for this.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Family homes and centers have equal problems. I finished my Masters degree at 64, it was important for my center and for me to get my degree that I finish my degree. I don't feel it is necessary for all teachers to have college degrees. There's not enough money and it's not necessary. I have been in the childcare business for 50 years. The mantra has always been quality affordable child care. Over the years, quality has improved, but affordability has diminished. Is this initiative to work hard and get ahead, because one of our parents worked hard they made \$200 more a month and they lost their daycare which amounted to \$1,400. Is that what we really want? I appreciate quality but DEL is making unrealistic demands on centers and family homes without raising the subsidy rates which will put most of us out of business. We all want quality. We'll work twice as hard to have quality, but we need to be able to pay for it. We just qualified for Early Achievers. We are a Level 3, same as the college ... we worked very hard for that. Our children love us. We have generations that come back. It cost me \$86,000 for EA, for the new playground all of the things because I believe in quality. Now we have to reapply and that's going to cost \$1,000 - \$2,000 per room. We are all in for the children. I just had a mother tell me "I can see the love here." I know we are a center, but we keep our ratios low and we work very hard. Our teachers work very hard. Some of them are getting their education, but some of them can't. I encourage all of them to get their education, not for DEL but for themselves. I think we all want quality, and if you make more demands of us without giving us more money to meet the criteria you are requesting, you're going to put us out of business. We need centers and family homes in business, because not everyone wants a family home and not everyone wants a center. We are trying to meet all of these needs. I beg DEL to stop it. We can't do it on the money you give us.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>The early learning status gets us on schedules that are hard to maintain. trying to do the early learning process with kids who are there sporadically is very hard. The early learning part is fouling up the whole reason of why we have home day cares. We teach values, how to get along, we read books. Smaller programs advance social development ... it gives children the opportunity to react and interact with other kids with whereas larger centers are like concentration camps. Family home daycare are the most caring places because they take them into their homes. Years later, children remember their child care provider. Considering the amount of time spent in day care vs.</p>	<p>Commentary – no response.</p>	<p>No</p>

<p>home, the day care providers are basically raising the kids. Bigger child care centers are not able to give the specialized attention a needy child needs. In the case of family homes, each child is in the forefront.</p>		
<p>I have been asking for clarification for more than a year, I'm told it will come when it is implemented. No clarification from licensors. They get basically asked and said they are not compliant. A lot of people are putting their heads in the sand or are talking about shutting down. A lot of people are talking about going under the grid and just being unlicensed to be able to stop spending so much time implementing all of these rules. We are being over regulated. Families trust us with their children in our homes.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>I have been a provider for 21 years. For 19 of those years, I operated 24 hours, 5 days a week. I no longer operate 24 hours because of all of the regulations. Our community needs nighttime care. There's not a lot of people doing this any more. There's not a lot of people taking kids under the age of 5. There's not a lot of people taking state paid kids. There have been many home day cares in Lewis County that have closed and are closing. There is a difference between centers and homes. I just did my rating and was rated a 3, but I was rated lower because of how my house is. That's not something I can rebuild or take out. Having to spray your toilet and sink every time someone goes to the bathroom or washes their hands - if you've got 6 kids and they're going to the bathroom or playing outside and they come in and wash their hands = I feel like I am spending so much time disinfecting everything I don't have time with the kids to follow all of the procedures. Everyone is losing out – not just the kids. The providers too. I don't feel I have any freedom. I think the centers and family homes need different requirements. An in home daycare has infants to 7 years old. We don't have different teachers for different ages – it needs to be thought about.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>The trickle down effect of this WAC is that you are projecting a huge increase in childcare cost, and you are saying there is only one way to run a daycare which there is not. Many providers do not take college courses because of their learning disabilities yet they provide care and guidance for their young ones. There are many ways to learn.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>170-296A. FCCPs already work 50-60 hours a week, when are we supposed to find time to attend classes and do homework. The practicum will require us to close, lose income and work in an ECEAP facility for no pay for a college quarter. Where will our families go for three-four months? Who will be caring for my children during this process and at what cost. I have 22 years' experience teaching social skills, providing developmentally appropriate curriculum, providing a warm nurturing play based environment, potty training, providing nutritious meals and engage daily with my families. Early achievers has not changed the outcomes or improved the environments children are being raised in....the providers have, These new requirements will give parents less choices as providers will quit. You are overreaching what is needed in this field. How about expecting preschool teachers to have a certificate or degree? They get these kids before they go to kindergarten.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>This makes it really hard to keep staff. I think that there is a lot of training that is required of someone that just starts. I understand some of the requirements, but some don't make sense and we are already a state that has more requirements then others.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>I have had people put in applications that I feel would be good pre-school teachers, but they do not have a high school diploma. I think</p>	<p>Commentary – no response.</p>	<p>No</p>

that this wouldn't effect if the applicant is good with children or not.		
This is a death sentence for in-home childcare. What this will do is force those providers who don't go to school or can't go to school to go underground. Where is the sense in that?? We are trying to make the world better for children not make criminals out of child care providers. I believe in Education. I am getting my BA in ECFS, it is not easy especially working 60 hours a week. Most providers will find it hard to do this.	Commentary – no response.	No
As with most commenters, I strongly disagree. Centers who select to participate in Early Achievers, choose to align to their standards because they either A. Have the funding and resources to educate their staff or B. Already require this level of education from their staff. Making the minimum standards (WACs) now reflect the higher standards of Early Achievers is not only impracticable and unrealistic, but irresponsible and damaging to the families that need care for their children and the hardworking teachers who have spent their careers working in a field that is not valued, respected or paid a living wage. I run a center that requires all of our staff to have a minimum of a CDA, but we have the money and resources to fund this requirement and many centers do not. While I highly value education for both children and teachers, I think this proposed WAC is absurd and exemplar of the way that government is out of touch with reality.	Commentary – no response.	No
170-295 and 170-296A Another example of increasing the minimum education requirements for ECE workers but doing nothing to raise pay. Our program relies on student and part time staff to not only meet ratios and provide time outside of the classroom to the lead and assoc teachers to do planning, but to also provide an enriched and high quality program. The pay should match this. Students and part-time workers do not have the time and money to go out and get degrees. Why isn't one of the licensing requirements to pay teachers 6 figures - a salary they earn and deserve!	Commentary – no response.	No
I am extremely worried that if the WACs begin requiring daycare teachers to get their teaching certificate, child cares in the state of Washington will begin to crumble. First of all, we don't have a very big pool of people to choose from when hiring. Not many people want to work in a place that pays minimum wage and doesn't offer benefits (small-town businesses). I understand that there may be an allotted time for teachers to earn these credentials, but is the state prepared to pay for the schooling? Minimum wage teachers can't afford student loans, much less miss the work it would require to go to classes. On top of that, small daycares are not magically going to have the money to pay teachers much more if they DO get credentialed. This idea may have been good in theory, but it is literally a death sentence to small child cares. Please do not do this.	Commentary – no response.	No
Credentialism Run Amok. The Institute for Justice in Washington DC just filed suit against this very thing. DC apparently wants providers to have a degree, not just the 12 credits. Washington State is run amok with their belief we will be better providers with 12 credits. Just let us do our job. Look up IJ at dot org. This page won't let me put in website addresses.	Commentary – no response.	No
DISAGREE is not a strong enough word. Be prepared for more places to close down, and more children to be in unlicensed care with the mom down the street. You cannot continue to regulate businesses out of business and not have negative consequences. Middle income families can hardly afford care as it is, this will only increase the cost of childcare even more. You will push people with heart and passion out	Commentary – no response.	No

<p>of this field. We will lose valued teachers because they cannot or will not go back to school. I have interviewed people with their ECE degree who walk in to my program and have no idea what they are doing or how to even talk to a child. I have teachers currently working with no more than a high school diploma that dance circles around people with an ECE degree. A degree or stackable certificate does not make a good teacher. Instead of new requirements, why don't you fix what is broken. If you do not feel like STARS is adequate, then hire better STARS trainings and require more out of the instructors and the classes they present. The consequences of these PD requirements will be severe. YOU WILL REGULATE CHILDREN OUT OF GOOD LICENSED CARE.</p>		
<p>I absolutely do not agree with this! If these requirements are passed through I will no longer be in business. A degree does not always make for a good teacher and I don't understand why you need a degree to change a diaper. I have had teachers with nothing more than a high school diploma perform better then teachers with a masters. My center is in a very low income area and we have a waiting list a mile long it would be unfortunate if we had to close our doors due to this new requirement. These children would have nowhere to go.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Forcing providers with experience and age discrimination is what i call it. you will never get new providers in this field and the seasoned ones will be leaving the field. We already have a huge shortage for infants in District 1 and I turn away about 6 calls a month for infant care. Have you noticed more preschools popping up? Providers are leaving for the preschool business if we have to provide all this EA curriculum i plan to join them and actually get paid a decent wage.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>I disagree with all of the extra schooling needed. Hard to find staff with the correct education. Asking Assistant teachers to take yearly classes is a lot to ask of them. Also Early Learning staff do not get paid much and having to pay for classes can get expensive. I understand there is reimbursement money but that only goes so far. Too much to ask! As a director I don't have time to take on more.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>In the 11 years I have owned a childcare facility I have lost numerous people because they have not completed child care basics within 6 months of employment so make the requirements even more stringent is going to make a challenging staff problem impossible. And frankly they can go work for what they are making elsewhere with no education requirements. Figure out how to pay them more to make education worth their while. While I understand and agree that more education can make a difference in childcare it is not worth the cost of the education for what people will be making in this already challenging field. Suggestion would be if the STATE paid for this education, paid them for their time to attend this education and then paid them increased wages based on completion. This would be an incentive to actually get the education to improve childcare</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Pretty much the same response as everyone else. More training, more requirements, THIS IS NOT A SCHOOL!!!! We are trying to teach children the basics. Preparing them for school, we do most of that through playful interactions. I am a LICENSED DAYCARE FACILITY! Retaining and hiring staff is hard enough already, the more you throw at people they are either going to quit or ask for money that's just the truth behind it. You may just sit there and say too bad but what happens when there are no more quality daycare facilities left or has that always been the plan to get rid of everyone? This is why you have a bunch of people posting adds on craigslist taking care of children for \$10 a day because the reward is no longer worth the risk for most providers. We do our jobs because we love children but it is also a</p>	<p>Commentary – no response.</p>	<p>No</p>

business, one where we need to make money to survive.		
This is an impossible task. I am not running a preschool or an ECAP. I am running a daycare. We learn thru play. I have gone to school for early childhood education and I am finishing up my certificate but I do not intend to go further. I have five children. I work 50 hours a week. I already find it hard to juggle family and work. Now more schooling too? There isn't enough time. Plus doing EA stuff? I just don't know how it can be done. My area has so few licensed daycares. I get multiple calls daily. I have a waiting list a mile long. I have families whose children come for 30-45 min because they need SOME kind of care for their child because there are not enough daycares. We have two more licensed daycares closing over here in June. These WACS are pushing providers out. I can't say I plan on staying much longer myself at this rate.	Commentary – no response.	No
people with NO DEGREE does better job than people with DEGREE-- real time experience is more than degree- BE practical	Commentary – no response.	No
Strongly DISAGREE!!! I understand the need for education, but when you are requiring an employee to work for minimum wage, or just above, and now they have to have an ECE certificate too, but the lady working down at McDonald's makes more money and doesn't have to have the degree, then where do you think our employees are going to go? Thankfully many people in this industry have a passion for working with children, but passion doesn't pay the bills. These new rules and requirements will knee-cap multiple providers across our state, both in-home and centers. Some of my best teachers have been ones without formal training, and I am able to train them how I need them to be trained. Likewise, some of my worst teachers have been ones who looked great on paper, but it did not translate to in class work. My point is that there is not a strong enough correlation between education and how well a teacher teaches, and there never will be. I know plenty of well-educated teachers who need to be out of this field altogether. Please, if this is going to be a rule, then the state needs to step up and provide the funding for these programs and higher wages, instead of putting it back on the small business owners, who are already struggling to make ends meet, and middle class citizens who are already paying some of the highest tuition rates in the U.S.	Commentary – no response.	No
people with NO DEGREE does better job than people with DEGREE-- real time experience is more than degree- BE practical	Commentary – no response.	No
Seriously? I had planned to work until I was 70 years old in my highly successful before and after school program. And at age 62 with 33 years under my belt, educated, no-complaint record, you are asking me within five years to get an ECE along with EA? This is crazy. I will quit as soon as this requirement is enforced upon me, which means I will quit providing quality care three years earlier than anticipated. I say this is horrible for family home childcare. You have already run many of us out. YOU WANT FAMILY HOME CARE TO CEASE TO EXIST!!!	Commentary – no response.	No
I've spent the last 25 years in the EL world. I understand the need to revise minimum licensing requirements and align standards. However, the minimum standards that are being proposed and created in many ways across the board are in comparison to other states are actually what quality rating standards would hold as the highest accountability and more of accreditation level standards vs. minimum licensing standards. It's not to say that I don't want the best for our children but we need to be aware of the continual raising of the standards like the education standards that push us out of what is the norm across the country The cost of the new WACs for providers is substantial. For	Commentary – no response.	No

<p>instance the new electronic attendance requirements are costing our organization just under \$100,000. Most providers would not be able to sustain that when you compare that with the reimbursement rates which are substantially below the federal minimum of 75% of market rate and have been for over 10 years. The state has already been cited in this case. We have a situation where providers are literally unable to meet the minimum requirements. In Seattle we have a minimum wage of \$15/hour for our assistants and it's created a flat line for teachers that are above that. And the inability to raise rates and an unwillingness to push all of that on our private paying families has created a situation where we see providers across the county going out of business. One of my concerns having been in this state and this industry for quite some time is that submitted comments by providers and submitted questions have gone unanswered in previous incarnations of these rules. I think the timeline in which DEL has tried to push forward with this and the lack of communication with providers directly including and especially with providers from other cultures and speaking other languages has essentially forced our voice out of the situation. I think we have over regulations that are driving out of business and allow for a very minimal allowance of culturally responsive care. It dictates so specifically what must be done and how it must be done that it takes away the voices of the families and the community by which a child is being raised and does not allow for culturally responsive care including not allowing those who might have wonderful cultural to share with our youth out because they don't have a specific educational component. Culturally responsive care includes not only those that might speak a different language but allowing, additionally, various generations to be part of our care teams. For certain providers and assistants to require them to go back to school and 70 and 75, retired ladies who would love to sit and be a part of a baby's life are not allowed to because they do not meet a specific requirement.</p>		
<p>I said in 1994 you wanted Family Home Daycare closed down. You resent that we are self-employed and out of your sight. I have a 33 year of perfect performance and that is not enough. I will be exiting family home childcare when I turn 66 which is four years away. You have finally done it! This is ridiculous!</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>What a shock, Washington State is putting the burden of some poorly thought out initiative entirely on the backs of low wage, largely female workers. Glad that you have found yet another way to make children and the poor suffer in this state.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Requiring all staff attend college level classes, without ANY funding for non-EA participating employees places the financial burden on those currently qualified staff members who in many cases have YEARS of relevant training and experience that make them valued members of the Early Childhood workforce. State agencies seem to have a bias against providers that have opted to not participate in Early Achievers, when the biggest reason providers give is budgetary issues with accepting the lower subsidy rates. There is NO funding for those employees.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>I became a Family Home Licensed Childcare Provider for my love of children. If I wanted to be a preschool teacher I would have chosen to do so. I work 55 hours a week plus prep time. I pay all of my own bills, buy all my supplies. I am an individual who loves what I do and work very hard. I do not work for the Department of Early Learning, they do not pay my salary, pay my rent or buy my supplies. My families love having their children here which can be proven by no turnover and</p>	<p>Commentary – no response.</p>	<p>No</p>

<p>openings reserved up to a year in advance. You are smothering us, Please let us breathe.</p>		
<p>I have been a licensed family home provider since 1990. I have an early childhood education. I have been jumping through the hoops to participate in EA. I spent over \$3,000 revamping my backyard to meet new WACs. It has put a financial burden that will be hard to recover. I just had a inhome visit and was told that the fish tank that has been in my home since 1990 has to be attached to the wall and is also a health risk. I researched and that means children have to be either touching fish poop or touching the fish, which there's no way they can reach. I was told to contact the health dept with several different things the licensior was concerned about. I did not hear back from the health dept in time to respond to licensing's complaints. It took 3 weeks to hear back from 1 person who was in charge of all of it and from one person I never did hear back from. I feel that we're being sent on a wild goose chase to accomplish things that seem futile. I'm supposed to post a sign in my daycare for potential contamination to children for children who can't read. There's a no touch policy on the tank – if children touch the tank they go wash their hands. I feel like we are being overregulated and especially the people who have done the extra training and gotten the education it feels counterproductive.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>While I am always for being more knowledgeable and trained, we do not get paid enough for this. Working in this profession already has a 5 year burn out rate because it is emotionally and physically challenging. When you aren't compensated correctly, it is easier to get an office job that will pay twice as much. It's hard enough to find good teachers and to retain the ones we have with the standards now and we pay for all the trainings necessary and work really hard to give them time on clock. I went to UW and got my degree for ECFS because this is my passion, but it put me in more debt than necessary to have a job I already had. If DEL is going to make more work, we need to then be compensated for that.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>It is already hard enough for families to find quality care. Home daycares are becoming more scarce due to over-regulation. We already work with no benefits (where is the State in trying to at least let us buy into a group rate?) We work over 50 hours a week, with our benefits paid in hugs. Where would an average daycare provider find the time for schooling? How would it be paid for? I am actually only doing before and after school care now, as I had considered leaving the field due to over-regulation, but my families really needed me. I do work in an ECEAP facility part-time after my kids get to school. I can tell you the Early Achievers is paying for my education through ECEAP, but I have my entire afternoon free to do on-line classes. Every quarter, there is an email stating they are not sure if, or how much funding there will be for the next quarter. They have even limited classes some quarters due to lack of funds being available. It does not look like that state, nor the daycare providers will be able to pay for this. My vote is to back off and let the families make the choice on who they trust to watch their children, or you will end up with a greater shortage of providers than are already out there. Yes, my education has been enlightening and refreshing. I am just not sure it would change myself as a teacher. Most times the assessments done in ECEAP pretty much just get tossed aside once they attend kindergarten at this point anyhow. It is frustrating for the ECEAP staff.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Bring back funding for the Career Wage Ladder in childcare. That way we can afford to compensate teachers for increasing their education. The funding was solely for staff salaries and benefits and was a huge</p>	<p>Commentary – no response.</p>	<p>No</p>

<p>asset in early learning. It allowed us to hire and retain high quality staff who were paid livable wages. The teacher turnover rate declined by over 50% for centers that participated! It was a huge success but funding was cut when the state began Early Achievers. Big mistake! Now more providers are leaving the field and we are experiencing a childcare shortage. We do not need more requirements without the funding to support them.</p>		
<p>Centers must be allowed to continue on-the-job training for Assistant teachers, with no college requirement. These employees work directly with a qualified LEAD teacher. Early Childhood Core Competencies can be acquired through ongoing STARS training provided by community providers, like the Early Learning Action Council who does an excellent job of providing engaging and relevant content.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>I strongly disagree with the proposal to require teaching certificates for any staff. This would put a tremendous burden on already poorly paid and hardworking employees. The ultimate effect would be many employees leaving the industry and an increased demand for staff deemed qualified under the new standards. This will all result in child care becoming more expensive in our state, which is already nearly unmanageable for the average family.</p>	<p>DEL is collaborating with a workgroup of family home and center stakeholders to determine equivalencies that will substitute for education requirements and when an education plan with targeted completion dates may be an acceptable alternative to preservice requirements.</p>	<p>No</p>
<p>I agree with the rule changes in this section except for the following: 170-300-0100 (3)(ii) The term "or equivalent" needs to be defined within the section. The definition to be "approved and verified in the electronic workforce registry by the department" has previously taken months to verify. Either verification of "equivalent" education must be completed in a timely manner, or it must be outlined in a list of acceptable "equivalent" standards. When a new director is needed, centers can't wait for "or equivalent" to be determined in order to know if the director's qualifications meet the requirements. 170-300-0100 (3)(a)(B) There should be an exception to have an educational plan in place if a director hired after the chapter becomes effective does not have an ECE state certificate upon hire. If this WAC goes into effect, and current directors quit because they don't have ECE state certificates or equivalent, where will licensed centers find new directors that already have the ECE state certificate at time of hire? Current WAC only requires at minimum a CDA, so when these WACs go into effect, there must be more time for the workforce to obtain ECE state certificates before we can expect them to have it "upon hire". 170-300-0100 (6)(b) "on-the-job classroom training from the classroom's assigned lead teacher" needs to include "or program supervisor, assistant director, or director". Lead teachers do not always receive their "on-the-job classroom training" from lead teachers and this requirement needs to allow for flexibility of "on-the-job classroom training" to be provided by individuals other than the lead teacher. 170-300-0100 (7) Aides over the age of 18 should be allowed minimal access to work alone with children, while a director, assistant director, program supervisor or lead teacher is on the premises. This allows for opportunity to meet staffing requirements in opening/closing shifts, nap time, or times when the ratios are low. To require someone to have at least an ECE initial certificate in each age group with children from open to close at all times will be difficult to staff. Centers are open, some 14 hours per day or more. There needs to be flexibility to have aides help during opening/closing, nap time, or when ratios are lower such as: Aides can be alone with children if the number of children does not exceed half the ratio for the age group, for the first</p>	<p>See previous response.</p> <p>The existing workforce will have five years after the effective date of the final rules to complete the educational requirements or equivalencies for their current positions.</p> <p>The CCDF dictates who may have unsupervised access to children for programs who receive subsidy payment. DEL currently uses the CCDF model for all programs, regardless of whether a program participates in the subsidy program, and will continue to do so to ensure the safety of children.</p> <p>Negotiating teams felt the background check requirements were necessary for other staff and volunteers because they are frequently called on to fill in for staff members who provide direct care when the providers need to briefly leave the room.</p>	<p>No</p>

<p>and last hour of business hours, and during nap time when all children are sleeping. 170-300-0100 (8) Definition need to be expanded. Does this mean “other personnel” have access while children are on the premises or in the same room as children? What if the “other personnel” do not have access to children directly and are only in licensed spaces when children are not present? For example, does this include a cook, maintenance person, lawn care, or housekeeping staff?</p>		
<p>0100 Within this document there is not matrix for equivalencies. The public cannot clearly make comments on something that is not published in this proposed WAC. The equivalencies need to be included for this public comment. 0115-1-b It states that paper records can be discarded once documentation is entered into MERIT. However, in 0115-1-d it states that these records must be kept on site. This is confusing and needs to be rewritten. 0120-1-a In a Family Home program staff personal belongings would all have to be kept in a locked area. This is impossible. These are our homes and there are personal items everywhere. This is why the definition of inaccessible needs to be amended. Lead teachers in a Family Home program would possibly need to leave licensed space to access their personal belongings, which would result in a program being out of ratio.</p>	<p>See previous responses.</p>	<p>No</p>
<p>Concerned that the changes will make hiring difficult. Biggest concern is being able to find people who have preservice qualifications. We have a hard time finding educated lead teachers – there are not a large number of people qualified to fit those people now. Not sure that there is funding or resources for people to meet the education requirements. Qualified teachers who have been in the field for a long time have lots of knowledge and experience who are more qualified to hold teacher positions than new people to the industry who may meet education requirements.</p>	<p>See previous responses.</p>	<p>No</p>
<p>I have a problem with the assistant. Assistant has to have an ECE certificate. My 68 yr old husband is not going back to school to get a certificate to play with kids. even providers can't afford to go back to school on their own dime – college is expensive.</p>	<p>See previous responses.</p>	<p>No</p>
<p>WACs are turning day care into a sterile environment. The requirements will take up time that take us away from loving the babies. Some providers are mothers with small children that will find it very difficult to find time to meet the new education requirements.</p>	<p>See previous responses.</p>	<p>No</p>
<p>Concern about the equivalency – unclear what will be involved and anxious to know. We are not participating in EA. Don't want to participate and do not plan to participate. Money for education is being offered through EA, but we won't benefit. It will be quite costly for our teachers. They are older. Many are from other countries and they have language barriers. Will there be support for providers not participating in EA?</p>	<p>See previous responses.</p>	<p>No</p>
<p>Directors and administrators support the education goals staff members have chosen to pursue. The state should not be FORCING staff into the college system if they are not interested in that path for themselves. Entry level (assistant teacher) positions are critical in this under-valued industry. Some assistants work towards career advancement, while others are content to remain an assistant – AND THEY SHOULD BE ALLOWED TO DO THAT.</p>	<p>See previous responses.</p>	<p>No</p>
<p>>>> I am a 30 year Licensed Family Home provider that cares for children birth through 5, because I no longer accept school agers. I'm licensed for 8 children and have no staff. >>> Through the years of being licensed there has been many changes,</p>	<p>See previous responses.</p>	<p>No</p>

<p>changes that most have been able to work through. In 2012 when the last set of new WACS came out providers were shocked and some closed their businesses, while others struggled through it. Now with the new proposed WACS it is frightening! Not only are family home providers worried centers are as well.</p> <p>>>> The impact of the current proposed WACS could force many to closes their businesses, which will added to the daycare criss we already have in the state of Washington. Not only will the proposed WACS impact us finically, it impacts our clients with the stress of trying to find another person they trust while away at work, it also impacts the children. I have had children in my care from birth to 8 yrs old, imagine growing up in a family home Child care with the same provider and numerous friends then suddenly it's gone. Having to go else where to start over. Del motto was once the best interest of the children, slowly through the years I think this has gone away. While no one disagrees we should not have rules for the safety of the children, they are slowly becoming out of control. Your rules make family home providers safe proof our homes to the point, children no longer learn what "risk taking" is, is this not a life lesson they should learn? Many truly feel it is including their parents and grandparents. Your current proposed rules have made me decide to close my business. It was with a heavy heart and many tears I handed my clients their notice, explaining why I was closing my business, but with examples of proposed WACS. They were in total shock! Their biggest was going back to school for degrees. They said(letters were emailed to you) a degree is not going to change how I care for their children. The way I care for their children is in my heart and a degree does not change that. While I'm not opposed to learning, I am opposed to going into debt of approximately \$22,000 according to Clark College to obtain the degrees you want for me to work from my home. Although scholarships could be available not everyone qualifies for them. There is also the facts of working 10 to 12 hrs a day, having a family of our own, young children, single moms. Then to attend school at night ? Just does not seems fair. This falls under Professional Development, training and requirements WAC 170-300-0100 – I, ii,A B.</p> <p>Aligning the WACS to be the same for home child care, and Centers will have a huge impact on family home childcare's. Family home childcare can offer younger child, what centers can not. The nurturing at a young age is important along with the warmth and love they feel while bonding with one person. This I disagree with.</p>		
<p>The Professional Development requirements will push providers and members of the current workforce who have proven competency via Early Achievers or other assessment systems out of the field because of the set professional development requirements without a clear equivalency pathway.</p>	<p>See previous responses.</p>	<p>No</p>
<p>It's looking like it's going to be impossible. I went back to school when we had to have high school diplomas. I went to community college and earned my high school diploma and then completed the first step in the early childhood certification. Financially, I may not be able to afford it. The first time I got grants and I'm not sure the money is there. There is a year waiting list at centers in our area. Kids are going to be forced into unlicensed, unsafe care because there is a shortage of licensed daycares in Clark County.</p>	<p>See previous responses.</p>	<p>No</p>
<p>Amount of trainings concerned on the new WACs – the QEDL training is not defined at all. The only thing that's said is the year you take that training, you would not need to take the 10 hours ongoing training. At present, when you take the initial hours that is now 30 hours, you still had to meet the 10 hour training that year. So that implies that the</p>	<p>See previous responses.</p>	<p>No</p>

<p>QDL training is more than 30 hours but there is no mention about what it is, what is involved, or how long it takes.</p>		
<p>WAC 170-300-0100 General staff qualifications. ECE requirements. Teacher and Assistant Teacher required to earn an ECE initial certificate & ECE short certificate within 5-7 years. I polled my staff of 17 and only one would be willing earn these college credits for a job that only pays minimum wage. Two-thirds of my Center's income comes from WCCC. Without a significant increase in State rates and an increase in who qualifies for WCCC, I will never be able to pay more than minimum wage or just above it. My staff also had concerns of who would pay for this. I cannot afford to pay my staff's tuition nor can they afford to pay the tuition. Nor is the State likely to provide enough scholarship funding to pay for over 3,269 providers who don't have the ECE educational requirements. Also with the rate of turnover in childcare employees (also related to low pay) this would effectively be a meaningless requirement and only penalize those who find this field to be a calling. I have taken ECE classes from my local community college. I was very disappointed in the quality of the teaching and the educational experience. WAC 170-300-0107 In-service training. (1) (a) enhancing quality of early learning (EQEL) What is this? I was unable to locate this on any of DEL's websites.</p>	<p>See previous responses.</p>	<p>No</p>
<p>I just believe these new changes will lead to the demise of the Early Childcare Profession as we know it. I have been in the field for 38 years. I think there will be many folks that are well qualified lead and assistant teachers that will leave the field, because they will no longer meet the standards. This is a real pity to see all of their hard work for many years go to waste. Where will this leave our children.</p>	<p>See previous responses.</p>	<p>No</p>
<p>For childcare facilities finding and retaining staff is difficult, those of us that operate in rural communities this proves to be even more challenging. We are concerned that there has not yet been made available either a definition of equivalency measures for teacher training and requirements. There are many highly skilled, long term childcare providers whom will be deemed ineligible based on the new regulations, without providing for equivalency. Losing experienced providers in an already under supplied industry will only further exacerbate the issue. Further, the identified path towards meeting the requirement is also problematic, especially for rural areas. There is not enough existing capacity, some of the required trainings don't yet exist or are offered in locations that are difficult to access, and the cost of achieving the required level of training is a significant deterrent.</p>	<p>See previous responses.</p>	<p>No</p>
<p>I have been teaching for over 33 years at the same school. My best staff may not have their degree, but they have the experience. I have had staff that come with their degrees. That need to be taught what the real world of childcare is. They can have their paper degree. Give me a staff member with experience any day. DEL needs to stop with all the rules and paperwork. It is killing our love of teaching the children. Give us back our time to do this.</p>	<p>See previous responses.</p>	<p>No</p>
<p>170-300-001 Professional Development, Training and Requirements DEL is proposing to replace or retrain the entire child care workforce of the state. Experience in the field will not matter. Consider the consequences of trying to require college level education of child care providers working for minimum wage throughout the state. Practically speaking, without government support for higher pay, these requirements will effectively shut down many home care providers and small centers, will leave child care deserts in some low population areas and will push providers out of the field. Once college education opens doors for employment child care providers classically leave the</p>	<p>See previous responses.</p>	<p>No</p>

<p>field for better pay. The real world consequences to this rule are less access to quality care and more expensive child care in general, which hurts children, especially those in low population areas or the state and families with low incomes.</p>		
<p>I have a Masters in supporting folks with special needs. I am not qualified to be at the child care center, however I am the only one who can support those who are displaying indicators of special needs. I have been told that if we have a septic system on site we have 30 days to fix it. We are a leased facility, we do not have a sewer system, so if that's the case, literally, we would have to close now before we put another dime into it because this is costing us a ton of money. We have a childcare provider who is outstanding. She is a grandma, she is a Latina. She does not have a high school diploma, but she does have college credits. I don't understand why she is not grandfathered in. I think it's imperative that we grandfather in people who are credentialed, but might not be on paper.</p>	<p>See previous responses.</p>	<p>No</p>
<p>Concern is with education requirements. I agree that it is great for staff in this field to have training, I believe that putting the requirement on staff puts way too much of a burden on program directors, owners, and managers. I am a single parent and it took me 11 yrs to finish my 2-yr degree because there was no point in me doing it. I am paid way more than other centers in my area because I have a great director. However, she can't pay me more because there's no funds for it. So what is the point in me receiving that degree when all it is is losing out on 11 years of my daughter's life. So the only way to increase wages for our staff who would understandably want raises for it is to increase the cost of our incredibly high child care rates. I was looking through billing today and I was thinking that one of our parents had missed a couple of payments but it turns out it costs her \$1,700 per month for her infant and a preschool child. It will only get higher if we have staff with degrees who will want higher pay. I think it should be left up to the discretion of the program director, the in home owner rather than being forced upon us by the state.</p>		
<p>170-300-001 Professional Development, Training and Requirements The short version: DEL proposes retraining or replacing the entire child care work force in the state. All lead and assistant teachers will have to have an initial ECE certificate (12 college credits) within five years, leads will need a short certificate (8 additional credits) two years later, in order to continue working in the field. CDAGS is concerned that this proposal and its ramifications have not been well thought out and will push many child care providers to leave the field rather than enroll in college level courses to prove they are qualified to do the work that they already do well. I agree with CDAGS on this issue. In an industry that struggles to maintain experienced, qualified staff, we cannot require more and more education in order to keep our schools open. Perhaps there can be a way to allow current, successful teachers to continue, while gradually increasing education requirements for those entering the field. I think there needs to be more time and discussion on this point.</p>	<p>See previous responses.</p>	<p>No</p>
<p>This is an intolerable burden to place on some of the lowest paid workers in the state. If you want to pretend you actually care about early childcare and education why don't you work on increasing childcare workers'; wages and increasing state funding to childcare generally to make it actually affordable. It should be a scandal that childcare workers are paid so poorly that they can't afford childcare for themselves. Higher wages and better benefits would go a lot further to improve early childcare than 12 credit hours.</p>	<p>See previous responses.</p>	<p>No</p>

Without any provided funding for these classes or an expansion of the public college infrastructure, this just amounts to a giant hand-out to for-profit online colleges. These schools have shown little efficacy as far as training goes, but have been able to use their ill-gotten money to influence plenty of state legislators and bureaucrats to force their classes on others. Childcare workers are extremely poorly paid already, don't steal money from them just to give it to online universities that already make huge profits.	See previous responses.	No
EQEL isn't necessary for Family home childcare. We are not preschool.	See previous responses.	No
WAC 170-300-0105. (b) A family home licensee must meet the following qualifications: (i) Family home licensees must have an ECE initial certificate, or equivalent as approved and verified in the electronic workforce registry by the department within five years of the date this section becomes effective; and (ii) Upon completion of the ECE initial certificate or equivalent, family home licensees must complete an ECE short certificate or equivalent within two years, as approved and verified in the electronic workforce registry by the department. THIS IS RIDICULOUS! ECE DEGREE TO BE A CHILDCARE PROVIDER? HOW DO YOU THINK THOSE PROVIDERS WHO STRUGGLE WITH EVEN COMPUTER WORK ARE GOING TO MAKE THIS HAPPEN? WHAT ABOUT PROVIDERS WITH YOUNG CHILDREN OF THEIR OWN? HOW ARE THEY GOING TO RUN A BUSINESS, CARE FOR THEIR FAMILY AND GO TO SCHOOL? THE FINANCIAL BURDEN ALONE IS ENOUGH TO PUT SOMEONE OUT OF BUSINESS... NOT TO MENTION THE TIME SPENT. ONCE AGAIN YOU ARE FORCING US TO STOP CARING FOR THE KIDS SO WE CAN BE MORE EDUCATED FOR THE KIDS. REALLY? AFTER 22 YEARS OF BEING LICENSED YOU THINK THERE WOULD BE A WAY TO BE GRANDFATHERED IN. THIS WAS HAS GOT TO GO!!!!	See previous responses.	No
0100 any and all equivalent requirements NEED to be known before agreeing to this. This requirement will put many providers out of business.	See previous responses.	No
DEL approved my continuing hours every year for several years while I was going to Whitworth University and SFCC. So, now my credits in diversity, humanities, sociology, and children's literature etc are no longer good enough? DEL approved them each time for my continuing hours every year! I do believe I could prove this information and perhaps even sue for unfairness in making me have more education at a high cost and I am only 4.6 years from retirement.	See previous responses.	No
This is ridiculous. I have a degree from SFCC which has a lot of Spanish and Humanities in it and Health. I have a Summa Cum Laude from Whitworth College with more Humanities and Diversity Classes and Children's Literature, and other classes that aid in creating a well-rounded environment. DEL approved all of these classes for continuing education while I was attending. NOW! DEL is saying that is not good enough! That only 4 years from retirement after a 35 year career in childcare with a no-complaint record and daycare children who have gone on to be surgeons and all sorts of important things, NOW, I am being told my education and EXPERIENCE is not good enough. Where is the grandfather clauses for those of us in the business over 20 years! Does DEL plan on going back to the mailroom and start over too?! This is horrible.	See previous responses.	No
0100 staff should have reasonable time frames after hiring to get qualifications done. If not, this will put fcc out of business.	See previous responses.	No

<p>Please do not cause us to close our family home childcare of over 30 years! I cannot afford to pay for this schooling nor can my parents afford to pay more for childcare! Even if I could afford it...WHEN would this schooling happen? I provide care 12 hours per day! DEL is regulating us out of business. How will that help our children?!</p>	<p>See previous response.</p>	<p>No</p>
<p>NO WAY--- We gain experience working with children more than just sitting in classroom... I own masters degree in other academic which is consider higher education. Why need to have all certificate for those who have higher education?--YES I agree for need who does not have any degree.... This is making more difficult for home child care provider--which in future will FORCE more home child care provider to close their facility Please don't take our bread from us making complicated rules</p>	<p>See previous response.</p>	<p>No</p>
<p>NO!!! DO NO AGREE WITH THIS. A degree does not always make for a good teacher. I worked with someone who had a Master and he didn't know anything-except he was book smart/reality dumb. DEL wants quality, so do the rest of us who already have dedicated and great teachers who do marvelous activities with children. And they are happy with where they are at. CDA's don't count? To ask them, after working 8 hrs. with children (exhausting),to go back to school – they will be quitting- I can't force them to do so. We won't be able to find people who want to work in this field with those expectations. Whatever happened to "learn by experience"? We also learn from each other. Reconsider this dumb WAC.</p>	<p>See previous response.</p>	<p>No</p>
<p>I have a small center with one teacher who has worked in the field for over 20 years. She completed the initial STARS training to be a lead teacher and has over 250 hours of ongoing STARS training. Why don't those years of experience and training count? She is a remarkable teacher but she would rather retire than go back to school at this point in her life. Years of experience is more valuable in this field than just the education. There are many professionals working in the field without certificates & degrees. They should be grandfathered in and not required to meet the new educational WAC's. Too many skilled & valuable providers are leaving the field due to Early Achievers and changes in WAC's. There will soon be a child care crisis and the state only has itself to blame!!</p>	<p>See previous response.</p>	<p>No</p>
<p>WAC 170-300-0100 General staff qualifications What accommodations are being made for center directors, assistant directors, lead staff, and assistant staff who have worked for 10 plus years in this field? The WAC already requires Early childhood professionals to have 10 hours of continuing education courses annually. Will those hours be considered when determining someone's education qualifications? As a parent I would rather someone with actual childcare experience care for my child then someone who has minimal experience with children but a piece of paper saying they work well with children. In theory we want everyone to have higher education but, higher education isn't always affordable. Also, staff putting in this time and money into a required education will want to be paid more and rightfully so. Not all centers can afford to pay higher than minimum wage right now especially since it is steadily increasing over the next few years. Families cannot afford higher rates or Rate increases every year. Many centers have already received push back from families having a rate increase and have had to deal with lower enrollment because families cannot afford to place their children in care. Most of these families do not qualify for DSHS and the state subsidy rate has not been increasing to keep up with the rate increases of centers. Also asking new staff to have these qualifications upon hire is going to make hiring for all people</p>	<p>See previous response.</p>	<p>No</p>

<p>impossible. its already hard to find quality people with this education requirement places will not have workers and WILL shut down! This education requirement is like expecting a Lamborghini for the price of a Kia Rio. You want all the bells and whistles but are not willing to pay the price. I have searched for the equivalent to the ECE certificate and have found nothing. If you are making this a requirement it should be made easily assessable to people and clearly defined. If there is no equivalence to this requirement or you are not willing to compromise and perhaps “grandfather in” existing staff I know we will lose many high-quality care providers. Staff training and in-service trainings: It would be beneficial to have more than a few options for providers to choose from. Looking through trainings for Professionals they are mostly 100+ miles from my town. I do not expect my provider to have to take time off from work or miss out on time with their own family to take a required training 2 hours away. This is not helpful to them nor do I see it benefiting my child.</p>		
<p>WAC 0100 requires certificates for almost all people working in child care. This is an over reach of expectations. We work long hours, for little pay. When will we have time to take these classes, and who will pay for it? The cost will have to be made up with increased daycare costs. You are trying to run us out of business so you can set up “schools” for infants, just like K-12. Parents will rebel and more children will be in unlicensed care.</p>	<p>See previous response.</p>	<p>No</p>
<p>These new educational requirements are ridiculous. It is already hard to hire qualified staff. This will make it even harder and force many people to leave the field. I feel that experience should count for something. Many things you can’t learn in a class.</p>	<p>See previous response.</p>	<p>No</p>
<p>WAC 170-300-0100 General staff qualifications. “Or equivalent” is not defined. When will this be made available and who will be making the decision that something is equivalent?</p>	<p>See previous response.</p>	<p>No</p>
<p>Disagree. We have the initial hours of training, ongoing training, and now you want a degree. There will be no one in the daycare profession in two years because of this requirement. We should not need a degree to be a professional in our profession. We can home school children without a degree, why do we need a degree to teach age 0-6? Get real DEL. This will only discourage and close more daycare homes and centers if the needed help is not there. Minimum wage they can work at taco bell instead of working in child care all together.</p>	<p>See previous response.</p>	<p>No</p>
<p>I do not like that after this goes into effect that upon hire teachers must have schooling (even though it is the lower degree). It is already hard to hire competent teachers, with or without a certificate/degree. I think it should be acceptable to hire an Assistant or Lead with no degree as long as they set up an acceptable education plan.</p>	<p>See previous response.</p>	<p>No</p>
<p>Family childcare homes are not Early learning programs. We offer early learning activities through our play based home environment. The ECE certificate/degree requirement is going to force a lot of experienced providers out and the childcare openings will decrease while cost increase. Parents already have a problem finding affordable childcare and these regulations will make it even harder for them. It will force parents to turn to unregulated and sometimes unsafe unlicensed care. A college certificate or degree doesn’t mean better care. We have family childcare providers who have been in this business for 15 – 40 years and they are retiring because of these WACs. That is a lot of experience and expertise we are losing.</p>	<p>Commentary – no response.</p>	<p>No</p>

<p>General staff qualifications.</p> <p>3. Center directors or assistant directors</p> <ul style="list-style-type: none"> • For ECEAP operating in school facilities, administration of ECEAP program is centrally managed. Site principals provide some support and oversight, especially related to emergencies, building procedures, etc. If central administration will not be “permitted” principals should be qualified as center directors. An OSPI administrative credential/certification should be sufficient for this. If they can run a P-5 school that includes preschool for children with special needs, they should be able to qualify as the center director for ECEAP without having to take additional classes/requirements. Also, considering the importance of P-3 alignment, principals are in a unique position when serving as center directors to support these efforts, an important consideration when evaluating a center director requirement. • For ECEAP, family support services are equally as important as early childhood education. Therefore, experience and education qualifications related to FSS services should also count toward center director requirements as ECEAP center directors/managers likely come from EITHER a FSS or ECE background, both of which are valuable experience for leading ECEAP programs. • Based on these requirements as written, very few ECEAP managers will actually meet these requirements, yet currently demonstrate the skills, knowledge and experience necessary to successfully operate and support program growth. Requirements need to be reevaluated to include the broad diversity of experiences that provide for successfully program management of ECEAP programs. • An OSPI teaching certificate (K-8, ECE or ECE special ed) should count toward education requirements. • Having met ECEAP credit requirements for instructor or FSS should be sufficient toward education requirements. • Requiring a specific degree/certificate feels like a ploy to generate tuition, revenue and income for state colleges. If such large changes will be required, provide full tuition/funding and paid release time for center directors to meet these requirements. • Provide more inclusive/descriptive information on what “equivalent” means. • Provide a provision for central management of personnel – especially re: training, curriculum philosophy, resources and professional development plans of staff • RE: WAC-170-300-0105-does “Child care basics” course really apply to ECEAP staff? Consider alternate ECEAP orientation. <p>4. Center program supervisors</p> <ul style="list-style-type: none"> • Requiring a specific degree/certificate feels like a ploy to generate tuition, revenue and income for state colleges. If such large changes will be required, provide full tuition/funding and paid release time for center directors to meet these requirements. • Provide more inclusive/descriptive information on what “equivalent” means. • For ECEAP, family support services are equally as important as early childhood education. Therefore, experience and education qualifications related to FSS services should also count toward center director requirements as ECEAP center 	<p>See previous responses.</p> <p>Differences between ECEAP and other child care programs were discussed at length during negotiations. The negotiating teams focused reaching consensus on rules that would suit the majority of programs. Negotiating teams and DEL staff are aware that variances may be needed to address alternative approaches some programs may need to follow to achieve the desired outcome of a rule(s).</p>	<p>No</p>
--	--	-----------

<p>directors/managers likely come from EITHER a FSS or ECE background, both of which are valuable experience for leading ECEAP programs.</p> <ul style="list-style-type: none"> RE: WAC-170-300-0105- does “Child care basics” course really apply to ECEAP staff? Consider alternate ECEAP orientation. <p>5. Lead teachers</p> <ul style="list-style-type: none"> RE: WAC-170-300-0105 – does “Child care basics” course really apply to ECEAP staff? Consider alternate ECEAP orientation. What will “equivalent” mean re: education/ECE initial certificate? The 30 credits required and counted toward ECEAP staff qualifications, no matter when earned, should be sufficient to meet the “equivalent” requirement. <p>6. Assistant Teachers</p> <ul style="list-style-type: none"> RE: WAC-170-300-0105- does “Child care basics” course really apply to ECEAP staff? Consider alternate ECEAP orientation. What will “equivalent” mean re: education/ECE initial certificate? The 12 credits required and counted toward ECEAP staff qualifications, no matter when earned, should be sufficient to meet the “equivalent” requirement 6b. Does not align with ECEAP requirements regarding the lead teacher being present for all ECEAP service hours 		
<p>Thank you for allowing teens to volunteer. (9) Volunteers help at early learning programs. Volunteers must meet the following qualifications: (a) Be at least fourteen years old (volunteers must have written permission to volunteer from their parent or guardian if they are under eighteen years old);</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Does the state plan on paying for the further education they’re imposing and making it available online for providers? A 50 hour work week that occurs during normal business hours is not conducive to sitting in a classroom and being taught how to do a job we have already been doing for years. Also, a CDA should be equivalent to more than the initial step in the stackable certificates.</p>	<p>See previous response.</p>	<p>No</p>
<p>Higher education does not mean better care in all cases. I have a wonderful staff and not one of my preschool teachers is willing to go back to school in order to work at barely above minimum wage. Experience should count, Grandfathering in existing staff is a must.</p>	<p>See previous response.</p>	<p>No</p>
<p>Preservice? DOES THIS MEAN A BACKGROUND CHECK MUST BE RETURNED APPROVED BEFORE STARTING TO WORK IN A LICENSED FACILITY OR DOES THE PBC ONLY NEED TO BE SUBMITTED TO START WORK? If the PBC has to be approved, licensed programs will not be able to find staff. By the time someone waits the weeks or months required for an FBI check to be completed, a job candidate will take another position. (2) Early learning providers and household members in a family home early learning program must complete a department background check, pursuant to chapter 170-06 WAC, as hereafter recodified or amended.</p>	<p>Preservice background check applications are required by the CCDF.</p> <p>Proposed WAC 170-300-0100(8) and (9) require personnel who do not directly care for children and not specifically listed in the rule as well as volunteers to complete <u>and pass</u> a background check before employment.</p> <p>Proposed WAC 170-300-0105 require personnel who directly care for children to submit a completed background check application before being hired. These personnel may not have unsupervised access to children until the results of the background</p>	<p>No</p>

	check are known.	
Not sure where this comment goes but if you don't give us time to hire and allow teachers to work supervised until their criminal history is cleared, that will kill us. It's extremely hard to maintain ratios already with people on sick leave so please don't make it harder!	See previous response.	No
If the PBC has to be approved prior to a candidate starting work, licensed programs will not be able to find staff. Sometimes, the required FBI check literally take months to be completed, it is hard enough for providers to keep these staff in positions to be supervised at all times. Qualified candidates will find a job elsewhere if the process takes this long to complete..	See previous response.	No
All of these changes seem great in theory, but have any of them been proposed by people who have actually worked in a child care center? Many of the items don't even seem feasible. How are we (as childcare centers) supposed to find people to hire quickly when we are short staffed? Background checks can take weeks to go through, AND I have found, they don't share information that the employer really should know, such as past CPS cases. Why are the powers-that-be messing with the system that works perfectly fine the way it is?	See previous response.	No
We have had a staffing problem the entire school year. The number of qualified applicants continues to DECREASE even or in spite of the current program to pay for people's training. I would love a qualified substitute list to choose from; I need a new hire start as soon as hired NOT WAITING for the background check. I agree with a preliminary or probationary period they can work while the background is adequately verified	See previous response.	No
requiring a background clearance before employment begins will leave countless amounts of providers without teacher and likely force them to close temporarily while waiting for the paperwork to process. It's not a quick process, and sometimes we have people quit with no notice, it takes months to hire a qualified person. I understand not leaving them alone with children, but not having them in headcount at all is not going to work.	See previous response.	No
I am a Center Director and concerned that applicants will have to have their background clearance finalized before they can start. Unfortunately, background checks and the fingerprinting process can take a really long time. Sometimes there are hiccups and I am afraid we would be short staffed if we had to wait for new staff to get it done as a requirement. Not to mention, what if that person decides to take a different job because the other requirements are costly and time consuming as well? If you can somehow streamline the process so that it takes 24 hours for a background approval, then it would not be an issue at all!	See previous response.	No
It is just not feasible to maintain ratios when a person can't work until they are cleared!	See previous response.	No
I do follow the rules set. When will all these rules stop. Tell me why a staff member cannot start if they are not ever left alone with the children. We have had background checks take months to come through. What will the world be like for children without water play, fingers in dirt planting... We do wash our hand it seems like a 100 times a day.	See previous response.	No
(3) Early learning providers, including volunteers and household members in a family home early learning program ages fourteen and	According to the Center for Disease Control, babies and young children	No

<p>over, must provide documentation signed within the last twelve months by a licensed health care professional of tuberculosis (TB) testing..... I strongly disagree with the necessity of this testing. Please explain why child-care providers need this in comparison to the fact that teachers in the public school system do not. Also, my family members living in my house (one who has a phobia of needles) should be subjected to this test in the first place. My daycare space is separate from my living space (separate floors) and my family members make little to no contact with the children. The parents of the children who hang around and talk spend more time in the daycare space, breathing the same air as the children. The rules do not make sense to me when they are not universally enforced within different agencies that are all run by the same state. Are children in classrooms less susceptible to TB than in a daycare sitting? Do daycare providers travel overseas more than school teachers? Please explain your reasoning for this requirement.</p>	<p>are one of the vulnerable populations most likely to get sick if infected with tuberculosis. Preservice TB screening is a current health standard and DEL believes keeping it in force is critical to limiting children’s exposure to TB.</p>	
<p>170-300-0105 (3) This needs clarification. “Early learning providers” must provide documentation signed within the last twelve months from the time the chapter becomes effective? All early learning professionals? Or, is it upon hire, an early learning professional must provide documentation? The current section reads as though everyone currently working, who already has a TB test pursuant WAC 170-295, must go get a new TB test.</p>	<p>The clarification is in the rule title, “Preservice requirements,” meaning it applies to new hires and individuals being promoted.</p>	<p>No</p>
<p>WAC 170-300-0105 I feel the teachers do not make enough money nor do they have time to get a ECE. We work nine to ten hours a day and do our best to care for the children in our center. We only make minimum wage and we barely have time with our family let alone be in a classroom. We go through enough hoops to be a Child Care Provider. I do not mind doing the 10 hour annual classes and I did the 30 hour basic training last year. If you want me to do 20 annual classes fine, but please make the classes affordable.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Regarding WAC 170-300-0105 (proposed education requirement): As a daycare provider it was never my intention to run a preschool. I provide childcare in my home in a loving, safe environment where we encourage and facilitate learning through play. I work hard to ensure all of the children in my care learn daily. I am 45 years old, have 4 children of my own, and work 50 hours per week in my daycare (not to mention the prep time I spend outside my open hours). I also have have a family to care for. I do not have the time or financial resources to go back to school. I work hard, every day, to be present for my family, to give my all to the children in my care. This proposed WAC does not give more to my kids in my daycare, it takes from my family, it adds tremendous stress to my professional and personal (and financial) life. It will essentially drive me out of business. It is unreasonable. Think about the providers and what you are really asking. We are not running preschools. We are people who love what we do. We love children and we love helping families raise their little ones while they are working hard to provide for them. Forcing us into this corner does not enhance opportunities. It will limit the amount of licensed care available as providers are forced to close when they cannot meet the requirement. Thank you.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>170-300-0105 If the Director doesn’t meet minimum qualifications this states the program must employ an assistant with the minimum qualifications. Does this mean that while Directors are working toward ECE Certification, the program needs to hire an Assistant Director with the qualifications? That would be detrimental to a program that doesn’t have the budget for an Assistant Director.</p>	<p>The minimum qualifications include being at least 18 years old, specific teaching experience, specific management/administration experience, and completion of preservice requirements as well as the</p>	<p>No</p>

	education component that must be met within five years from the date the rule takes effect. An assistant director is not necessary while the director is completing the education requirements during the five-year implementation period, <u>unless</u> the director is lacking any of the other minimum requirements.	
You must add a path for curriculum to be approved so that those programs who have access to a nurse who happens to be a STARS trainer can teach these classes. It much more cost effective for large programs to hire someone to teach the class than it is for them to filter people through an online class. And, more learning occurs in person when the discussion and case studies can happen. And, for medication administration, when the participants can actually get their hands on the materials needed for proper medication administration. I taught safe sleep with the contents of your curriculum long before you implemented your online version. My class is great because we have the discussion and we talk about ways to help children sleep in group care who have been swaddled and co-slept at home. You must provide a way for those of us who do these trainings to get our curriculums approved.	Implementation suggestion – no response.	No
Childcare is not part of K-12, but these knew requirements make it seem that the State is moving in that direction. As providers, we already have education requirements we must follow. We spend our days in the classroom with nights and/or weekends already being used to gain the required education. With the addition of MORE, where will the time and money come from? We have a difficult time finding/retaining employees because of the requirements to basically have a minimum wage job. From a Center standpoint, being mostly state subsidized creates a whole different situation. Minimum wage continues to rise, but what we receive per child remains the same. This whole situation is frustrating.	Commentary – no response.	No
0106 All this training will put providers out of business. Where does taking care of the children come in? Basic entry level training should be required, not this much all at once.	Commentary – no response.	No
There are too many mandated trainings. I agree with first aid/ CPR and food handler’s card. Safe sleep should only be once and updated when new information is given. Child abuse class should be included in the 30 hour class. An additional class on shaken baby seems over kill. Maybe combining it with safe sleep might work. Homeless children training seems to be unnecessary. Emergency preparedness training is a sore subject as our childcare association tried to get one approved with a qualified trainer and was shot down because it could be attained in the community. Now you are say we need to take yours. We don’t need more online classes to take. A child restraint training isn’t needed.	DEL honors the negotiation process and accepts the negotiated language.	No
Complete within three months of this section becoming effective. If approved versions of these classes already exist, where can we review them? Child abuse/neglect. Emergency preparedness. Shaken baby/head trauma. Homeless children. If you are not serving homeless children do you have to take the training? WAC 170-300-0106 Training requirements. (1) Early learning providers licensed, working, or volunteering in an early learning program before the date this section becomes effective must complete the applicable training requirements of this section within three months of the date this section becomes	Training will be developed during the July 2018-2019 implementation period.	No

<p>effective unless otherwise indicated. (4) Early learning providers must complete the recognizing and reporting suspected child abuse, neglect, and exploitation training as approved or offered by the department according to subsection (1) of this section. (5) Early learning providers must complete the emergency preparedness training as approved or offered by the department (applicable to the early learning program where they work or volunteer) according to subsection (1) of this section. (6) Early learning providers licensed to care for infants must complete the prevention and identifying shaken baby syndrome/abuse head trauma training as approved or offered by the department according to subsection (1) of this section. (7) Early learning providers must complete the serving children experiencing homelessness training as approved or offered by the department according to subsection (1) of this section.</p>		
<p>A commitment to transparency demanded the proposed required trainings and classes be fully developed and available for providers to review before these WACs were even proposed. Too many of them are not necessary for the safety and health of children in care and seem to fulfill some special interest's political agenda or have economic incentives for training providers. As with every regulation, these impose time and money burdens on providers which must be passed on to families.</p>	<p>See previous response. Training development was delayed until rules were negotiated and training requirements were more certain.</p>	<p>No</p>
<p>Will the prevention of exposure to blood and body fluid training replace our blood born pathogen training? Family childcare is in our home.</p>	<p>Yes, prevention of exposure to blood and body fluid training replaces blood borne pathogen training.</p>	<p>No</p>
<p>Has the Enhancing Quality of Early Learning (EQEL) class been developed yet? Where can we view a copy of it? WAC 170-300-0107 In-service training. (1) An early learning provider must complete ten hours of annual in-service training after twelve months of cumulative employment. (a) Family home licensees, center directors, assistant directors, program supervisors, lead teachers, and assistant teachers must complete the department enhancing quality of early learning (EQEL) inservice training within thirty-six months of being hired in a licensed facility, unless the provider has completed a department approved alternative training. EQEL hours may count towards the ten hours of annual in-service training.</p>	<p>See previous response.</p>	<p>No</p>
<p>0107 This training should be available by many sources, not just college classes! Please let other agencies offer classes. Most providers work very long hours and can't attend college classes without closing during that time to receive this training. This will close FCC providers down.</p>	<p>Implementation suggestion – no response.</p>	<p>No</p>
<p>WAC 170-300-0107 In-service training. (1) An early learning provider must complete ten hours of annual in-service training after twelve months of cumulative employment. Cumulative? Continuous? What if someone takes a break from early learning for two or three years? Does a provider receive a Compliance Agreement if a new employee did not complete required training while employed with a different provider or employed outside of the field? What will this look like in the real world.</p>	<p>Cumulative employment, regardless of how often breaks in service occur or how long any breaks in service are.</p>	<p>No</p>
<p>Is the "fiscal year" the State of Washington fiscal year or the employer's fiscal year or the Federal Government's fiscal year? Only five in-service training hours may be carried over from one fiscal year to the next fiscal year.</p>	<p>The State of Washington's fiscal year – July through the following June.</p>	<p>No</p>
<p>170-300-0107 (3) "Fiscal year" needs to be defined. Is it the calendar year January through December?</p>	<p>See previous response.</p>	<p>No</p>

<p>I agree with the rule change except for the following: 170-300-0106 (1) “Or volunteering” should be “Or volunteering, except for occasional volunteers as defined under 170-300-0100 (9)(d)”. 170-300-0106 There needs to be an additional training in this section. In the DEL training database there is already a training titled “Executive Function”. This training is listed under the “DEL Trainer Approval” section. However, executive function is a topic that all early learning providers need to be aware of and to know how to support children’s development of executive function skills from infants through school age. Children are starting school with less executive function skills than ever before which is not only impacting their ability to learn, but it is impacting their experiences before they even get to school. According to the National Center on Early Childhood Health and Wellness, preschoolers are expelled at 3 times the rate of children in K-12 and WaKIDS found that only 30% of low income children are ready for kindergarten. Children need executive function skills to be successful through preschool and be prepared for kindergarten and for life. Early learning providers can directly support these skills in children. Since the largest window of development for executive function skills to develop is between the ages of 3-5 years, early learning providers can’t miss this opportunity to support children’s growth! According to research, including from the Center on the Developing Child, executive function skills are the most important for children to learn. These skills must be taught. Children can’t develop them on their own. Providers need to be required to know, to understand, to be able to support children’s growth of executive function skills. The only way to ensure this happens is to include this section in the mandated preservice trainings for early learning providers and to require it annually to ensure early learning providers develop a clear and continued ability to support children’s development of executive function. 170-300-0001 (3)(c) has the intent to promote strong school readiness. The early learning providers are the ones that teach and promote these skills in children, but early learning providers need up-to-date information and training to ensure this happens. Without mandating this requirement, we cannot ensure all providers are up to date on the importance of fostering these skills in children and preparing children for school and for life. 170-300-0106 (4) This training should be completed annually. 170-300-0106 (5) This training should be completed annually. 170-300-0106 (6) This should include providers licensed to care for infants or toddlers. Although the Center for Disease Control and Prevention states that children under one year of age are most at risk, children under five are still at risk. Therefore, all programs that provide care for children, at least for infants and toddlers should be required to take this training. This training should be completed annually, or at least every three years. 170-300-0106 (7) This training should be completed annually, or at least every three years. 170-300-0106 (10) This training should be completed annually.</p>	<p>See previous response.</p> <p>The occasional volunteer won’t be present in the program for the three-month period in which proposed WAC 170-300-0106(1) requires the training to be completed.</p> <p>Some training required by proposed WAC 170-300-0106 must be completed annually to comply with state or federal rules. DEL will insert language in the final rule to alert providers that there may be a requirement to renew health and safety training annually. DEL’s implementation plan will include notifying providers which training must be renewed annually.</p>	<p>Section 0106 will be changed.</p>
<p>WAC 170-300-0106 Training requirements</p> <ul style="list-style-type: none"> • ECEAP is not child care. Modify Child Care Basics course to ensure relevance for ECEAP providers. • ECEAP staff will be unable to complete all of the trainings 4-10 prior to unsupervised contact with students. The following can be completed: <ul style="list-style-type: none"> ○ Recognizing child abuse/CPS reporting ○ Emergency preparedness – school district and OSPI training should also count toward this requirement. It is critical that staff know and understand the policies and procedures of the district, thus this should be the training they are required to complete, vs. a 	<p>Differences between ECEAP and other child care programs were discussed at length during negotiations. The negotiating teams focused reaching consensus on rules that would suit the majority of programs. Negotiating teams and DEL staff are aware that variances may be needed to address alternative approaches some programs may need to follow to achieve the desired outcome of a rule(s).</p>	<p>No</p>

<p>DCYF training that may not align with district policy.</p> <ul style="list-style-type: none"> o Serving homeless students (depending on format of training-online or presentation provided by program manager will be do-able) o Medication management (depending on when the student enrolls who requires medication training)- training is provided by district school nurses when a health plan/medication authorization is needed. Not provided annually unless a student enrolled requires medication administration. The following cannot be completed prior to unsupervised contact: <ul style="list-style-type: none"> ▪ Child restraint training- currently this is a two day training that staff complete during their first year working in ECEAP. Perhaps a refresher could be provided (or a brief video training), but requiring ALL staff to complete this two day training EVERY YEAR prior to classes beginning is unrealistic, due to financial, contractual and available work day constraints, as well as would impeded on staff members ability to conduct home visits and meet ECEAP standards regarding parent teacher contact and enrollment timelines. ▪ Safe sleep training is not applicable to ECEAP staff and should not be required. ▪ A variance may be needed re: a staff member having a CPR/First aid card prior to being alone with children. Staff are offered free CPR through the district, but staff must sign-up for the next available class, which may or may not be before they begin work with students. <p>WAC 170-300-0107 In-service training</p> <ul style="list-style-type: none"> • What will EQEL training included? What will approved alternative trainings be? • Considering allowing district provided training (ie: PreK-K connection events) that are approved for STARS hours, count toward these training requirements. • B.ii.2- requiring college courses again feels like a ploy to generate income for state colleges and postsecondary institutions. What funding will be available to support staff members/directors/etc. in meeting this requirement? Also, if we have to have principals as center directors, this is an unrealistic requirement for them to meet given the other requirements for PD they have to meet for their admin credentials. <ul style="list-style-type: none"> o This requirement, combined with the center director requirements re: on-site 50% of the time and the education/experience requirements, does not honor or acknowledge the diverse systems that support ECEAP within a school district to provide high-quality services to students that are aligned with the K-12 system. These requirements feel like they are trying to drive a wedge between ECEAP and the K-12 system and move us further away from alignment and enriched P-3 opportunities. Frankly, with these requirements, our district would not have the capacity to meet the center 		
---	--	--

<p>director requirements and would have to reconsider our capacity to provide ECEAP services within our district. I don't think the intent of these WACs was to close ECEAP classrooms, but this could likely be the result of such requirements.</p>		
<p>WAC 0107 (1) requires us to notify DEL when we make substantial changes to our staff policies and training. This is crazy. The local grocery store doesn't report to any government agency when they change their policies. We are a small business. Leave us be. And what is "substantial"? This is so vague that a licenser can write us up for what we think is minor and she thinks is substantial.</p>	<p>One of DEL's primary responsibilities is to set health and safety standards for children in child care. As part of the licensing process, DEL reviews staff policies and training to ensure they meet health and safety standards. DEL must be made aware when changes occur to ensure that revisions meet health and safety standards. Use of the word <i>substantial</i> allows programs to make insignificant changes without review.</p>	<p>No</p>
<p>Why would DEL have the authority to approve employer/employee policies? Are DEL employees reviewing staff policies licensed to practice law in the State of Washington and are they employment law specialists with extensive knowledge of case law? Does DEL intend to insert itself in employment disputes? WAC 170-300-0110 Program based staff policies and training. (1) An early learning provider must have and follow written policies for early learning program staff. Staff policies must include those listed in subsections (2) and (3) of this section and must be reviewed and approved by the department...</p>	<p>See previous response.</p>	<p>No</p>
<p>Why would DEL need to know if employer/employee policies change? Does DEL have the staff time to keep abreast of all changes in employment law and review provider policies? What does "substantial" mean? If this WAC were in place this year, would the state mandated sick leave policy require every provider to submit the change to DEL and DEL devote staff time? WAC 170-300-0110 Program based staff policies and training. Providers must notify the department when substantial changes are made.</p>	<p>See previous response.</p>	<p>No</p>
<p>0110 you are burying providers in paperwork. We can write everything out and something can happen that we didn't anticipate and it will make it all none and void.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>How is the term "work plan" pertinent to what teachers should be doing in early learning? It is used in project management to control timelines and budgets. Highly inappropriate in what should be a child centered environment. WAC 170-300-0111 Staff oversight. (1) An early learning provider who oversees staff must: (a) Establish a work plan with clear expectations; (b) Be aware of what staff members are doing; and (c) Be available and able to respond in an emergency as needed to protect the health and safety of children in care.</p>	<p>A "work plan" details duties for a given role.</p>	<p>No</p>
<p>Does this take the place of "orientation" in previous WAC? WAC 170-300-0110 Program based staff policies and training. (4) An early learning provider must develop, deliver, and document the delivery of early learning staff training specific to the early learning program and premises. (a) Training topics must include: (i) Staff policies listed in subsections (2) and (3) of this section;</p>	<p>Proposed WAC 170-300-0110(4) requires employers to develop a comprehensive training program that covers staff policies, background check requirements, and the early learning program requirements found in chapter 43.216 RCW and chapter 170-300 WAC, ensure the training is completed, and keep track of completed training. This training</p>	<p>No</p>

	does not take the place of DEL-provided orientation.	
I am horrified and offended that the word “oversee” would be used rather than “supervise” when referring to staff. DEL wants sensitivity to equity and bias and wants a professional workforce but uses such a term in 2018? It reveals the actual lack of respect with which DEL views those who work in early learning. WAC 170-300-0111 Staff oversight. (1) An early learning provider who oversees staff must:	“Supervise” and “supervision” were used in the original draft rules pertaining to employer/employee relationship. Negotiators revised to “oversee” to distinguish employer/employee relationship from the provider/child relationship.	No
170-300-0111 (1)(b) This is not specific. To what extent does the “early learning provider who oversee staff” be aware of what staff members are doing? Does this mean all lead teachers have to be immediately supervised, must they be within visual or auditory range, must there be cameras, or must the “early learning provider who oversees staff” be on the premises? A director can’t always “be aware of what staff members are doing” of all staff members at all times. Shouldn’t it instead of requiring “be aware of what staff members are doing” be “monitor staff throughout their working hours” or “be aware of where staff members are at”?	DEL relies on the dictionary meaning of “aware,” which is “having or showing realization, perception, or knowledge.”	No
This is very poorly written. Do you mean that when the staff members working with a group of children change during the day, they should share child specific information and be prepared to speak with the family? WAC 170-300-0110 Program based staff policies and training. (3) An early learning provider must have and follow written policies requiring staff working, transitioning, or covering breaks with the same classroom or group of children to share applicable information with each other on a daily basis regarding: (a) A child’s health needs, allergies and medication; (b) Any change in a child’s daily schedule; (c) Significant educational or developmental information; (d) Any communications from the family; and I Information to be shared with the family.	Yes. A staff person who is being relieved by another staff person will discuss the specified items with his/her relief.	No
170-300-0111 Staff oversight. (a) Establish a work plan with clear expectations; ??? what is this??? how can we establish something that has not description???? REMOVE!!!	Establishing work plans for employees ensures that program needs are met.	No
WAC 0115 requires annual observation..... of staff. For family programs this is ridiculous. We work side by side with our staff. If we see something we talk about it right then. You want stuff in the file so you have something to look at when you come for your visit. This is a waste of time.	Commentary – no response.	No
There are many, many examples of Compliance Agreements which cite not having paper copies of documents in personnel files which are entered in MERIT, specifically the PBC. Don’t say paper documents supporting MERIT entries aren’t needed and then punish providers for not having them upon inspection. Also, MERIT is not error free nor is child care check as DEL has “upgraded” the systems. WAC 170-300-0115 Staff records. (1) An early learning provider must establish a records system for themselves, household members, staff, and volunteers that complies with the requirements of this chapter.... (b) Entered and maintained in the electronic workforce registry, if applicable. Paper records may be discarded once entered into the electronic workforce registry and confirmed by the department;...	Paper records are acceptable. In cases that require an entry in the MERIT system, proposed WAC 170-300-0115 allows discarding the paper record only <u>after the entry is made and confirmed by DEL.</u>	No
Instead of forcing providers to be flipping back and forth between WACs, just list those illnesses and condition which require exclusion WAC 170-300-0205 in this WAC. WAC 170-300-0120 Providing for	Having the list appear once and cross-referenced when necessary reduces	No

<p>personal, professional, and health needs of staff. (2) An early learning provider must be excluded from the early learning premises when that provider's illness or condition poses a risk of spreading a harmful disease or compromising the health and safety of others. The illnesses and conditions that require a staff member to be excluded are pursuant to WAC 170-300-0205.</p>	<p>the risk of inconsistency in the event the list changes and updates are not made consistently.</p>	
<p>Instead of forcing providers to be flipping back and forth between WACs, just list those vaccine preventable contagious diseases which require exclusion and combine 3 and 4 into a single paragraph. WAC 170-300-0205 in this WAC. WAC 170-300-0120 (3) If a staff person has not been vaccinated, or has not shown documented immunity to a vaccine preventable disease, that person may be required by the local health jurisdiction or the department to remain off-site during an outbreak of a contagious disease described in WAC 246-110-010, as now and hereafter amended. (4) An early learning program's health policy, pursuant to WAC 170-300-0500, must include provisions for excluding or separating staff with a contagious disease described in WAC 246-110-010, as now and hereafter amended.</p>	<p>See previous response.</p>	<p>No</p>
<p>An I-9 form is required for any employee. Just having a copy of a social security card is not adequate. If the intent is to make sure providers follow the law, DEL must be certain the WAC is correct. WAC 170-300-0115 Staff records. (3) A licensee, center director, assistant director, or program supervisor must maintain the following records for each early learning provider and staff in a confidential manner. These records must be reviewable by the department and must include at a minimum: I The licensee's Social Security number, federal EIN, or a written document stating the licensee does not possess either. U.S. Citizenship and Immigration Services 10.5 Retaining Copies of Form I-9 Documentation You may choose to copy or scan documents an employee presents when completing Form I-9, which you may retain with their Form I-9. Making photocopies of an employee's document(s) does not take the place of completing Form I-9. Even if you retain copies of documentation, you are still required to fully complete and retain Form I-9. If you choose to retain copies of an employee's documents, you must do so for all employees, regardless of actual or perceived national origin or citizenship status, or you may be in violation of anti-discrimination laws. Copies or electronic images of presented documents must be retrievable consistent with DHS's standards on electronic retention, documentation, security, and electronic signatures for employers and employees, as specified in 8 CFR Part 274a.2(b)(3). If you make copies or electronic images of the employee's documents, they must be either retained with the corresponding Form I-9 or stored with the employee's records in accordance with the standards for electronic records retention as specified in 8 CFR 274a.2(b)(3). However, if copies or electronic images of the employee's documents are made, they must be made available at the time of a Form I-9 inspection by DHS or another federal government agency.</p>	<p>Completion of the I-9 form is a federal requirement enforced by the U.S. Citizenship & Immigration Services. It is not necessary to include explicit federal requirements in state rules.</p>	<p>No</p>
<p>How does 0120 have anything to do with the health and safety of children....you are over stepping your authority and telling us things that L&I teaches us?</p>	<p>Proposed WAC 170-300-0120 sets health & safety standards for children by ensuring that staff have a space to store their personal items away from enrolled children and ensuring that staff do not infect children with a harmful disease or otherwise comprising the health of small children who have developing</p>	<p>No</p>

	immune systems.	
WAC 0120 says a provider would have to stay away if there was an infectious disease. Thank you for taking out the language that required staff to be immunized. As an owner, I would have had to pay for this since my staff would threaten to leave rather than pay for one more DEL requirement.	Commentary – no response.	No
rules that require the same rules for home and centers do not make sense home day cares have all different ages and a teaching certificate does not mean that children in early years need a teacher the parents bring them to home care as they want their children in a home environment not a school regimentation and home providers can teach and give a home atmosphere and putting all children into the same rules where there are different curriculums that are chosen by the parent cannot be taught the same way	Family child care and center child care providers were represented during negotiations. The negotiating teams identified when the separate needs of family child care providers and child care centers necessitated unique requirements and revised the draft rules accordingly.	No
A home setting is very different than a childcare center setting which is also different than an ECEAP setting. They should not be required to follow the same rules. A home setting is meant to be more comfortable and relaxed. The parents putting their children here a looking for specific things not offered by the other two settings. A Center also has specific things to offer that are not offered by the others. Making everyone follow the same WACS takes away what gives each setting its uniqueness.	See previous response.	No
We believe childcare centers should be allowed the flexibility to meet the unique needs of the children and parents they serve, their communities, and their employees. We remain concerned that throughout this standardization process the ability to be flexible and innovative with program delivery and quality is significantly impaired. The needs of parents and employers are unique, the application of a one size fits all standard does a disservice to all and will place additional limits on the accessibility and affordability of childcare. We also ask that their be a careful and thoughtful review of the weighting for each item. There exists the potential for duplication of weights and unnecessarily high weighting on infractions that are beyond the control of the center.	See previous response.	No
The local health officer has the authority to exclude students, staff, and volunteers who are infectious, or exposed and susceptible to a contagious disease during an outbreak. Proposed change to proposed WAC 170-300-0120: (3) If a staff person has not been vaccinated, or has not shown documented immunity to a vaccine preventable disease, that person may be required by the local health jurisdiction or the department officer to remain off-site during an outbreak of a contagious disease described in WAC 246-110-010, as now and hereafter amended . (4) An early learning program’s health policy, pursuant to WAC 170-300-0500, must include provisions for excluding or separating staff with a contagious disease described in WAC 246-110-010, as now and hereafter amended.	Disagree. The decision to defer to a local governing agency is true even if the specific person to carry out these decisions is the local health officer. Furthermore, removing “as now and hereafter amended” indicates that providers must continue to follow this standard as it is revised over time.	No
Center and Home Providers are very different and I think it impossible and a waste of time and money to try and align them.	Commentary – no response.	No
170-300-0220.a.ii It is unreasonable for current ECEAP sites in schools to have the square footage needed per child and have 2 toilets in the classroom.	DEL will review the potential for a variance for programs operating on school district property.	No

Category: Environment		
DISAGREE. child size furniture. Let's tell us what we can and cannot have in our daycare? Really. That is not what children in my daycare are used to. They want a down home feel atmosphere that is loving and caring. They don't care about the furniture,	Proposed WAC 170-300-0135 requiring child-sized furniture accommodates family child care with this language, <i>or altered and adapted in a family home ...</i>	No
You are defining the differences between early learning providers. Many of these rules do not apply to my childcare which is only before and after school care. Such as furniture for their size. WE are family home childcare businesses. People choose us because they want a "family" environment, not a "center" environment. I may end up quitting if this changes significantly.	See previous response.	No
Family child care is family we typically in a family home do not have child size furniture. nor would I as a parent ask someone to brush my child's teeth during the day.	See previous response.	No
Early learning program space must allow children to move between areas without disrupting another child's work or play. What does this mean? What areas? What does disrupt mean? What would it look like? How much floor space would this require? How would DEL enforce this?	It means that the areas where children work or play have enough space around them for children to get by without bumping into each other or walking through the work or play area. Proposed WAC 170-300-0145 dictates square footage for a program. This requirement, WAC 170-300-0130, is about layout and making sure that children have space to play or work without being disrupted. The dictionary defines "disrupt" as to break apart, through into disorder, or interrupt the normal course or unity.	No
I should not have to comply with the ADA as concerns Family Home Daycare. We are a family environment, not a business like a center.	The ADA is a federal requirement that applies to a family home child care that enrolls a disabled child needing accommodation.	No
I don't think it's appropriate for us to follow ADA guidelines, as an in home provider my home is private. I am not open for business to the entire public to drop in anytime during business hours.	See previous response.	No
0130 (2) – this does not comply to residential homes. Centers in commercial buildings are required to comply. This will put most of family homes out of business since I have no way of putting in ramps and make my home wheelchair assessable. This needs to include the wording CENTER REQUIREMENT ONLY	See previous response.	No
0130-2 Family Home programs should not be included in this mandate unless they have a child enrolled that requires these changes. FH programs are subject to WA residential building codes. 49.60.020 Nothing contained in this chapter shall be deemed to repeal any of the provisions of any other law of this state relating to discrimination because of race, color, creed, national origin, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability, 49.60.215 PROVIDED, That this section shall not be construed to require structural changes, modifications, or additions to make any place accessible to a person with a disability except as otherwise required by law:	See previous response.	No

0130 #3 space is sometimes limited in FCC. This vac may not always be possible. Just as in real world interactions, there needs to be ways to work around your fellow friends/fellow workers.	See previous response.	No
0135 – (1) What are bucket style tables? Child size furniture. I have child size furniture and the children are always in the adult size furniture. This is an unreasonable requirement.	Bucket-style tables are tables with built-in seats that a child is lowered into.	No
WAC 170-300-0135 Routine care, play, learning, relaxation, and comfort. (d) Arranged in a way that does not interfere with other play equipment. Highly subjective and vague. (3) "soft furnishing" may include upholstered furniture I have been forced to remove couches and other upholstered furniture because it was not cleanable. What will the cleaning standard be for soft stuff like couches and such? Frequent cleaning will ruin these items quickly and is expensive.	Proposed WAC 170-300-0240 requires cleaning with soap and sanitizing. Proposed WAC 170-300-0241(1)(g) requires furniture to be cleaned monthly, or more often as needed.	No
0135 #2d placing items in a way that does not interfere with other play equipment. What does this mean? If fcc has limited space, this may not be possible at all times.	Furniture and equipment is arranged so that when it is used it is not in the way of other play equipment. For example, not putting a cabinet behind play equipment if opening the cabinet doors or drawers would interfere with children's use of the play equipment.	No
0135 #2g this is impossible to comply with in fcc. We have a huge age range and all materials can't be at the child's height to reach on their own. For the safety of all the children, plus the fcc may not have enough room to have all the materials out for children at all times. We Need to rotate toys!!!	Making equipment accessible to a child so that he or she can find, use and return materials independently is critical to a child's development. The proposed rule does not dictate that all toys be available at any given time. Licensors will be working with providers to implement the new requirements and will be able to help identify all possibilities for compliance.	No
Disagree, again more rules that DEL wants to enforce that they don't even do in their own homes or environments. Let's get real people. People want there babies cared for and loved. not us working on paperwork and major changes to our environment. Let's get back to the real reason we do this....for the children. to love and nurture. NOT THE DAMN RULES THEY WANT US TO FOLLOW	Commentary – no response.	No
Whoever is coming up with these new rules need to remember that we're a FAMILY childcare. The families that bring their children to us is because they like the family environment. We're not a center. Every time there's a change family childcares are forced to close their doors. Then all we hear is how there isn't enough childcare. I wonder why that is? Just ridiculous.	Commentary – no response.	No
There are so many rules and restrictions that a licensed childcare facility has to abide by how is it even remotely possible for these rules to be overlooked or enforced by a licensor.	Commentary – no response.	No
0140-1 Only Items that are developmentally appropriate and varied age ranges (see 0150-1-d). This is a duplication of some sections of 0150. The WAC should note the duplication so that there is not a resultant duplication of weight. This should not include items that are being stored and yet visible to the children.	Noted. In the next two years, more work will be done around weights and ensuring there are no duplications.	No

<p>(4) An early learning provider must have extra clothing available for children who wet, soil, or have a need to change clothes. Question: When did we become a society of taking the responsibility away from the parents? We keep extra clothes on site but I will always hold the parents responsible first. The clothes we provide are for emergencies only.</p>	<p>The provider is required to ensure extra clothing is available. The rule language allows provider the flexibility to decide whether a child's parent must supply extra clothing.</p>	<p>No</p>
<p>0140 – (4) Remove this item. It is not our responsibility to provide extra clothing for children. It is the requirement of the parent and although it is in my policy there are some parents who don't seem to get it.</p>	<p>See previous response.</p>	<p>No</p>
<p>An early learning provider must have extra clothing available for children who wet, soil, or have a need to change clothes. What quantity of clothes by size, group, age or other criteria will satisfy this requirement and why isn't the rule that providers will require parents to provide a change of clothes for their children?</p>	<p>See previous response.</p>	<p>No</p>
<p>(5) I do have cubbies for my children but I know that in many homes this is just not possible giving the spacing needed between children's belongings. A large zip lock does not work because it is a plastic bag. Are you aware that children play together all day long and roll around on the same floor space?</p>	<p>The intent of providing individual storage space is not to segregate their belongings but to encourage them to organize their belongings, have access to them, and be given responsibility for putting them away.</p>	<p>No</p>
<p>170-300-0140 (5)(a) To maintain children's belongings in an individual manner, cubbies should not be required to be accessible for children under two years old. The age of the child is not specific here. Infants especially should not have access to individual storage spaces. Once children increase in independence and understanding that they should leave cubbies alone so that all children's belongings remain in their cubbies, then they should be permitted to have cubbies accessible. Preferably, this should read "accessible to the child either by direct access or with an adult's assistance" instead of requiring access "to the child". Without this flexibility in access, 170-300-0140 (5)(b)(ii) rooms with young children will have an incredibly difficult time meeting this requirement.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>WAC 170-300-0140 5a I appreciate the fact that kids need their own personal space at their level, for kids 2 and up. I think infants and one-year-olds should be able to have their personal items up higher. Anyone who has worked in a classroom of infants and toddlers knows that having all their items down on their level, accessible to them, means that they will be tearing their stuff (and everyone else's) out all day. Please, if you could, make a change that allows infants and young toddlers to opt out of this rule.</p>	<p>DEL will review the potential for a variance for programs operating on school district property.</p>	<p>No</p>
<p>0145(2) states "An early learning provider may develop an alternate plan if an early learning program does not have enough outdoor play space to accommodate all enrolled children at once..." Does this mean that more than two age groups can be on the playground at one time?</p>	<p>The proposed rule contains examples of what it means to develop an alternate plan: dividing the children into groups who use the outdoor space in shifts or using an off-site area.</p>	<p>No</p>
<p>WAC 170-300-0145 Outdoor early learning program space. (4) "Outdoor play space must promote a variety of age and developmentally appropriate active play areas for children in care." This is a poorly ordered sentence. How does space promote areas? (6) So the only alternative to "standard" fencing materials is some type of masonry wall? (8) & (9) overlap and both state a gate can have no</p>	<p>The word "standard" is not used in the proposed WAC and the wording allows the provider discretion in choosing fence material. The proposed rule language does not preclude a barrier constructed of</p>	<p>No</p>

<p>gap through which a sphere with a diameter of three and one-half inches can pass. If true would this be two 6 point violations?</p>	<p>material other than brick, stone, or similar material. The WACs are not weighted.</p>	
<p>0145(7) Licensed outdoor play areas must be enclosed to deter people without permission from entering the area.??? How is a provider supposed to comply with this WAC? I live on a corner lot. I have a 5 foot fence. I can not stop anyone who would like to jump my fence. Is DEL going to force me to put a 8 foot fence with barbwire around it?? This WAC need to be explained.</p>	<p>The proposed rule cites a fence as being an acceptable enclosure. [This requirement exists in current chapter 170-296A WAC.]</p>	<p>No</p>
<p>170-300-0145 (8)(9) building code of gaps are 4 inch gaps it would be unfair to have providers alter their fences that were built to the building code.</p>	<p>While draft WAC 170-300-0145 requires all early learning program space to comply with state and local building codes, current child care rules already require gaps of no more than three and one half inches in fencing, gates, slats, stairways, window openings, etc. See WAC 170-295-5020 and WAC 170-296A-4325, -4925, -4950, -5200, and -5225. Accordingly, no licensed child care provider would have to alter their fence unless they are already out of compliance with current rules.</p>	<p>No</p>
<p>170-300-0145 (11) This section needs clarification. This is stating that “gates from a licensed outdoor play area to unlicensed space” can’t have locks on the gates? If a fence requirement is 48”, even an older child could open the gate. This is a safety concern as many licensed outdoor spaces are near parking lots or roads. Additionally, if these gates can’t have locks, the licensed outdoor space will not prevent people from outside the outdoor play space from entering, again threatening the safety of the staff and children. The section should allow for locks on all gates, as long as a key readily accessible in case of emergency.</p>	<p>The original draft rule required self-closing or self-latching mechanisms to be installed high enough or of a type that children cannot open. The revisions in the proposed rule, including allowing locks on just gates not used as emergency exits, were negotiated. DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>WAC 170-300-0145 (11) Within six months of the date this section becomes effective or prior to licensing, exiting mechanisms on gates from a licensed outdoor play area to unlicensed space must be equipped with a self-closing and self-latching mechanism (shuts automatically when released from an individual’s control). A gate that is not an emergency exit must be locked or self-closing and self-latching. SO A GATE THAT IS AN EMERGENCY EXIT DOES NOT NEED A SELF CLOSING AND SELF LATCHING MECHANISM?? THE FIRST TWO LINES SAYS IT DOES... LAST LINE SAYS IT DOESN’T. THIS JUST OPENS UP THIS WAC FOR INTERPRETATION FROM THE ROTATING LICENSORS WE WILL BE SUBJECT TO.</p>	<p>Proposed WAC 170-300-0145(11) is specific to gates from a licensed outdoor play area to unlicensed space.</p> <p>Proposed WAC 170-300-0145(12) requires outdoor play areas to have two exits with at least one exit located away from the building.</p> <p>The gates referenced in (11) are not necessarily the exits reference in (12). If they are, then (11) applies.</p>	<p>No</p>
<p>0145 (12) Outdoor play areas must have two exits that must not be partially or entirely blocked, with at least one exit located away from the building. How can this be complied with? Am I supposed to put a gate between my neighbor’s yard and mine? Both of my gates are on each side of my house and I have neighbors on each side and behind me? Remove the last statement or you will be putting some family homes out of business...but maybe that is what you want.</p>	<p>One of the two required exits may lead into the facility and the other exit would ideally lead to the street. For an outdoor space not adjacent to a street or alley, the exit will be to a yard or whatever is adjacent. In the event the building or home is on fire</p>	<p>No</p>

	or is otherwise unsafe, a second exit from the outdoor space is necessary.	
WAC 170-300-0145 (12) Outdoor play areas must have two exits that must not be partially or entirely blocked, with at least one exit located away from the building. AWAY FROM THE BUILDING? MOST HOUSE GATES DON'T OPEN UP INTO THE NEIGHBORS YARD. MOST GATES (LIKE MINE) OPEN UP TO THE SIDE OF THE YARD BUT THAT ISN'T AWAY FROM THE BUILDING.	See previous response.	No
WAC 170-400-0145 outdoor early learning program space 12 outdoor play areas must have two exits that must not be partially or entirely blocked, with a least one exit located away from the building: I disagree. This is a huge liability to ourself, and our neighbors. What if they don't give permission? Or maybe one is an exit to a busy street? Please reconsider many of this proposed WACS! Think of the impact it has on everyone. The cost to come into compliance could be thousands of dollars.	See previous response.	No
Many Family childcare providers do not have the space to do all the things you want put out for children to use. They need to put things out when they want to use them not have available all the time. Most homes do not have 2 exits from their outdoor space with one away from their house. Most homes have a house on each side and one behind. There is normally one gate and its beside the house.	See previous response.	No
What if my neighbor doesn't want a gate into their back yard? Where am I supposed to have an exit? This will eliminate many family providers.	See previous response.	No
0146 b needs to include the clarifications of "refers to climbing equipment that has a climbing surface of 48 inches or higher." This was clarified when the WAC was first written and the wording has not changed therefor this needs to be added to the wording.	Proposed WAC 170-300-0146 requires compliance with applicable CPSC guidelines, which cover climbing equipment and acceptable heights for specific age groups as well as ground cover and size of drop zones.	No
170-300-0146 (b)(ii) please be more descriptive on the type of Playground wood chips childcare providers may be required to purchase expensive products who cannot guarantee no splinters. The CPSC public playground guidelines states:2.4 Appropriate Surfacing – Any material tested to ASTM F1292, including unitary surfaces, engineered wood fiber, etc. Pea gravel; Sand; Shredded/recycled rubber mulch; Wood mulch (not CCA-treated); Wood chips This is three types of wood product as acceptable wood ground cover. Caring For Our Children and the EA rating scale also accepts three types of wood product. Please be clear on the three types for providers will not be required to purchase expensive products marketed as playground chips when wood chips, mulch and unitary surfaces, engineered wood fiber are all considered appropriate wood groundcovers.	See previous response.	No
WAC 0146 (3) requires we must notify DEL prior to making handmade playground equipment and "have plans and materials list" available. What other business has to notify in advance if they are going to do something like this? This regulation is not necessary, and is nothing more than a way to find something to write us up on. A FLCA in the making.	One of DEL's primary responsibilities is to set health and safety standards for children in child care. The requirement allows DEL to inspect the plans and materials to ensure children will be safe when a program uses equipment not manufactured under industry safety standards.	No

<p>WAC 170-300-0146 (3) Prior to construction of new handmade playground equipment, the provider must notify the department and have plans and a materials list available upon request. WHY? IS DEL NOW A CONTRACTOR WHO CAN APPROVE A PLAN?</p>	<p>See previous response.</p>	<p>No</p>
<p>0147 (2) An early learning provider must dress children for weather conditions during outdoor play time. implies that the PROVIDERS needs to supply the clothing. Parents don't always supply such clothing and we are forced to exclude that child from outside play due to the lack of appropriate supplies. Please reword so provider don't have to supply every child with clothing that we cannot afford to purchase.</p>	<p>Disagree that the language implies providers must provide weather-appropriate clothing. The requirement is to ensure that children are dressed appropriately. The provider has discretion to provide clothes or require the parent to provide clothes.</p>	<p>No</p>
<p>The requirement for all the materials and toys is not your job. Family childcare providers are small private businesses. We should be the judge on what should be in our home. Keeping toddlers away from screen time ids not always possible for Family childcare as we have limited space to do so. Tripping hazards are a part of life and sidewalks are not always trip free. Instead of requiring repair and replacement which can be cost prohibitive for Family childcare, we can teach children how to navigate these environmental hazards.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>0150-2-f is a duplication of a-e. this is subjective and should not be weighted or it should be eliminated.</p>	<p>None of the proposed WACs are weighted.</p>	<p>No</p>
<p>Proposed edit to proposed WAC 170-300-0165: (a) Indoor temperatures for the premises. The temperature of indoor early learning licensed space must be between 65 <u>68</u> and 82 degrees Fahrenheit. If indoor licensed space is colder than 65 <u>68</u> or hotter than 82 degrees Fahrenheit, an early learning provider must use climate control devices that are inaccessible to children to bring the temperature within the required range; I Safe water temperature. All water accessible to enrolled children must not be hotter than 120 <u>105</u> degrees Fahrenheit Comment: (5)(b) Define "near". In schools, the distance is 6 feet. Justification: (4)(a)The State Building Code requires a minimum of 68 °F. (4)I 120 °F is for scald protection, not a temperature at which hands can be washed. Comment: (5)(b) Define "near". In schools, the distance is 6 feet.</p>	<p>Agree with minimum indoor temperature of 68°. It is consistent with Caring for our Children standard 5.2.1.2. Disagrees with this maximum water temperature of 105°. The intent of this rule is to prevent children from being scalded by dangerously hot water. Further, Caring for our Children recommends water temperature at child cares to have a range of 60 – 120 degrees. Disagrees with suggestion to define in "near," because providers are already required to follow state building code requirements, including electrical rules concerning GFCI location and distance.</p>	<p>No</p>
<p>0165 c (iii) Free standing lamps must be attached or secured to prevent tipping; And how are we supposed to comply with this in our homes? superglue them to our tables? I understand the need, but they can be arranged in a way that tipping doesn't occur. Put forcing family homes to "nail down" our lamps to our tables is over-reaching. Will everyone who works for DEL be doing this in their homes? I think not...please reword.</p>	<p>Free standing lamps are floor lamps. The requirement to secure table lamps was removed during negotiation. DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>Free standing lamps have to be secured to prevent tipping? This wac limits fcc providers on how they will be able to use their homes/childcare space. It will ruin the homes flooring or end table or</p>	<p>See previous response.</p>	<p>No</p>

whatever it is secured to. So sad we have to damage our homes to comply.		
WAC 170-300-0165 Safety F (iii) Free standing lamps must be attached or secured to prevent tipping. This I do not agree with, ruining our floors and or furniture is unacceptable.	See previous response.	No
Family childcare is in our homes. We should not be required to ruin our walls, floors and furniture by securing large pieces of furniture and lamps. Since when is a lamp a hazard? Would you put screws or bolts in your hardwood floors, walls and tables to secure them? Temperature control should be reworded to try and keep at 82 or cooler. Some family providers don't have ac and can't afford it. Fans only cool a little. Why can't we open downstairs windows all the way? With a screen and required window height, it should be safe. We enjoy the air flow on nice days.	DEL honors the negotiation process and accepts the negotiated language.	No
65 f (ii) All stairways (indoor and outdoor), not including play structures, must meet local building codes pursuant to RCW 43.216.340. If our outside stairs met code when they were built and we are not replacing the stairs they should not have to meet current code. This could be costly if a provider is forced to replace all stairs. This needs to be grandfathered in and stated when replacing outside stairs...	The intent of these draft rules is to require any built structure (e.g. stairways, decks, or platforms) to be comply with the state and local building code <i>at that time</i> . See draft WAC 170-300-0415. Further, if a provider makes a substantial change to these structures, that provider is required to comply with the current state or local building code. See draft WAC 170-300-0402.	No
0165 (g) Platforms and decks. All platforms and decks used for child care activities must meet local building codes pursuant to RCW 43.216.340 within six months of the date this section becomes effective. This does not include play equipment. All platforms and decks with a drop zone of more than eighteen inches must have guardrails in sections without steps. Are you telling us that we need to replace our decks? Is DEL giving family homes \$25,000. That is how much it will cost to replace my deck. REVOME THIS WAC! Unless you want to put family homes out of business.	See response above. To improve clarity, DEL removes "within six months of the date this section becomes effective."	Yes
0165 (d) Making inaccessible to children plastic bags and other suffocation hazard; What are provider to do with soiled clothing? What about trash can liners? It's mandatory use when blood is cleaned up. If we can't use plastic bags then you will have to write us up for not keeping the children safe from feces and blood and not lining our trashcans correctly. Damned if you do, damned if we don't. This needs to be rewritten so the uses of plastic bags can be used when appropriate.	Plastic bags may be used as described in the comment. <i>Inaccessible to children</i> means that the provider ensures that children are not able to, on their own, reach, enter, use, or get to plastic bags and other suffocation hazards.	No
0165 (d) Safe noise levels. Noise levels must be maintained at a level in which a normal conversation may occur; Did the people actually writing these work in childcare? DEL's going to have to write us all up on this one. Children are noisy from time to time. This needs to be thrown out.	DEL honors the negotiation process and accepts the negotiated language.	No
Safe noise level isn't always possible when children are playing. They can be loud and that can't be regulated. Better wording should be the adult voices and music be at a normal conversation level.	DEL honors the negotiation process and accepts the negotiated language.	No
0165 There are duplications in some of these sections and 0150. The duplication needs to be noted so there is not a double weight. 0165-2-f	In this case, <i>inaccessible to children</i>	No

<p>unless a window is at floor level visual reminders should not be required. Remember these are our homes in Family Home programs. 0165-3-b This contradicts the WAC that allows providers to have active supervision when children are participating in cooking activities.</p>	<p>means that the provider ensures that children are not able to, on their own, reach, enter, use, or get to an appliance or something else that could burn them. Children who are actively supervised can engage in cooking activities.</p>	
<p>Proposed edit to WAC 170-300-0170(3)(e)(i): (i) In case of an emergency, a generator may be used but must be placed at least fifteen <u>twenty</u> feet from buildings, windows, doors, ventilation intakes, or other places where exhaust fumes may be vented into the premises or early learning space; and</p> <p>Justification: See https://www.doh.wa.gov/YouandYourFamily/HealthyHome/Contaminants/CarbonMonoxide Generators should be at least 20 feet away from buildings. Even at 20 feet away, air flow patterns could still blow carbon monoxide into homes through attic vents, windows, or doors, so it's very important to have a working carbon monoxide detector inside the home.</p>	<p>Agree.</p>	<p>Yes</p>
<p>170-300-0165 Safety requirements. (5)(b) Outlets near sinks, tubs, toilets, or other water sources must be inaccessible to children or be tamper-resistant and equipped with a ground fault circuit interrupter (GFCI) outlet type; I wonder if the outlets around sinks, tubs, toilets, etc must be a GFCI outlet, or merely on a GGCI circuit that would trip the outlet and protect from shock. I don't believe code requires GFCI outlets in those locations, but it certainly requires GFCI protection for those outlets.</p>	<p>This is an implementation question that will likely be asked by many providers. The question will be delivered to appropriate staff to be addressed during implementation and in licensing materials.</p>	<p>No</p>
<p>I have GFCI outlets on all my outlets, they should be included as an alternative to covers.</p>	<p>The cover or shutter makes the outlet inaccessible to children, which is still necessary with a GFCI outlet.</p>	<p>No</p>
<p>Safety requirements: Choking: no loop around the neck....this is great. You may need to specifically call out necklaces, particularly teething necklaces that either have choke-size beads or don't release when pulled on.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>0170(2)..... If a local government agency is not available to conduct a fire safety inspection, a provider must inspect for fire safety using the state fire marshal form. Where is this form?...it should have a link to a form that you are requiring us to fill out.</p>	<p>Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.</p>	<p>No</p>
<p>WAC 175-300-0175(2)(a), WAC 170-300-0345, and WAC 170-300-0350 the requirements for supervision should be equivalent to or more strict than chapter 246-260 WAC. Some of the requirements in these sections are stricter than chapter 246-260 WAC, and some are more lenient. The requirements for supervision should be equivalent to or stricter than 246-260 chapter because of the higher injury risk associated with children in this age range.</p> <p>DOH strongly suggests that all of these swimming pools and wading pools should be regulated under WAC 246-260 and the DEL may wish to have additional requirements where WAC 246-260 falls short. What types of swimming pools are typically used at these facilities? They may not have commercial grade in-ground pools. If they are using pre-</p>	<p>Agree.</p>	<p>Yes</p>

<p>fabricated swimming pools that are delivered to their facility and installed rather than built on site, how likely it is that these pools would meet the construction design requirements in chapter 246-260 WAC? DOH staff can provide technical advice.</p> <p>Proposed edit:</p> <p>(1) The following bodies of water must be inaccessible to children in care by using a physical barrier with a locking mechanism <u>in compliance with WAC 246-260-031(4):...</u></p> <p>(2) (d) Swimming pools must be cleaned and sanitized according to manufacturer instructions, <u>chapter 246-260 WAC</u>, and department of health or local health jurisdiction guidelines;</p>		
<p>We should be allowed to use our small wading pools in our home childcare! Ours are refilled several times a day and are used for SO many fun activities. Please allow them!</p>	<p>Small wading pools are allowed, provided they are filtered. Evidence exists that unfiltered pools are a health risk to small children's developing immune systems.</p>	<p>No</p>
<p>0175 3 Wading pools that do not have a filtering system are not permitted in the early learning program space. Please reconsider allowing wading pools (without filters...less than 24 inches of water)and include current WAC to the sanitization and supervision. Please do not take this important play from children.</p>	<p>See previous response.</p>	<p>No</p>
<p>0175 #3 This is just wrong!!!! If providers can use other pools, unfiltered pools should be allowed as long as they are cleaned and sanitized! This is important to have multiple ways to offer water play. We need to be able to teach water safety to children. Please don't take our pools away!!!</p>	<p>See previous response.</p>	<p>No</p>
<p>Filtered wading pools aren't easily acquired in my area. Emptied and sanitized daily should be good enough. Don't take the kids wading pools away.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>REⓈ3) Filtered wading pools must be inaccessible to children when not in use. Wading pools that do not have a filtering system are not permitted in the early learning program space. This ruling should be changed to allow for small wading pools that are changed and cleaned daily. If we cannot use affordable wading pools, we will be wasting valuable water resources for the community by running sprinklers all day in the sun. The children in my care are all school age, and I cannot see the need for a filter (and frankly have never seen a wading pool with a filter). I own 3 Little Tykes type pools and we clean the pools and change the water daily. May I also comment on the use of hand-sanitizes in child care. I am perplexed as to why Early Achiever facilities use hand sanitizes on children several times per day and home daycare's are not allowed to unless there is no running water available. I completely understand washing after using the bathroom and prior to eating, but I also like my kids to clean their hands upon entering daycare as well as coming back from school. I am curious as to why the rules are different for both State-run programs. Thank-you.</p>	<p>See previous response.</p>	<p>No</p>
<p>WAC 170-300-0175 Water hazards and swimming pools. Washington State has a WAC for Swimming pools. The WAC is WAC 246-260-041 Portions of the Swimming Pool act require emergency, lifesaving equipment. I feel out WAC should have these items listed to the aligned WAC in regards to swimming pools on the premises whether they are in unlicensed space and not part of the program or are part of the program. In regards to Swimming pools on the premises but is inaccessible and not part of the childcare activities DEL could add a</p>	<p>Proposed WAC 170-300-0350 requires readily accessible life-saving equipment during water activities for pools that meet certain size requirements.</p>	<p>Section 0175 will not be changed.</p>

<p>statement to the Declaration of Unlicensed Space form and have the provider declare emergency and lifesaving is available in case a child somehow enters unlicensed space and falls into the pool needing rescue. (11) Emergency equipment. Owners shall provide first aid and have emergency equipment readily available at swimming pool facilities during operating hours, including ii) A backboard with means to secure a victim to a board and immobilize head, neck, and back. (g) For pool facilities without lifeguards: (i) A reaching pole at least twelve feet long with a double crook life hook; (ii) A reaching pole at least twelve feet long for every fifteen hundred square feet of pool surface area; and (iii) A throwing buoy, throw-rope bag, or other similar device with a rope the width of the pool or fifty feet long, whichever is less, for reaching and retrieving a victim</p>	<p>Proposed WAC 170-300-0130 sets requirements for the Declaration for Unlicensed Space. DEL agrees that it should be revised to include swimming pools.</p>	<p>Section 0130 will be changed.</p>
<p>0180 (a) Meals and snacks must be served not less than two hours and not more than three hours apart unless the child is asleep; (b) Children in care for five to nine hours: (i) At least one meal and two snacks; or (ii) Two meals and one snack. (c) Children in care for more than nine hours: (i) Two meals and two snacks; or (ii) Three snacks and one meal. Can you please explain where this is in the USDA meal plan/guidelines? Some providers do not serve breakfast – parents feed them. And if they are in our care for 5 hours (8am-1pm), they would only have one snack and one meal within the allotted meal/snack schedule. How do we??...and where do we squeeze in another snack in that time span?? Section (b) needs to be reworded.</p>	<p>During negotiations, stakeholders discussed the impact of the proposed meal schedules on various real-life care schedules. Negotiators settled on ensuring that a breakfast or morning snack be available for children that need or want it and giving options that would allow providers to compose a meal/snack schedule that meets their program needs.</p>	<p>No</p>
<p>The food program doesn't require a veggie or fruit at least one snack a day. Should only require what is required by food program. My daily menu is made every morning with the kids input. I don't want to take away their ability to help with daily menu planning. They are learning what makes up a balance meal and snack and they love getting to choose.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>170-300-0180-1.A I am confused by the wording "Meals and snack cannot be more than 3 hours apart". If we start at 9:00am serve breakfast at 9:15am and our program ends at 12:00pm, does this mean we will have to serve a snack?</p>	<p>A second meal or snack is optional for a child in care for no more than three hours.</p>	<p>No</p>
<p>0180(v) A breakfast or morning snack must be available to children in care. Is this pertaining to overnight care children? It mentions breakfast in (vi)...so why is this here? Some providers do not serve breakfast – the parents feed them before coming - are you forcing providers to feed a child that has already eaten at home?</p>	<p>Proposed WAC 170-300-0180(1)(d)(v) applies to all children who are in care during morning hours. The distinction for overnight care is that -0180(1)(d)(iv) requires breakfast to be provided under certain conditions while (v) requires the availability of breakfast or a snack [for a child who needs or wants it.]</p>	<p>No</p>
<p>If parents provide food for their children, We shouldn't add additional food without the parent's permission. It sends a message to the parent that they're not doing a good enough. Permission for food brought from home to be shared should be an annual one. Kids will bring things unannounced and want to share the treat they made with mom the night before. Family childcare providers can't always sit with the kids while they eat. There are infants and toddlers to feed, seconds to get and cleaning up to do. Whenever possible would be a better wording. Labeling everything in a family home providers fridge is over reach. Again it is our home. We know when things were put in our fridge. A blanket 48 hours for leftover food causes a lot of food waste. Many</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>

items are good up to 5 days.		
WAC 170-300-0180 (2) Tooth brushing after EVERY meal and snack? This is going to take a lot of time to implement in classrooms and is going to be a big power struggle for some kids. My concern here is that adults rarely brush their teeth after every meal and snack! Why are we making kids do that? I could see one meal a day, maybe lunch? But EVERY meal and snack seems very excessive (and is taking away from valuable play time that helps children learn and grow).	DEL agrees and is revising the rule to require one opportunity for tooth brushing each day.	Yes
Please do not change family child care into centers.. and even centers should not have to brush teeth.	See previous response.	Yes
170-300-0180 (2) An early learning provider must offer children the opportunity for developmentally appropriate tooth brushing activities after each meal or snack. Please change "must" to "may". The logistics of offering tooth brushing to every child after every meal and snack is prohibitive. That is something that is done morning and evening in the home.	See previous response.	Yes
While brushing teeth sounds like a good idea, there are a few considerations to examine. 1) The unreasonable amount of time it would require is a HUGE negative. 2) Since we have good dental care and fluoridated water in most places, it's not as critical as it used to be. 3) Having a sanitary and appropriate place do this can be quite difficult and probably expensive to provide. It's just a nice, but not very workable requirement.	See previous response.	Yes
I don't feel it's up to us to be required to brush teeth. This is the parent's responsibility.	See previous response.	Yes
WAC 0180 Tooth brushing is very time consuming and can be unsanitary in large groups. This should be the responsibility of the parents not the provider. Tooth brushing is not done at school while in K-12.	See previous response.	Yes
I intentionally stopped the practice of allowing my daycare children to brush their teeth at my home daycare when the new tooth-brushing regulations came into play. (I have been licensed 19 years). It is a dis-service to the children, but there is literally not enough time in the morning to go through the entire procedure (with me supervising each child) in the mornings. Some children come to daycare very early and do not have time to brush at home. I do not find it unreasonable for a school-age child to go into the bathroom alone and brush their teeth and rinse the sink. Please relax the regulations.	See previous response.	Yes
It is totally nuts to want to have a classroom of 10-20 children brush their teeth after every meal or snack. It is hard enough and time consuming enough to get them to wash their hands 6-10 times a day. Jesus, you people need to get a grip with reality.	See previous response.	Yes
Requiring tooth brushing after every meal is not acceptable. Children should brush their teeth twice a day, in the morning when they wake up and in the evening before bed. Requiring teachers to oversee tooth brushing is unrealistic.	See previous response.	Yes
We cannot be spending this ridiculous amount of time on tooth brushing! This is NOT what I should be getting paid for. It seems excessive. It is a parents responsibility. Many other problems with sanitation as well.	See previous response.	Yes
WAC 0180. Tooth brushing. Ridiculous. First off, who brushes their teeth 4X per day? And now you want us to do it for all the children in	See previous response.	Yes

care? This is a huge time waster, and will cost staff time (think more payroll). We are not the parents. The parents can brush their teeth.		
0180- I do not think providers should be required to brush kids teeth. This should be a parents responsibility. When would we have time to do this with all of the other requirements and new regulations?! You are asking us to take on more and more of parent responsibilities. We are basically sending kids home to sleep and doing everything else while they are in our care. Absolutely ridiculous.	See previous response.	Yes
Please do not force child care providers to brush teeth during the day. This is the responsibility of the parents to teach their children and to have their children do so twice daily. It's ridiculous to try to have teachers spend time having every single child brush their teeth multiple times per day.	See previous response.	Yes
While I agree with some of these changes, I see that I am not alone in my opposition of requiring tooth brushing after each meal and snack. I struggle to even find the words to express how insane this is. Children should brush their teeth twice a day, in the morning when they wake up and in the evening before bed. To be effective, brushing must last for at least two minutes. Requiring teachers to oversee tooth brushing of 18 children and ensuring that at it is effective is unrealistic at best. This take away more time from the children's play and learning. Ridiculous.	See previous response.	Yes
170-300-0180 (2) This section needs to be more realistic for center-based care. In a room of 14 1 or 2-year-old children or a room of 20 3 or 4-year-old children, brushing after each meal and snack, often only two hours apart, is unrealistic. The section could read "after at least one meal, such as breakfast, lunch or dinner". It is common knowledge that children should brush twice per day. It is unrealistic for providers to offer opportunities for children to brush their teeth after each meal and snack, which would be four times per day while in licensed care- not to mention the additional brushing children should be doing at home before and after being in licensed care.	See previous response.	Yes
It is the job of the parent to brush their child's teeth before drop off and after pick up. It should not fall on the provider- what's next? Clipping their nails? Scheduling doctor's appointments?	See previous response.	Yes
0180-2 "after each meal or snack" is excessive. It should read "after a meal or snack, at least once per day while in care." If a provider is alone caring for 10 children, ages 3-12, she has the potential of serving 2 snacks and 2 meals in any given day. This translates into 3-4 tooth brushing opportunities in any given day. Providers will not have enough time to facilitate early learning opportunities. This will also take away the opportunity for families to model for children the importance of tooth brushing. Most dentists recommend brushing teeth twice a day. Once at child care is enough.	See previous response.	Yes
170-300-0180 (2) Tooth brushing- There is no way tooth brushing can be sanitary. Water from a hand washing sink where the tooth brushing would take place should not be put into the mouth. If the water from a hand washing sink cannot be used for drinking water why would you use that water to brush teeth and rinse. Child care bathrooms are just like public bathrooms and have fecal matter floating in the air. It would get on the toothbrushes and paste when applied etc. Allow the provider to opt out and inform parents in the parent policy. E Coli can be spread airborne. Exposing the toothbrush applying toothpaste and then using sink water is not Safe! Yech ! Yech!. Supervision of the child tooth brushing and then supervising the other children is not possible	See previous response. Tooth brushing is not required to occur in the bathroom if the licensed space has other suitable sinks. If the bathroom is used, the water used for rinsing should come from the program's drinking water source.	Yes

<p>DEL puts it at great risk of being sued if they require tooth brushing and it causes illness or an injury due to supervision issues. I would never brush my teeth in a public bathroom why are you requiring children to??</p>		
<p>Tooth brushing requirement should be removed. Parents can brush before coming and in the evening. We don't have the time to properly supervise children after each time they eat. Family childcare also doesn't have the space to store toothbrushes or a separate area for tooth brushing since the bathroom sink is for hand washing.</p>	<p>See previous response.</p>	<p>Yes</p>
<p>0180 Tooth brushing two meals two snacks. 4 times a day a caretaker has to help ten children brush their teeth in a safe sanitary manner ? What sink will they use the bathroom or the kitchen? When will learning activities occur. There will be unsanitary situations. chaos, lack of supervision and no learning occurring 4 x a day. These children are in early learning programs not an orphanage. Teeth brushing is a parent/guardian responsibility and should be done in the child's home.</p>	<p>See previous response.</p>	<p>Yes</p>
<p>WAC 170-300-0185 Menus, milk, and food. (2) An early learning provider must serve a fruit or vegetable as one of the two required components during at least one snack per day. Disagree with requirement to provide a fruit or vegetable during at least one snack IF provider is providing breakfast and lunch (already required during those meals).</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>WAC 170-300-0185 Menus, milk, and food. 1 (a), (b) Reference to a menu is stated in 2 different ways...(a) dated and (b) scheduled. Neither one of these terms clearly state that a rotating menu needs to be followed and it should include the date each meal and snack is to be served. The menu should reflect any changes that are made. To assure adequate balance and variety the rotating menu needs to be at least 2 weeks. The current week's menu needs to be posted. In addition to better assuring that children's nutritional needs are adequately met, a developed and dated menu provides the best record of the foods served at any meal or snack in child care. In case of a disease outbreak or illness, a menu provides data that could be critical to an investigation by public health officials. Thank you.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>0185 All that is needed is to require providers to go by the USDA guidelines.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>0185-1-a Family Home programs should not be mandated to have dated menus if they participate in the USDA food program. Menus can change at the last minute depending on food preferences of the children present and number of children in attendance. A sample menu should suffice. 0185-2 This is above and beyond the USDA standards and should be eliminated. 0195-4-b "whenever possible" should be added. In Family Home programs a provider is often working alone. As long as she/he is in the same room during meals and snacks that should meet the need for safety. FH providers must wear multiple hats, and requiring them to sit down with children during meals would translate into the inability to meet all of the children's needs during a meal, including but not limited to blowing noses without cross contamination.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>170-300-0185, 1 (a) It is not enough to supply dated menus. In order for children to meet their nutrient needs they need balance and variety of foods offered consistently and intentionally. Please add the following statement: Must use a two week rotation menu and post a menu for the current week. (There are many resources available to</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>

child care providers for developing or finding already developed menus that meet the current CACFP meal pattern guidelines.)		
0185(2) An early learning provider must serve a fruit or vegetable as one of the two required components during at least one snack per day. Where do you (DEL) get the right to override the USDA food program and require us comply with this rule. USDA guidelines should be followed not DEL's agenda.	DEL honors the negotiation process and accepts the negotiated language.	No
0185(2) An early learning provider must serve a fruit or vegetable as one of the two required components during at least one snack per day. This is not required in the USDA Child and Adult Care Food Program (CACFP) Hand-book for all children(unless a child is 6mth-1year) Why is DEL overstepping their authority and changing what is required by CACFP??	DEL honors the negotiation process and accepts the negotiated language.	No
WAC 170-300-0186 Food allergies and special dietary needs. (1) An early learning provider must obtain written instructions (the individual care plan) from the child's health care provider and parent or guardian when caring for a child with a known food allergy or special dietary requirement due to a health condition. Individual care plan? Is DEL planning to make this form available?	Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.	
WAC 170-300-0186 Food allergies and special dietary needs. (1) An early learning provider must obtain written instructions (the individual care plan) from the child's health care provider and parent or guardian when caring for a child with a known food allergy or special dietary requirement due to a health condition. Individual care plan? Is DEL planning to make this form available?	Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.	
WAC 170-300-0186 Food allergies and special dietary needs. (1) An early learning provider must obtain written instructions (the individual care plan) from the child's health care provider and parent or guardian when caring for a child with a known food allergy or special dietary requirement due to a health condition. Individual care plan? Is DEL planning to make this form available?	Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.	
Delete proposed 170-300-0195(1). WAC 170-300-0195 (2) is in conflict with Chapter 69.06 RCW and Chapter 246-217 WAC. All early learning providers who serve food, handle equipment and utensils, clean up after food service, or wash dishes and utensils are required to have a food worker card. <hr/> DOH doesn't recommend using the DOH Washington State Food and Beverage Workers' Manual as the primary source of food safety rules for early learning providers, as specified in WAC 170-300-0195 <ul style="list-style-type: none"> This handbook is a great resource for food workers but does not represent all the requirements contained in Chapter 246-215 WAC, Food Service These include duties of the person in charge, specific requirements for ill food workers, and physical facility requirements To provide the best food safety protections for children, the food service requirements for Chapter 170-300 WAC should refer to Chapter 246-215 WAC There may be provisions that aren't applicable to certain types of centers, particularly family home early learning programs. For those centers, the rule could list exemptions, following the pattern used 	Disagree with deleting (1). The cited DOH rules specifically exempt family home licensees, who are regulated by Chapter 170-300 WAC. The proposed rules are intended to cover the substance of food safety rules so that early learning providers are not required to comply with several multiple agencies' rules in order to be licensed. Agree with recommended edit to (2).	"unless the food is provided ..." removed from the end of (2).

<p>in Chapter 246-215, Subpart E – Preschools</p> <p>A lot of the language in -0195 through -0198 will be unnecessary if this convention is used</p>		
<p>0195 4 (b) Sit with children during meals. This is not always possible to do in a family home. We have infants to feed and cleaning to do. The wording in current WAC should be added: “whenever possible.” I would LOVE to sit and eat with the children....but you have made a list a mile long of just cleaning and I won’t have time to do it all and sit (let alone eat).</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>0195 #4b Providers should not be required to sit with the children for meals. Should state, when possible. Providers may be doing many things to help children, feed babies etc. This is not always possible when providers work alone.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>WAC 0196 Food sources. We can’t buy food from the local farmer’s market? Or roadside stands? And how will DEL know where the food came from? This is a WAC that is not enforceable, and just makes more tension between providers and DEL.</p>	<p>Food can be purchased from any source that has a state or local Dept. of Health permit.</p>	<p>No</p>
<p>It’s important that food handling rules reflect the state food code, chapter 246-215 WAC. WAC 170-300-0197(2) states, “Early learning providers must store, prepare, cook, hold food, and wash dishes, pursuant to WAC 170-300-0195”. WAC 170-300-0195 is not thorough enough to fully meet this requirement.</p> <p>WAC 170-300-0197(3)(a) refers to cooked potatoes, cooked legumes, and cooked rice. This implies early learning providers can cool food, which should only be done with commercial refrigeration. Commercial refrigeration is not required in this rule. WAC 170-300-0197(3)(a) lists sprouts as a food subject to spoiling. Sprouts are not allowed to be served in a ready-to-eat form in early learning programs. See WAC 246-215-03800(3)(c).</p> <p>WAC 170-300-0197(5) refers to “metal-stem or digital food thermometer”. This is a critical tool for proper food safety and this language is not sufficient to ensure early learning programs have appropriate thermometers. If WAC 246-215 isn’t referred to then use the language from -04335.</p> <p>WAC 170-300-0197(7) seems to be another allowance for early learning programs to cool food without the rule requiring commercial refrigeration.</p> <p>WAC 170-300-0197(8) describes procedures for thawing food. These procedures are described in the DOH Washington State Food and Beverage Workers’ Manual referred earlier in the rule. This seems to overemphasize thawing while the exclusion of prescribed cooling procedures underemphasizes this important food safety step. Cooling of food is much more risky than thawing food so either include those procedures or substitute them for the thawing steps.</p> <p>DOH food safety staff can assist to assure these rules are consistent and meet minimal safety standards.</p>	<p>Disagree. Chapter 246-215 WAC regulates child care centers and exempt family home child cares. Food handling requirements must be consistent in these settings.</p>	<p>No</p>
<p>WAC 0197 requires us to label food with the date opened or cooked before we put it in the fridge or freezer. We are home providers, not</p>	<p>Proposed WAC 170-300-</p>	<p>No</p>

<p>centers. Centers may have different cooks each week so they have to keep better track of when things were opened. Family providers are there every day – they know what’s in the fridge. This is a ridiculous WAC for family providers. What about condiments? Do they have to be labeled also? Geez.</p>	<p>0197(4)(e)prohibits serving food past the manufacturer’s expiration date, which would be the standard for condiments. Unused food that has not been removed from its original container that bears an expiration date, e.g., milk, condiments, etc., does not require further labeling. Labeling ensures children are not served unsafe food.</p>	
<p>170-300-0197 (7)(a) “Leftover food” needs to be defined. This needs to be more specific to each type of food. A leftover meat product will spoil quickly more quickly than other types of foods. However, leftover fruit or cheese for example will last longer. Does this mean that if a gallon of milk is opened and now “leftover” that it must be used within 48 hours? What about condiments like butter and ketchup? Non-refrigerated food should also be defined for how long each type of food can be kept, for instance crackers, rice, syrup, etc. These are things that have a “best by” date, but once opened needs a defined amount of time to follow in order to discard when necessary.</p>	<p>See previous response.</p>	<p>No</p>
<p>WAC 170-300-0198 and -0241 discuss sanitizing but the chemical standards aren’t very clear in the rule. This would be covered if WAC 246-215 is referred to in the rule.</p>	<p>Definitions for disinfecting and sanitizing procedures have been revised, which make the standards more clear.</p>	<p>No</p>
<p>As a family childcare provider, I use cloth towels to dry hands. We have a whole basket of them. The children dry their hands and place them in a can with a lid that I empty the can and wash them daily. I can’t collect them after each use, I would be in the bathroom all the time. It is no more a hazard then having a garbage can for used paper towels and we only have to empty it daily.</p>	<p>Cloth towels are fine, so long as they are used once and then placed in the receptacle to be laundered. Once the rules take effect, licensors will be reviewing practices to make sure they comply with the rules.</p>	<p>No</p>
<p>0200-2 if a provider uses cloth/single use towels only the soiled towels need to be inaccessible to children. The definition of “inaccessible” needs to be amended. If used towels need to be under lock and key how do children take care of their own needs without have access to locking mechanism?</p>	<p>See previous response. “Inaccessible” does not necessarily mean under lock and key.</p>	<p>No</p>
<p>0200 #2 This wac should be eliminated! towels used after washing hands, should be discarded in a container in the bathroom. This should not be INACCESSIBLE. Children need to be able to wash their own hands and throw towels into a container on their own. How will they be able to do this with used towels being inaccessible?</p>	<p>See previous response.</p>	<p>No</p>
<p>0200-5-g it is understandable that a child should wash their hands after sneezing. However, a provider should not be held accountable if a child sneezes and is unaware of the situation. Ex: If a licensor is on the premises and witnesses sneezing but the provider does not this is a health violation, with a weight, and the provider is held accountable.</p>	<p>A provider will likely know that a child has sneezed, because they are either in sight or hearing range at all times.</p>	<p>No</p>
<p>Medication: Need to add that rescue medications must be readily accessible. Recommended to be in Grab and Go Bags in each child’s classroom, not down the hall in the office (which may be locked). And, you should address whether or not electronic documentation of medications is allowed by DEL. Many programs have all electronic documentation that are using for everything, including medication. Does the security of their system address HIPPA requirements for medication?</p>	<p>Proposed WAC 170-300-0215 requires medication to be inaccessible to children and controlled substances to be locked in a cabinet that is inaccessible to children. The room where the medication is stored is left to the provider’s discretion.</p>	<p>No</p>

	It is the provider's responsibility to ensure that their systems comply with HIPPA requirements.	
Washing my hands 30 to 50 times a day leaves them like sandpaper in the summer and cracked and bleeding in the winter. No amount of lotion helps. (5) Kids washing hands. With the thinner skin on young children, washing hands as frequently as this WAC requires will leave the children's hand cracked and bleeding. It will also mean spending most of the day in the bathroom supervising hand washing. (6) Hand sanitizer should never be used in child care. Hand sanitizer does not get hands clean. Over use of these antibacterial products leads to the development of super germs resistant to treatment of any kind.	DEL honors the negotiation process and accepts the negotiated language.	No
I have a 4-yr degree which won't count. It is ridiculous that DEL is making everyone doing home day care get those degrees. My main concern is WAC 170-297 and 170-300-0025. I believe that these laws should apply equally to all citizens in WA state. I don't think the state should impose rules on others but not live by them. This state's health & safety regulations have not been updated since 2003. They do not even have to have kids wash their hands after they touch animal beddings. I called the state and even the person I talked to said this must be a mistake. She checked it out and lo and behold they had not been updated. Ours were updated in 2012. I think the state should watch theirs. their playgrounds do not have to be fenced. They do not have to have the fall zones or the woodchips but the CDC has shown that most accidents happen on school playgrounds. They have a ratio of 1:50 and they don't need any training? We have to have so much training. I am really tired of the state imposing these rules on us but they don't live by them themselves. When I drop off at a school there are 5 th graders crossing kindergarteners across a busy street. I go by this daily and I think anyone could go by in a van and swoop up these kids. Also preschools are not regulated at all. We want safety for all of Washington's kids, not just the ones in daycare. I could start a preschool tomorrow and have 25 kids by myself and not have to have a criminal check. Nannies do not have to have any type of checks. Instead of over-regulating us, why don't they regulate preschools. I feel people of low income are being targeted. I have just completed my sign in and it's very embarrassing. They don't do food stamps any more, they do a card ... because it targets. They have to come in and pick up something to sign in and out. I also don't feel there should be outdoor daycares all day.	DEL honors the negotiation process and accepts the negotiated language.	No
To align with the Board of Health's notifiable conditions rules, child care facilities must report to the local health officer. Proposed change to proposed WAC 170-300-0205: (6) At the first opportunity, but in no case longer than twenty-four hours of learning that an enrolled child, staff member, volunteer or household member has been diagnosed by a health care professional with a contagious disease listed in WAC 246-110-010(3), as now and hereafter amended , an early learning provider must provide written notice to the department, the local health <u>jurisdiction officer</u> , and the parents or guardians of the enrolled children.	Disagree. Removing "as now and hereafter amended" indicates that providers must continue to follow this standard as it is revised over time. Furthermore, the decision to defer to a local governing agency is true even if the specific person to carry out these decisions is the local health officer.	No
Proposed WAC 170-300-0210 Timelines for completing immunizations are listed in WAC 245-105-020 under "satisfactory progress." Proposed edit: (3) To accept a child who is not current with their immunizations, an early learning provider must give written notice to that child's parent or guardian stating the child may be accepted if the immunizations are	Agree.	No

completed as soon as possible <u>consistent with chapter 246-105 WAC</u> and:		
Proposed WAC 170-300-0210 Proposed edit to be consistent with WAC 246-105-080: (6) An early learning provider may <u>shall</u> exclude a child from care according to the criteria listed in WAC 246-105-080.	Agree.	Yes
Proposed WAC 170-300-0210 Under WAC 246-110-020 the authority to exclude children from school or child care centers during a vaccine-preventable disease outbreak is with the local health officer. Proposed edit: (7) If an outbreak of a vaccine-preventable disease occurs within an early learning program, an early learning provider <u>may exclude the child from the child care premises consistent with WAC 246-110-020 and must notify</u> the parents or guardians of children exempt from immunization for that disease and children without vaccination documents. A provider may exclude the child from the child care premises for the duration of the outbreak of that vaccine preventable disease.	Disagree. WAC 246-110-020 does not address how a provider should exclude a child from the child care premises. This rule largely details the responsibilities of the local health officer.	No
WAC 0215 Medication permission. FINALLY, a WAC that makes more sense. This allows us to get annual permission for sun screen, diaper ointment, etc. instead of 3 months. Thanks.	Commentary – no response.	No
170-300-0215 (3) If under section 170-300-0215 (3)(a)(iii) “homeopathic or naturopathic medication” ² can be administered under the parent and medical permission, which should include the use of essential oils, shouldn’t the parent and medical personnel be able to give permission to use homemade diaper cream or sunscreen which is commonly made from homeopathic or naturopathic methods?	Diaper cream and sunscreen are nonmedical items that may be administered under the parent’s or guardian’s annual authorization.	No
Parents who choose to make their own diaper rash cream or sunscreen should be allowed to have us apply it with a signed permission slip. It’s their choice not the dept. choice..	Those items are allowed.	No
0215 – Non medical items. Thank you for allowing us to annually authorize certain items such as sunscreen, diaper ointment, lip balm and lotion. Much improved over the 3 month rule. Obviously if a child is allergic we would suspend applying any of these items.	Commentary – no response.	No
0221 Diaper changing and tooth brushing. (1) A diaper changing area must: (i) Be separate from where food is stored, prepared or served (ii) Have a sink with hot and cold running water, not used for food preparation and clean up. WHY if it’s sanitary enough for 10 children 4X a day to brush their teeth it must be sanitary enough for food prep and serving and food prep right? tooth brush, toothpaste and water from the diaper changing hand washing goes into their mouth and most likely swallowed.	DEL is accommodating family home child care by not precluding using a bathroom sink for tooth brushing, so long as it is sanitized first to comply with proposed WAC 170-300-0180(2)(a). Ideally, a cup of water drawn from the drinking water source will be used for tooth brushing.	No
0220 (B)(vi) Bathroom sinks must not be used as a drinking water source or for food preparation why is that sink allowed for tooth brushing. This makes no sense?????	See previous response.	No
(iv) Be on moisture resistant, washable material that horizontally or vertically surrounds and extends at least two feet from the diaper changing station and hand washing area; and(v) Be uncluttered and not used for storage of any items not used in diapering a child. In a family home environment. Two feet of surroundings to store diapers for 2 children is too much to ask. My bathroom is too small to have nothing within 2 feet of the changing table. Is DEL going to close providers if	DEL honors the negotiation process and accepts the negotiated language. However, for circumstances where a provider cannot comply with a required rule, that provider can request a waiver. Waivers are an official approval by DEL to allow a	No

they can't comply when for years it has been fine the way it is?	provider not to meet or satisfy a rule due to specific needs of the program if the provider can show clear and convincing evidence that the health, welfare, and safety of all enrolled children is not jeopardized.	
The diapering section of these wacs is redundant! 2 feet of impervious flooring is not reasonable in a FCC setting. A mat of sufficient size should be acceptable. These wacs will force FCC providers to close or stop providing care to children in diapers. Providers can't afford to change all their flooring to non carpet.	See previous response.	No
A 24 inch area around a diaper changing area is not reasonable with Family childcare. We have limited space.	See previous response.	No
Potty Training: Free-standing potty chairs are not mentioned here and are sometimes used in programs. Some parents have been asking providers to bring potty chairs with them on field trips. Not allowing should be specifically addressed. Diaper: For cloth diapers, the container from the family needs to be hands-free and impervious (just like the requirement for disposable). Diaper procedure: You need to specifically state "standing a child on a diaper table." The risk of fall is too great. The statement: "never unattended"; doesn't seem to cover "no standing" and I often see providers standing children up on the table to pull their pants up.	DEL honors the negotiation process and accepts the negotiated language.	No
0221-2-b-i this requirement is an Early Achievers standard. If a provider needs to always be with a child when a diaper is being changed, an elevated edge is not necessary. Providers are not permitted to use safety belts on changing mats. An elevated edge is the same. It will not prevent a child from rolling off.	DEL honors the negotiation process and accepts the negotiated language.	No
0225 5(h) Indoor and outdoor play space to be cleaned and disinfected where animal or bird waste or vomit is present. Inside...I understand. How do you disinfect the grass?	DEL honors the negotiation process and accepts the negotiated language. The excrement is removed and the grass is cleaned with a bleach + water solution or other method described in the definitions.	No
Keeping pets out of the kitchen is not always possible with family childcare. Again it's our home. Also I'm not cleaning my pet's water dishes in the bathroom. With all the sanitizing we have to do in the kitchen, cleaning a pet dish shouldn't pose a health hazard. The outdoor play space should read outdoor play equipment when dealing with animal or bird waste. You can't disinfect back chips or grass	Proposed WAC 170-300-0225 restricts animals from the kitchen only during food prep. Animals are also restricted from an area when food is being served. See previous response about disinfecting grass.	No
0225-2-b the wording needs to be "contagious illness." Pets can acquire illnesses such as cancer that will not threaten a child's health and safety.	DEL honors the negotiation process and accepts the negotiated language.	No
0230 1(f) Have sufficient supplies for the number of enrolled children and staff consistent with the early learning program's licensed capacity, Please clarify...what is sufficient?? If I am licensed for 12 and there is myself and an assistant does that mean I must have 14 of each item listed?	The dictionary definition is the default definition for all words in a rule's text. "Sufficient" means enough to meet the needs of a situation or a proposed end.	No
0230-1-b needs to be eliminated if there is no medication included in the first aid kit. Using the description in section 2 there is no reason this be inaccessible to children. If a provider decides to take children	DEL honors the negotiation process and accepts the negotiated language.	No

off the premises the first aid kit will be accessible based on the definition in this chapter. 0230-2-k current CPR instruction does not include mouth to mouth resuscitation. It only requires chest compression.		
A CPR barrier is outdated. CPR is being taught now not using rescue breaths. Curriculum should be removed. Family childcare is not preschool.	DEL honors the negotiation process and accepts the negotiated language.	No
0240 2I If a bleach solution is used for sanitizing or disinfecting, an early learning provider must use one that is fragrance-free and follow department of health's current guidelines for mixing bleach solutions for child care and similar environments. Bleach is bleach...who cares if it is scented...bleach has its own scent. This is stupid...just be grateful that we are using it.	Scented bleach has chemicals not found in unscented bleach. DEL is attempting to limit children's unnecessary exposure to chemicals.	No
The current definitions of "disinfectant" and "disinfect" contradict the rule language [proposed WAC 170-300-0240]. Add a link to the DOH pub 970-216.	Specified definitions have been revised.	No
0240-1 providers should not be required to clean and sanitize EVERYTHING on the premises. This would include garages, building exteriors, sidewalks, trees, etc. Refer to the definition of "premises."	It is intended that areas where the children will be must be clean and sanitary. Areas such as paths in and out of the program and licensed program space. DEL honors the negotiation process and accepts the negotiated language.	No
WAC 0241 – clean pacifiers after each use? By boiling or dishwasher? What is a "use"? A child spits it out and now we need a new one? Even though it's attached to their clothing and not falling on the floor? There aren't enough pacifiers for a day for this.	"Use" means a particular child is using the pacifier. A pacifier must be sanitized between children.	No
WAC 0241 requires we clean and sanitize monthly our fridge and freezer. First of all, there are no living germs in the freezer because that's why it's a freezer. Now, if DEL requires us to take all that food out, defrost, clean, and sanitize it monthly, where is all that food going to go while the work happens? This WAC will put the food at risk of thawing and becoming contaminated. This WAC does the opposite of what DEL probably intended. It needs to be deleted.	Agreed. Cleaning and sanitizing a freezer less frequently will not pose a health risk for children in care.	Yes
WAC 0241 requires carpets be cleaned at least monthly if caring for infants. This will destroy the carpets in our homes. And add a substantial cost which will have to be passed on to the parents. We of course have the option of providing a "safe and clean material over large rugs or carpet" but what happens when the infant starts crawling. Now we need a safe and clean material everywhere. This serves no purpose. Please change this WAC.	DEL honors the negotiation process and accepts the negotiated language.	No
0241(14) Children must not: (a) Be present when carpets are cleaned or vacuumed unless the provider is spot vacuuming, the vacuum has a HEPA filter, and children are not within the immediate area; Carpet cleaning (wet) I can see. We could simply place a dry towel over it until later....BUT VACUUM??? What if a provider works by themselves and someone spills glitter....are we supposed to leave it just because the children are in the immediate area? Would you then write us up because we removed the children for the area and not supervising them while we "spot vacuum"? The children need to be supervised and getting used to the sound of a vacuum is a life lesson that needs to be gained....they can't go the rest of their lives never vacuuming because they are afraid. Vacuuming section of this rule needs to be removed.	Spot vacuuming is allowed when necessary provided the vacuum has a HEPA filter and the children are not within the <i>immediate</i> area.	No

<p>0245 Laundry and equipment. (1) Laundry and laundry equipment at an early learning program must be inaccessible to children.. my laundry machines are located in my only bathroom. This is impossible. Are you going to shut me down?</p>	<p>Inaccessible simply means that children are prevented from reaching, entering, using, or getting to an item, area, or material on their own.</p>	<p>No</p>
<p>The suggested changes will provide consistency for compliance, will help reduce confusion between chapter 173-300 WAC and chapter 246-272A WAC.</p> <p>(a) A private septic system must be inspected <u>at least annually</u>, by a septic system maintenance service provider approved by the local health jurisdiction and monitored on a routine basis. Any deficiencies noted in an inspection report must be corrected with the necessary permits and inspections.</p>	<p>Disagree with this suggestion. It confuses the requirements of chapter 246-272A, which providers are already required to follow, e.g., WAC 246-272A-0270 allows for different maintenance timelines for different system types.</p>	<p>No</p>
<p>WAC 0255 requires us to document any evidence of pests. Why can't we just get rid of it? Why does this need to be documented. This is not enforceable unless DEL is on site when a pest is found.</p>	<p>Documenting evidence of pests and their management allows DEL to monitor to ensure that the removal or extermination is effective.</p>	<p>No</p>
<p>Add language that appropriate screening of door and window openings and caulking should be used to exclude pests. Screening is an appropriate deterrent to pests entering the child care indoor spaces.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p> <p>Current and proposed rules require providers to prevent and remove pests without dictating methods.</p>	<p>No</p>
<p>WAC 02555 I disagree with weights on every individual section on this WAC. If a provider finds a pest and does not follow every single step exactly, the weights assigned to each individual section has the possibility of closing a provider down. The weights are punitive and will not produce higher quality programs. This entire WAC is unreasonable. There are bugs, pests, insects everywhere. What could you have been possibly thinking with this proposed WAC? Was NRM held hostage to this WAC?</p>	<p>Weights are not included in the proposed WACs.</p>	<p>No</p>
<p>0255. During NRM a team insisted that each section be weighted individually. If that is the case a provider is at risk of a heavy fine and possible closure. I think there should be only one weight for this entire WAC.</p>	<p>See previous response.</p>	<p>No</p>
<p>WAC 170-300-0260 Storage of hazardous and maintenance supplies. (1) An early learning provider must ensure all poisonous or dangerous substances including, but not limited to, fuels, solvents, oils, laundry, dishwasher, other detergents, sanitizing products, disinfectants and items labeled "keep out of reach of children" are stored: (a) In a location that is inaccessible to children; Please provide a clearer definition of what type of location would be appropriate. 5 ft. or higher in a shelf? if lower in a locked shelf? There has been much inconsistency in regulating this WAC. Give licensors and early child care providers a concrete definition so regulating can be consistent.</p>	<p>Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.</p>	<p>No</p>
<p>0260 Toxins, Cleaning Supplies: This proposed is too vague on inaccessible. If we regulated to the notion using the EA definition of accessible to the opposite of inaccessible the cleaning supplies could be potentially accessible. It would still be within a few inches of children and toxins and cleaning supplies are dangerous to children. Medications except rescue medications have to be locked. May I propose for cleaning supplies and toxins that they be LOCKED except for the soap to be used to clean and wash hands and the product that</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>

has been pre- made to sanitize and clean. Those 4 items soap to clean and wash hands and the product to be used daily to sanitize and disinfect be allowed to be in license space unlocked but specifically describe how high they have to be to be considered INACCESSIBLE.		
WAC 0265 requires at least 18" between children while sleeping. And head to toe or toe to toe. They spend all day closer than that. This serves no purpose other than something for DEL to measure (literally) when they visit. This is a waste of staff time. And in some family programs, there isn't enough room for this.	Negotiating teams revised the original draft's 30" between children to 18". The space allows providers to move between children without disrupting their quiet time.	No
0265 #8b if a provider has sufficient space to nap, why do they NEED to be placed this way? If there is one cot on each wall of a room, why can't their heads be at the same end? This is not needed.	See previous response.	No
WAC 0265 requires at least 18" between children while sleeping. And head to toe or toe to toe. The children are playing together all day and are closer than 18 inches. This is not a sensible rule. Some providers do not have enough floor space.	See previous response.	No
Child Care Health Consultation: Great that you are keeping this one! Perhaps the Director of the program could be the one who reports to DEL. It would be great for them to put into words what they think the topic of conversation has been and in the process, see value added from that consultation.	Commentary – no response.	No
WAC 0280 Bottle preparation. Now we have to clean and sanitize the sink before adding water to a bottle that must be cleaned and sanitized in boiling water for one minute. Meanwhile the baby is screaming. This isn't realistic.	DEL honors the negotiation process and accepts the negotiated language.	No
0280 A provider should not have to label all bottles if that is the only bottle fed child in care. A provider should be allowed to have a system to know who has which bottles besides names. Bottle brand, colored bottles, colored baskets, labeled bag in refrig etc . Names don't stay on bottles when cleaned so often.	DEL honors the negotiation process and accepts the negotiated language.	No
0281 #3 provider should also be able to discard unused milk instead of giving back to parent.	DEL honors the negotiation process and accepts the negotiated language.	No
WAC 0285 requires we provide an area for mothers to breastfeed their children. Let them feed their babies in the privacy of their car, not in our home, where all the other children are ogled-eyed at what's going on. And we have to provide mothers with materials and resources to support breastfeeding? That's what their pediatrician is for. You are asking us to duplicate resources that easily attainable for any mother. One more thing to write us up for.	DEL honors the negotiation process and accepts the negotiated language.	No
0285 #2 I In FCC this is not always possible to have a space set up for breast feeding. Parents want privacy and providers may not have the space. Other families in care may not want feeding breast fed children in front of their children. I feel this is also important that they have that right for their children's privacy. ii this is not a providers job to provide info. This should be between the parent and their doctor/breast feeding specialist.	DEL honors the negotiation process and accepts the negotiated language.	No
0285 #2b Toddlers should not be fed on demand. Doctors don't agree to feeding on demand for toddlers. Infants yes. Scheduled times for snacks and meals work best for toddlers.	DEL honors the negotiation process and accepts the negotiated language.	No
0285 toddlers should not be in most of this wac. Drs and feeding specialists encourage weaning babies off the bottle by 1 yr of age.	DEL honors the negotiation process	No

Toddlers should be able to hold their own bottle if they chose to do so.	and accepts the negotiated language.	
Bottle warming temperature: Need to state 120 F. Many, many bottle warmers are too hot!	DEL will include best practices for baby bottles, including temperature guidelines, in its informational materials.	No
(g) Cribs, play pens, bassinets, infant beds, and indoor climbing structures must not be placed next to windows, to prevent harm from shattered glass, unless the window is made of safety glass. THIS NEEDS CLARIFICATION. HOW FAR AWAY? WHY IS THIS GLASS WINDOW BREAKING? IN 22 YEARS OF BEING LICENSED I HAVE NEVER HAD A WINDOW BREAK.	Licensors will be working with providers to implement the new requirements and will be able to help identify all possibilities for compliance.	No
Infant and Toddler Development, 0296 – 2 (b) I The following statement is insufficient to assure adequate floor time for babies: “Allowing each infant actively supervised tummy time through-out the day when the infant is awake.” Please add an additional statement 0296 2 (b) ii Limit time that babies spend in infant equipment (containers) to two or fewer, 15 minutes sessions per day.	DEL honors the negotiation process and accepts the negotiated language.	No
<p>WAC 170-300-0140 Room arrangement, etc. 5. Request waiver- many of our spaces do not have individual cubby space for students. While we can create plans (ie: large ziplock backs for each student) for student belongings to be separated, we do not have the financial or space capacity to adjust cubby spaces at all locations.</p> <p>WAC 170-300-0146 Equipment & surfaces in outdoor early learning Will be discussing with facilities department. Current playgrounds meet OSPI requirements/regulations</p> <p>WAC 170-300-0160 Promoting acceptance of diversity 2. Will training be provided to support staff members in addressing these situations?</p> <p>WAC 170-300-0165 Safety requirements –Will be discussing with facilities department. Current playground equipment & surfacing meets OSPI requirements/regulations.</p> <ul style="list-style-type: none"> • 2b – Re: window blinds – all classrooms will need blinds replaced, which will be a financial constraint. Request waiver for alternate options to secure blind strings out of reach of children. • 4a –for classrooms located in school buildings, temperature control is not available in the classroom, but staff are able to call the custodian and request changes if outside of required range. • 4b – most, if not all windows in our programs open more than 3.5 inches. We will not have the capacity to replace all windows. Request permanent waiver. Windows do have screens in all windows. Also, some classrooms need window opening as a possibility to help regulate temperature (especially in portable classrooms, where the HVAC is challenged to keep up in extreme heat). Lastly, for emergency exit purposes, windows need to open more than 3.5 inches as for most classrooms they are the second exit. • 4c – will check with facilities on compliance of current light fixtures. May require significant replacement costs. • 4f.iii. – Not applicable to ECEAP at school locations because there are no infants/toddlers being served. Provide waiver for this requirement. <p>WAC 170-300-0166 Emergency preparation and exiting 2b. District has</p>	DEL will review the potential for a variance for programs operating on school district property.	No

elaborate emergency operations plan and facility, but it is centrally located. Request waiver or variance to allow telephone requirement to be met by central phone as opposed to on site.

WAC 170-300-0170 Fire safety – Request waiver. Fire safety inspections are completed annually for schools per OSPI requirements.

- 3g.ii – will need to check on requirements for carbon monoxide detectors. I’m guessing these are already required.

WAC 170-300-0180 Meal and snack schedule 1a- will the 2 hours between meal and snack be required? This will not work with our daily schedules when classes are only 2.75 to 3 hours. The amount of time required to get ready for meal/snack and then actual service creates barriers to separating these and still being able to meet other ECERS time requirements.

WAC 170-300-0185 Menus, milk and food 2. ECEAP requirements are just that a snack be offered. We have not previously had to have two components to the snack. Meals meet required component, but not snacks because they are not reimbursable. We pay for these out of our program budget and thus provide one item for snack option for students.

WAC 170-300-0186 Food allergies and special dietary needs Food allergy plans, modification and special dietary needs plans are completed in collaboration with school nurses. Add to language in this section to include collaboration with them (and/or ECEAP nurse) or provide variance that documents the collaboration as nurses will provide the training, etc. on what is needed to meet the student’s dietary needs.

WAC 170-300-0190 Parent or guardian provided food and written food plans 4. Will this apply to cultural foods preparation activities that occur in the classroom with a parent coming to cook with students? Will this apply to cultural food sharing activities in which parents bring/send a food that is a part of their family’s culture/traditional foods for children to taste and share? Can this permission be a blanket permission that is completed at the beginning of the year if so?

WAC 170-300-0205 Child, staff and household member illness 5f. School districts are not permitted to exclude children from school for lice (head lice). See OSPI Infectious Disease Control Guide. In addition, Snohomish Health District policy notes “No child should be kept home from K-12 school due to head lice.” As a district program, we follow the same guidelines that apply to K-12 as directed from OSPI.

WAC 170-300-0220 Bathroom space and toilet training 1a. – request waiver. Our classroom spaces are dictated by space availability within the district and may change as needed. Classrooms vary from having bathrooms centrally located in the hallway to serve several classrooms, to having one bathroom in the portable classrooms. There is no way we can meet the requirement of 1 toilet for every 15 students and staff, nor do we have control over the size of toilets, depending on where we are placed.

WAC 170-300-0236 Safe drinking water 2a. Request waiver – our drinking fountains in the classrooms are attached to the one sink that is available in the classroom (classrooms with a bathroom in the room have an additional sink in the bathroom), thus this is a handwashing sink and the sink used for the drinking fountain. Faucets and drinking

<p>fountains are located on different sides of the sink, but share a sink. Without having these attached to this sink, they would not be available, in which case we would have to fill water jugs (from this sink) and have water and disposable cups available for students.</p>		
<p>170-300-0185 (1) Following the “USDA Child and Adult Care Food Program (CACFP Handbook” does not accurately comply with current CACFP standards. The current handbook for licensed centers was last updated in 2014. However, major changes took effect in October 2017. Therefore, this section should state “must comply with the requirements as mandated by CACF”.</p>	<p>Agreed.</p>	<p>Yes</p>
<p>Reading through and commenting on these proposed WAC’s has taken an enormous amount of time. I am a home provider and so my opinion is from that standpoint. DEL has gone far and above the health and safety of the children of our state. DEL is attempting to make a law out of every move we make. DEL is requiring us to become educational institutions for every child we serve from birth on up. You are putting children in danger of a weakened immune system and by having such strict supervision and demanding interactions these children cannot possibly learn to function independently. All of the cleaning that you are requiring, curriculum and program agenda, community information to provide to parents, counseling to families and documentation of staff, children and program, continuing education beyond what is already required is absolutely impossible to meet all of these expectations. As a home provider I already wear many hats to operate my daycare successfully. I am not a sibling to Jesus thus I have no power to do miracles. What you are asking is beyond human ability. I challenge DEL to find anyone who can achieve every requirement you are attempting to place on us. You are leaving no room for us to actually be a home to the children we care for.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>If they have the children’s best interest at heart, meaning no additional costs to programs at centers or family day care homes.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Environment Many of the WACs in this section are vague and highly subjective in their interpretation. I was hoping the new WACs would be less subjective. DEL does a poor job now in consistency between licensors on the same current WACs. Licensor ‘A’ comes through the building and says everything looks good, Licensor ‘B’ comes through a couple weeks later and writes a 20 page FCLA when there have been no changes in the environment. WAC 170-300-0130 Indoor early learning program space. (3) Early learning program space must allow children to move between areas without disrupting another child’s work or play. What does this even mean? I find it vague and highly subjective in its implementation. Depending on the number of children in attendance that day the same space could be flowing well or congested if everyone wants to be in it. WAC 170-300-0135 Routine care, play, learning, relaxation, and comfort. (d) Arranged in a way that does not interfere with other play equipment. Highly subjective and vague. (3) “soft furnishings” may include upholstered furniture I have been forced to remove couches and other upholstered furniture because it was not cleanable. What will the cleaning standard be for soft stuff like couches and such? Frequent cleaning will ruin these items quickly and is expensive. WAC 170-300-0140 Room arrangement, child-related displays, private space, and belongings. (1) encourage independent access by children. What does this mean? I find it a highly subjective standard. (2) related to current activities or curriculum. How does DEL expect licensors to judge if Materials are related to current activities or curriculum? (6) Sufficient space. Please provide a definition</p>	<p>Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.</p> <p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>

that will not be subjective in its interpretation. (6) (b) Move freely. Please provide a definition that will not be subjective in its interpretation. How will this be enforced? WAC 170-300-0145 Outdoor early learning program space. (4) "Outdoor play space must promote a variety of age and developmentally appropriate active play areas for children in care." This is a poorly ordered sentence. How does space promote areas? (6) So the only alternative to "standard" fencing materials is some type of masonry wall? (8) & (9) overlap and both state a gate can have no gap through which a sphere with a diameter of three and one-half inches can pass. If true would this be two 6 point violations? WAC 170-300-0146 Equipment and surfaces in outdoor early learning space. (3) Handmade playground equipment. Who in DEL has the expertise to evaluate plans for playground equipment? If DEL approves a set of plans and the playground equipment is built to the plan, does DEL assume liability if a child is hurt on that equipment? ACTIVITIES WAC 170-300-0150 Program and activities. (1) & (2) Who at DEL will be making determinations as to how programs and activities meet the requirements in this section. Since DEL licensors don't currently have to have any ECE credits to be hired to enforce the new WAC or current WACs, how are they going to have the expertise to decide if materials, activities, curriculum & environment meet individual, developmental, and cultural needs of children. WAC 170-300-0160 Promoting acceptance of diversity. Again who gets to make the determination of compliance with this WAC? Will there be a checklist of how many book or posters must show diversity. Will a list of book title or photos be provided by DEL? Who gets to be the judge of what constitutes diversity? What qualifies my licensor to make these determinations? Different licensors don't agree as to what preventing access to unsafe stuff means. Is it up on a shelf out of reach ok or should it be locked in a cabinet or removed from licensed space. I've been given all three answers for lotion. WAC 170-300-0165 Safety requirements. (2)(c) No items capable of forming a loop. This should be reconsidered for school age rooms. Fire Arms. Must parents be prevented from coming into the building with a concealed firearm? (3)(g) Poor Condition needs a definition. A couch in poor condition in affluent communities is thrift store gold in poorer communities. (4)(c)(iii) Halogen lamps and bulbs. Why are they being prohibited? (4)(d) Safe noise levels. I am located in an old gymnasium. We have a half basketball court sized indoor play space and four foot walls separating classrooms. If kids are playing in the gym at all, the building is loud. There is no way to fix this. (5)(a) The wording is bad. "In areas accessible to children, tamper-resistant electrical outlets must be used" tamper-resistant electrical outlet is a technical term that has a legal definition under the uniform building code. WAC 170-300-0170 Fire safety. (3)(g)(ii) Carbon monoxide detectors. Maybe you could mention in this WAC that a fuel-burning appliance, heater, fireplace or have an attached garage must be present for a carbon monoxide detector to be required. IE: there must be source of carbon monoxide. WAC 170-300-0185 Menu, milk, and food. (1) Follow requirements of the USDA Child and Adult Care Food Program (CACFP) Handbook. Why are we required to follow nutrition guidelines that are based on politics instead of the latest nutritional science? (2) Serve a fruit or vegetable at one snack per day. This will result in lots of wasted food and hungry kids. It will also limit options available for snack, there are only a few widely available and affordable fruits and vegetables to serve large programs. It will also increase costs. WAC 170-300-0197 Safe food practices. (4) Food past the "best served by" date must not be served. This is not a food safety date, this is a marketing ploy to get Americans to throw out safe food and buy more products. It only means a product might be past its peak flavor or crispness. Not that it will make you sick. HEALTH

<p>PRACTICES WAC 170-300-0200 Handwashing and hand sanitizer. (4) Providers and washing hands. Washing my hands 30 to 50 times a day leaves them like sandpaper in the summer and cracked and bleeding in the winter. No amount of lotion helps. (5) Kids washing hands. With the thinner skin on young children, washing hands as frequently as this WAC requires will leave the children's hand cracked and bleeding. It will also mean spending most of the day in the bathroom supervising hand washing. (6) Hand sanitizer should never be used in child care. Hand sanitizer does not get hands clean. Over use of these antibacterial products leads to the development of super germs resistant to treatment of any kind. WAC 170-300-0241 Cleaning schedules. (9) Diaper receptacles, get new liner if odor is present. It's a diaper receptacle, when is there not an odor present? When it's empty. (11)(b) Clean rugs or carpet at least once per month. Cleaning too frequently, especially with chemical solutions, can actually wear down your carpet by loosening the fibers, making the carpet loose and more susceptible to dirt. This is an expensive WAC. It will result in the removal of carpets from infant rooms. WAC 170-300-0255 Pest control. Is DEL encouraging the use of toxic substances in early learning centers? WAC 170-300-0265 Sleep, rest, and equipment. (8)(a) 18 inches on each side. Is that just 18" between two mats or is that 18" for each mat for</p>		
<p>Leave the environment quality sections to the system the state created – Early Achievers. Minimum Licensing Standards are not “best practice”; and the state should not be mandating what they consider best practice. Every program is different and that must be respected. Parent choice is key here – as an example, the Montessori environment is going to look very different than other environments. ECEAP classrooms are filled with new equipment and materials are continually renewed, and community child care centers and family home providers have budgetary restraints that ECEAP does not have to deal with. We are not the same, and quality can look very different.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>If it's not related to the Health and Safety of children, the state needs to leave environmental decisions to the individual providers.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>The current Wacs are more than sufficient ...The State is out of control with more regulations...this is NOT Nazi Germany...or is it? Parents and providers are more than able to decide what is needed in special circumstances...our children are NOT wards of the State! What is going on...leave us alone and let the parents and the providers do our jobs!</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Category: Program Administration</p>		
<p>Family Home Childcares are VERY different than centers. Please let the parents choose. The rules need to be different.</p>	<p>Family child care and center child care providers were represented during negotiations. The negotiating teams identified when the separate needs of family child care providers and child care centers necessitated unique requirements and revised the draft rules accordingly.</p>	<p>No</p>
<p>please make it easier for FAMILY CHILD Care---- this 100% different than centers</p>	<p>See previous response.</p>	<p>No</p>
<p>As long as the changes have the children's best interest in mind with no additional costs to centers or family day care homes without increases to subsidies.</p>	<p>Commentary – no response.</p>	<p>No</p>

<p>No other industry is subject to this level of micromanagement by a government agency. I believe it is discrimination based on the majority of providers being women and women of color. The mindset is providers are not equal to government workers in education, competence, life experience, social status, knowledge of child development and health concerns, and adherence to social norms.</p>	<p>One of DEL’s primary responsibilities is to set health and safety standards for children in child care to limit children’s exposure to risk and harm. The rule language was negotiated by 10-member teams representing family home providers, center providers, Head Start/ECEAP providers, as well as parents and DEL licensing staff. The negotiation teams were comprised of individual with a variety of cultural perspectives,</p>	
<p>WAC 0500 Health Policy. DEL has to review AND APPROVE my health policy when “changes are made, and as otherwise necessary”? Why? No other business is regulated like child care. This is complete over-regulation.</p>	<p>During rules development and negotiations, steps were taken to ensure that rules addressed cultural relevancy. DEL believes that negotiators were able to reach consensus on rules that offer cultural responsiveness and allow DEL to carry out its responsibility of keeping kids in child care safe and healthy that.</p>	
<p>WAC 170-300-0401 License fees</p> <ul style="list-style-type: none"> • Request waiver. It seems like a conflict to charge programs who are operating under state grant funds to be licensed. In addition, feels like a conflict to charge school districts, who are regulated by OSPI, for licensing fees. • If this is required, include payment option by purchase order. • Would half day programs be licensed for 20 (amount of students attending at one time) or 40 (total number of students served per classroom)? <p>WAC 170-300-0402 Changing early learning program space or location</p> <ul style="list-style-type: none"> • Request waiver or variance – Our spaces are maintained by our facilities and maintenance departments per OSPI requirements, local building codes, etc. We as the ECEAP program, don’t always know changes, modification, or improvements being done, therefore notification to DCYF will be challenging. We are such a small program in comparison to the size of the district, that it is unrealistic to expect notification of all projects, etc. when these are meeting requirements, etc. • 3a – We frequently do not have 90 days notice to such changes or moves. • 3b – What will department capacity be to meet tight timelines for turnaround regarding inspections and moves? This could significantly impact our ability to provide services and meet ECEAP standards re: enrollment timelines and meeting required student contact hours if this is required before student attend after a classroom move. <p>WAC 170-300-0415 Zoning, codes and ordinances 4 –Our district facilities department handles these.</p> <p>WAC 170-300-0420 Prohibited substances</p> <ul style="list-style-type: none"> • 2c- the way this is worded makes it seem like this would also include parent vehicles for self-transport children. • 2e – would like to see posting requirement aligned with 	<p>The negotiating teams focused on reaching consensus on rules that would suit the majority of programs. Negotiating teams and DEL staff are aware that variances may be needed to address alternative approaches some programs may need to follow to achieve the desired outcome of a rule(s).</p>	<p>No</p>

<p>school postings which say something like “Drug free zone” Expand posting requirement to say Drug, alcohol, smoking and vaping free zone or something similar and ALIGNED to school district posting requirements.</p> <ul style="list-style-type: none"> • Will signs be provided or a template available? • Will variances be accepted to allow for programs in school districts to use the same posting that is consistent with elementary and school postings? <p>WAC 170-300-0425 Initial, non-expiring, dual licenses and license modification 3b.iii –Often changes to dates and hours are not known until September due to contract negotiations that determine the school calendar. Changes also have to be made when weather conditions cause school closures. 3c. –Will all background checks be expected to be on the same schedule? Will those expiring within the year be required to renew before license/certification renewal? 9b.v – Reporting changes in program hours and closures within 24 hours may not be possible for weather related closures. When schools are closed, staff are also not working. Determination of make-up days is usually not made until the threat for additional closures has passed. 11. This is completed by the school district, not ECEAP program staff.</p> <p>WAC 170-300-0435 Waiver from department rules – WAC 4. Would waivers be in jeopardy as the department changes and updates these WACs?</p> <p>WAC 170-300-0436 Variance from department rules –WAC 3b. What will the timeline be from application to approval?</p> <p>WAC 170-300-0440 Facility licensing compliance agreements-1b. Will these replace contract compliance actions plans or be in addition to? 4e. What will these civil penalties include? How does this whole section look for certification? 7. Who will technical assistance be provided by? Will this be aligned with technical assistance already provided by our ECEAP contractor? 8. Will a probationary certification be something used with school districts? 10. What constitutes “readily available” records? Due to storage and archival space, older records are retained at an off-site facility, but could be accessed within the same day if requested.</p> <p>WAC 170-300-0443 Enforcement actions, notice and appeal Can districts be fined? It seems like a conflict to fine programs who are operating under state grant funds. In addition, feels like a conflict to charge school districts, who are regulated by OSPI, for fines.</p> <p>WAC 170-300-0450 Parent or guardian handbook and related policies Questions regarding what would be included for the following policies:</p> <ul style="list-style-type: none"> • 2b – family engagement and partnership communication plan (what in addition to ECEAP family support work and parent-teacher contact, would be included?) Would ECEAP standards addressing FSS and parent-teacher contact be sufficient? • 2h.i- care for children with specific or special needs – what would this include beyond students IEP, health plan, etc.? • 2v.iii – consistent care plan – what would this include? <p>WAC 170-300-0455 Attendance records – Would records be required on site for currently enrolled students? Students from the current program year?</p> <ul style="list-style-type: none"> • In ECEAP, staff initial in students who arrive by bus. Request variance regarding a signature being required as at some site 75-80% of student arrive by bus, which would take a 		
--	--	--

<p>significant amount of time for staff to put their signature to sign in every student, which diverts their attention from student interactions and supervision. Allow for initials or a simple “bus” notation.</p> <ul style="list-style-type: none"> • An example of staff attendance would be helpful. The start and end times for staff members are the same each day and are padded with prep time before and after students arrive/leave. There is no check-in/check-out procedure required by our HR department or union contract. Request variance. 		
<p>WAC 170-300-0460 Child records</p> <ul style="list-style-type: none"> • 1b. Request variance as we are required to follow district policy and procedure for request of records. • 2c. what would alternate emergency contact plan include if the parent does not have emergency contacts? • 2e. How is a plan for special or individual needs of child different than an IEP, 504 or health plan? Also, an individual learning plan is developed for all students. • 2h. Restraint is often the result of an unexpected action, in which case requiring a plan of approval from a parent prior to the use of restraint for a specific student, is not possible. If notification via the parent handbook and the parent signing off on receiving and understanding the handbook is acceptable documentation of approval for restraint plan, then we would be covered, as our parent handbook describes when restraint may be necessary as a last resort and the action steps taken before and after. • 4h. We use the district forms and procedures for all incident, injury, etc. reporting <p>WAC 170-300-0470 Emergency preparedness plan- As a part of the school district, we are required to use their established and extensive emergency operations plan. This plan addresses all schools, not just our specific early learning program.</p> <ul style="list-style-type: none"> • 1c. In the event of an emergency with ECEAP staff, site teams provide support for one another and then also use the school and district personnel as back-up and support. • 3. Will check with district on this requirement, I believe this already occurs. • 4. We follow district procedures for drills, etc. and while we will work next year on ensuring consistency for our classrooms (ie: drills not on Friday), alignment and coordination with the schools is critical since they would be the support if there were an emergency at the school. Forms used to document drills, etc. are district forms that meet OSPI requirements. Request variance from using DCYF forms or having to maintain additional documentation of these beyond what the district already maintains. • 5. We are a part of a larger system of a school district. Request waiver on having a separate plan for our ECEAP programs as it is critical for us to comply with and coordinate our efforts with the schools at which our programs are located. <p>WAC 170-300-0475 Duty to protect children and report incidents 3. Concerns regarding confidentiality of reporting via email or phone (voicemail).</p> <p>WAC 170-300-0480 Transportation and off-site activity policy – We</p>	<p>See previous response.</p>	<p>No</p>

<p>use the district policy and procedure that meets OSPI requirements and guidelines for all transportation and field trips.</p> <ul style="list-style-type: none"> • 2c. What does a “complete” first aid kit entail? • 3a. Transportation in school buses is exempt from child restraint laws/ has different requirements. Consult with OSPI on requirements and provide waiver so transportation can continue to be provided to ECEAP students-a factor that greatly impacts our ability to serve our most vulnerable populations and achieve full enrollment. <p>WAC 170-300-0485 Termination of services Request waiver. ECEAP cannot comply with this per ECEAP standards that note that we cannot require anything of our parents in order for them to participate in the ECEAP program.</p> <p>WAC 170-300-0486 Expulsion policy Request waiver. ECEAP has a clear no expulsion policy.</p> <p>WAC 170-300-0490 Child restraint policy 3. What would “training” include? Training on the policy or training on restraint? P.238 WAC 170-300-0500 Health policy – We use district policies and procedures for health services. Would supplement a few as needed. Concerns regarding the required cleaning schedule as that is a significant impact on custodial services.</p> <p>WAC 170-300-0505 Postings Request waiver re: 2m – Posting of insurance coverage. Coverage is under the umbrella of district coverage. Not appropriate to post in each classroom when it is for whole district. If access to records is needed, that can be arranged.</p>		
<p>170-300-0400 (1)(b) describes materials needed to be submitted to have a completed application. The language as written is fine in most circumstances, with the exception of family home moves. Family homes are allowed to operate on the old license for two weeks by statute, but would then need a new license. A new license begins with a completed application. Some of the facility information noted under (1)(b) may be difficult for the occupant of a new residence to have within 2 short weeks including (iv)(v), and (vi) for water and/or lead testing. My suggestion would be to add language to allow a ELP with a FH license to move and submit this documentation within a specific time period, such as within 30, 45, or 60 days. This would allow an application to be considered “complete” and work to begin processing.</p>	<p>Proposed WAC 170-300-0400 is not included in this rule making action. The proposed amendment will be filed closer to the planned August 2019 effective date.</p>	
<p>0400 Application materials (1)(a)(viii) Requires a copy of a Social Security number or a sworn statement of the applicant does not have one (ix) Employer identification Number (EIN) if applicant plans on hiring staff. This suggestion to improve this WAC primarily affects Home Providers. There needs to be a section on the application where it is explained a SSPS- Social Service Provider Service number will be listed on the license and used to authorize subsidy payments. It needs to be explained in the application this SSPS# will be requested and shared with another state agency not DEL. The applicant should be given the option to provide a EIN even if they are not planning to hire staff to be used to request the SSPS #. Applicants should have a statement added to the application they are aware based on their choice/decision they read and sign on the application that their Social Security # or EIN will be shared outside of the Department of Early Learning/DCYF.</p>	<p>See previous response.</p>	
<p>0401 License fees – If we are aligning centers and homes then why is the annual fee for a home child care for up to 12 children \$30/annually</p>	<p>DEL honors the negotiation process</p>	<p>No</p>

and a Center is \$125 for the first 12 children. I am a home provider so that is great for me but certainly unfair to the center.	and accepts the negotiated language.	
0410 License and program location 0410: Is there anything in this WAC that WOULD NOT allow a Medical Marijuana Cooperative on the premises of a licensed Family Child Care ? Medical Marijuana Cooperatives can: Form a four member cooperative, *Grow up to the total number of plants authorized with a maximum of 60 plants,- Limited to one cooperative per tax parcel. Medical Marijuana cannot be located near daycare centers but the WAC concerning Medical Marijuana Cooperatives does not mention Licensed Family Child Care Premises.	DEL has no authority to regulate where medical marijuana cooperatives are located.	No
The 2 week time frame for operating after a move is if the department can do the inspection in that time frame. There should be an extension if the inspection can't be made by the department in that time frame. Providers would lose income and clients if they had to close until the inspection can be made.	DEL honors the negotiation process and accepts the negotiated language.	No
Family in-home childcare it's our home. You can't restrict what a private citizen does in their home during non-business hours if it is legal to do so. This is over reaching. We also can't control what people do prior to picking up their children. We can't prohibit them from being under the influence of alcohol or drugs when they drop off or pick up. If a provider uses her whole house then she can't store cannabis out of licensed space. This should be treated as medication and be locked up.	DEL honors the negotiation process and accepts the negotiated language.	No
0420 – Prohibited substance 2(a) Prohibit smoking in licensed indoor space, even during nonbusiness hours. I am not a smoker but I resent that you think you can tell me what to do in my home during nonbusiness hours.	DEL honors the negotiation process and accepts the negotiated language.	No
Posting “No Smoking” and “No Vaping” signs is ridiculous. Centers already need to post so many things and communicate them to parents. Should we also post “No drinking alcohol” signs?	Commentary – no response.	No
170-300-0420 (2) (f) Post “no smoking or vaping” signs at entrance. This is not appropriate for all settings. Yes for public area with other businesses and foot traffic. Not on private garden like property that only serves our preschool/childcare where our clientele wouldn't think of smoking or vaping on our property. No one has smoked or vaped on premises for over 10 years. Better to recommend signage to address the problem of smoking or vaping on premises if it is an issue.	DEL honors the negotiation process and accepts the negotiated language.	No
170-300-0435 and 170-300-0436 describe waiver and variance from department rule. section (4) for each of these rules describe they remain in effect for as long as the early learning provider continues to comply with the conditions of the variance. My suggestion would be these waivers and variances should have a sunset provision and be in effect only until the next revision of the rule in question. I recognize that some revisions are minimal, but some certainly are not, so it may be wise to review all waiver or variances affected by any rule change.	Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.	No
0440 8 You guys have really made it easy for you to close, modify a license or put a provider on probation. With the way this is written, you can do whatever you want for whatever reason you see fit. Shame on you for holding our futures in your hands and not letting us prosper.	Commentary – no response.	No
170-300-0440 Facility Licensing Compliance Agreements, non-referral status, probationary license, and provider rights. (5)If an early learning provider refuses a FLCA or probationary license, this may result in any of the following enforcement actions: modification, non continuation of a nonexpiring license, suspension, revocation, civil penalties. This	DEL honors the negotiation process and accepts the negotiated language.	No

element should also include denial.		
0455 A child may be in care up to a maximum of ten hours each day. If needed, the maximum time may be extended. Why have the regulation if it can be extended. This seems baseless to me.	The maximum time may only be extended under specific circumstances and is allowed to provide flexibility for parents who work a flexible schedule, have a long commute, or need extra hours to accommodate a work/education schedule.	No
PROGRAM ADMINISTRATION AND OVERSIGHT LICENSING PROCESS WAC 170-300-0440 Facility licensing compliance agreements, nonreferral status, probationary license, and provider rights. (3) An early learning provider may request an internal review process regarding the violation of department rules pursuant to RCW 43.216.395. Weight #1 Why does requesting a review incur a one point penalty? How can exceeding a right to review harm a child? Is this a penalty point! WAC 170-300-0470 Emergency preparedness plan. (4)(d)(iv) Notes about how the drill went and how it may be improved. Does this include fire drills? Currently is only for the quarterly emergency drills. 12 entries about fire drills will be very monotonous.	The proposed rules are not weighted.	No
REMOVE 0455 3(b) The number of children in each classroom or family home program; This is not necessary for family homes....you can tell by the sign in/out sheets. The attendance changes on a regular basis....why do we need to write the number of children?? it will change every 15 minutes until 9am and then again 12 and then again every time a child leaves. I have a long list of just things you want us to clean... we do not have time to write down the number of children every 15 minutes.	Proposed WAC 170-300-0455(3) records the staff who are present and the start and end times of staff or volunteers. Family home providers who do not have staff or volunteers may combine the requirements of (2) and (3) into a single record.	No
The requirement for Dental care provider is unrealistic esp. for infants. What about parents who don't have dental coverage?	DEL honors the negotiation process and accepts the negotiated language.	No
Providers are required to report conditions, within the notifiable conditions rule to either the local health jurisdiction or the department of health depending on the condition. The conditions within this rule are broader than just food poisoning or contagious diseases, and are described in the notifiable conditions rule (chapter 246-101 WAC). Proposed changes to proposed WAC 170-300-0460: (j) Documentation that a provider reported food poisoning or contagious diseases to the local health jurisdiction or the department of health, if applicable. a case of a notifiable condition as required by chapter 246-101 WAC	Disagree. Department of Health rules do not require early learning providers to report "notifiable conditions," only "contagious diseases."	No
The rules contain a detailed definition of a "Safety Plan", but I was not able to locate any other use of this term beyond 170-300-0465 Retaining facility and program records. (5)(u). There should be a rule that describes that a safety plan that has been developed collaboratively with the ELP and approved by the department must be followed.	Proposed WAC 170-300-0470 requires providers to develop and emergency preparedness plan that is reviewed by the department and parents. The rule explains what is included. [Section 0465's use of "safety plan" specifically says it would be generated by the department. Furthermore, section 0465 is not included in this rule making action.]	No

<p>WAC 170-300-0475 Duty to protect children and report incidents. (1) Pursuant to RCW 26.44.030, when an early learning provider has reasonable cause to believe that a child has suffered abuse or neglect, that provider must report such incident, or cause a report to be made, to the proper law enforcement agency or the department. what happened to CPS?</p>	<p>CPS and DEL licensing will have merged into the Department of Children, Youth, and Families by the time these aligned rules take effect.</p>	<p>No</p>
<p>Current language is not consistent with WAC 246-110-020 reporting requirements to notify the local health officer about the presence of a contagious disease in a facility. Given that this section describes responsibilities of early learning providers, a more appropriate reference here is to indicate that providers must comply with WAC 246-101-415 (Notifiable conditions). Proposed change to proposed WAC 170-300-0475: (d) The local health jurisdiction or the department of health immediately, and to the department within twenty-four hours about an occurrence of food poisoning or reportable contagious disease as defined in chapter 246-110 WAC, as now or hereafter amended; about cases, suspected cases, outbreaks, and suspected outbreaks of notifiable conditions that may be associated with the child day care facility as required by WAC 246-101-415.</p>	<p>Disagree. Department Of Health rules do not require early learning providers to report “notifiable conditions,” only “contagious diseases.” Only health care providers are required to report notifiable conditions.</p>	<p>No</p>
<p>WAC 170-300-0500: Health Policy. The final draft language of this WAC omits the existing requirement of WAC 170-295-3010 1 (d) that qualified health care professionals review and sign health policies for child care setting. The current rule better aligns with the best practice recommendations set by the American Academy of Pediatrics and the American Public Health Association. It should not be changed. Rational (including references) to support reviewing and signing health policies by qualified health care professionals follows:</p> <ul style="list-style-type: none"> • Consultation by a qualified health care professional is associated with a decrease in diarrheal and respiratory illness, which lowers the numbers of sick days taken by children and their families. (American Academy of Pediatrics, American Public Health Association, National Resource Center for Health and Safety in Child Care and Early Education. 2011. Caring for our children: National health and safety performance standards; Guidelines for early care and education programs. 3rd Edition. Elk Grove Village, IL.) • The requirement that a health care provider sign the policy increases the opportunities for a health and safety professional to observe potential hazards in the child care environment. (Carabin et al. Effectiveness of a Training Program in Reducing Infections in Toddlers Attending Day Care centers. Epidemiology. 1999; 10:3 219-227) • Consultation and policy review by a qualified health care professional has been associated with improved practice in areas such as sanitizing and disinfecting, handwashing, safe medication management, nutrition practices, safe chemical storage, and development of care plans for children with special health care needs. Johnston R, Delconte B, Ungvary L. et al. (Caring for Our Children Health and Safety Standards into Child Care Practice: Child Care Health Consultation Improves Infant and Toddler Care. Journal of Pediatric Health. 2017; 31(6):684-694) Thank you for your consideration 	<p>DEL honors the negotiation process and accepts the negotiated language.</p> <p>The department has found the requirement to have a qualified health care professional review and sign health policies to be impractical and burdensome to child care providers. First, properly trained child care health consultants are rare and therefore hard to find and use throughout the state. Second, providers who do comply with this requirement are merely “meeting the letter of the law” by meeting with any nearby and available health consultant, because finding a qualified <i>child care</i> health consultant—one who truly understands child care environments—is difficult. Third, DEL licensors or health specialists must also review a provider’s health policies and this review often finds errors that were not caught during a health consultant’s review. Lastly, providers are required to pay for a health consultant review and, with little benefit and frequent error, this task simply becomes an expensive and fruitless “hoop” for providers to jump through to provide child care in Washington. Instead of the suggested requirement, the department could meet the intended health benefit by offering providers model health care</p>	<p>No</p>

	policy templates and training licensing staff to help providers draft and review child care health care policies.	
WAC 246-110-001 states, "These rules are in addition to other requirements imposed by chapter 246-100 WAC, Communicable and certain other diseases and chapter 246-101 WAC, Notifiable conditions." Given that the notifiable conditions rule has broader reporting requirements, it's important to refer to the notifiable conditions requirements rather than the narrowly defined contagious disease reporting in chapter 246-110 WAC. Proposed change to proposed WAC 170-300-0500: (f) Contagious disease notification; <u>(f) Reporting of notifiable conditions;</u>	Disagree. Department Of Health rules do not require early learning providers to report "notifiable conditions," only "contagious diseases"	No
If the program has access to a child care health consultant, that consultant should review and sign their health policy. For those programs who do not care for infants, the health policy review is often the only time they get any licensed health professional input into their systems. It serves as an excellent time to talk about the areas where they are most likely to have challenges: cleaning/sanitizing/disinfecting; medication administration; safety.	See previous response.	No
See Attachment B – comment from the Snohomish Health District	See previous response.	No
Category: Interactions & Curriculum		
Each Family Childcare should be able to decide how they will provide for the families that CHOOSE their program. My families chose our childcare because of what we have to offer...not what DEL decides is right for us. You are taking choices away from the business owner and the parent. All children are not the same. All programs should not be the same. This is NOT a "one size fits all" business.	Commentary – no response.	No
Disagree. This is a free country and we should be able to have whatever curriculum works best with our daycare environment. It should not be mandated what we can and cannot do.	Commentary – no response.	No
Family childcare shouldn't be mandated to provide Early learning curriculum or developmental screenings. Parents need and want safe, loving home environments when choosing us for childcare. These proposed WACs are taking the home out of childcare and making us Preschools. If parents wanted the early learning environment they would choose that. You are talking away the parent's right to choose what they feel is right for their children. Family home providers are also small business owner not DEL/DCYF employees. Majority are women. These WACs are taking away our ability to run our business with the philosophies we believe. Early Learning can't be legislated.	Commentary – no response.	No
LET CHILDREN BE CHILDREN--- DO NOT FORCE THEM ANY STRUCTURED ENVIRONMENT... provider know their children in care better and what is best for them to learn. one side you say PLAY is most important and other side you gave curriculum that children are forced to follow--- does not make any sense..... provider can give best environment for children to learn through play NOT curriculum	Commentary – no response.	No
most of changes are feasible on centers BUT not home child care---- please whatever decision making---- make it different for Homechild	Family child care and center child care	No

<p>care---- IT'S someone's home they are opening to build future---- please understand their needs</p>	<p>providers were represented during negotiations. Negotiating teams identified when the separate needs of family child care providers and child care centers necessitated unique requirements and revised the draft rules accordingly.</p>	
<p>0356- Center capacities: It was my understanding Montessori programs were allowed to have a separate ratio/capacity and group size based on the type of program they provide. I do not see a separate section in regards to Montessori capacity, ratio and group size.</p>	<p>Negotiating teams focused on reaching consensus on rules that would suit the majority of programs. Negotiating teams and DEL staff are aware that variances may be needed to address alternative approaches some programs may need to follow to achieve the desired outcome of a rule(s).</p>	No
<p>I think teacher to child ratios need to be dropped to be able to implement the new rules and expectations</p>	<p>Negotiating teams included representatives from family home child care and center child care, as well as Head Start and ECEAP providers. Negotiators developed proposed ratios considering the health and safety needs of the children in care and program needs. DEL defers to negotiated ratios.</p>	No
<p>It is my view that it is imperative for centers to be able to reduce the staff coverage during nap times. 2 teachers with 20 sleeping children is not needed nor does it add to the quality of the program. Teachers need to take lunch breaks and preferably this occurs during nap time to be less impacting to the quality of the classroom environments. To require staffing during a short window of time in classrooms would require double the staffing hours for just 1-2 hours a day. In a school of over 300 students, hiring people to work for 1-2 hours daily is an impossible feat.</p> <p>DEL should be doing everything possible to <i>support quality centers</i> that provide childcare to working parents!</p>	<p>See previous response.</p>	No
<p>every program or business should be able to decide what they are going to teach or "service" they are going to provide.</p>	<p>Comment – no response.</p>	No
<p>I also would always like to recommend lower ratios in the Toddler aged classrooms to meet higher quality standards. This is an important age for students who are showing signs of developmental delays. We can help these children so much more if we had more time with them instead of competing with all the other students' needs. Ideally a ratio of one to five would be the best instead of the current one to seven.</p>	<p>Comment – no response.</p>	No
<p>I am to report anytime I expel a child from my program? I reserve the right to let go of any child I deem necessary. Now, in 35 years I have only let go of three kids, so this isn't something I do and the last the child was ten years ago. But, I am a self-employed business and some of the rules DEL is trying to shove down our throats may not even legal. There may be lawyers involved. I am self-employed and as long as children are safe and I have no problem with those rules, then it is not DEL's business if I let go of a client or not. And you want us to learn about play? My childcare is all about play, always has been. Curriculum</p>	<p>Expulsion means the provider can no longer meet the child's needs without putting the provider or other children at risk for potential harm. Informing DEL protects the provider from liability as well as allows DEL to collect useful data about the child.</p>	No

<p>is not what is needed, especially before the age of 5. A children should be allowed to explore and play all day long if necessary to what makes his/her brain feel good. I am a veteran of childcare and tomorrow I could put out an all-call to former parents and there would be 50 of them writing or standing behind me in a court of law if necessary. Really, give this up!</p>	<p>Termination is ending care based on parents' behavior and is not reported to DEL.</p>	
<p>WAC 0340 Expulsion. We have the right to refuse service to anyone just like the local restaurant. Two things will happen if DEL insists on this WAC. First, the month before the WAC takes place, there will be many expulsions. Providers who have been working with parents on a behavior will just throw in the towel early so they don't have to jump through this one more hoop. Second, expulsions will continue. Providers will just not address the "behavior" with the parents, and when they've had enough, they will terminate the parent instead – for something as simple as being 2 minutes late. Meanwhile, the child loses because the provider won't want to openly address any behaviors for fear of being entangled in this WAC. The children are the losers here.</p>	<p>See previous response.</p>	<p>No</p>
<p>WAC 170-300-0340 and 0486 Expulsion I understand the state's position on expulsion, but center staff and administration have to be able to respond to rapidly developing situations that risk harming others children or risk disruption and upheaval to the classroom and center. There are times when a child may not create a dangerous situation but instead creates a disruption and has needs that require one on one supervision in order to remain in the class. If it just isn't a good fit for child and program, the center needs to have the ability to separate the child and the program. I hope the state will provide templates for centers to develop the policies that they require.</p>	<p>Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.</p>	<p>No</p>
<p>At the end of the day when children are being up, centers need the ability to combine classrooms and not have to meet the mixed-age group ratios. Or the "end of day" one hour rule needs to be extended to mixed-age group classrooms.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>WAC 170-300-0335 Physical restraint 5a. Regarding notification to DEL - request variance. Notification within 24 hours seems like a tight timeline. Could guidance be to report to program manager and ECEAP contractor within 24 hours?</p> <p>WAC 170-300-0340 Expulsion ECEAP standards require a no expulsion policy. Is this changing with these WACs? Otherwise, adjust language to be inclusive of ECEAP requirements in order to limit confusion on the ability of ECEAP programs to expel children.</p> <p>WAC 170-300-0345 Supervising children</p> <ul style="list-style-type: none"> • 1. Regarding who should have unsupervised access to child - expand to include that in a school district, staff with a legitimate educational purpose/reason for interactions with the child (such as the SLP, itinerant special education teacher, health room attendant, school nurse, principal or counselor) should also be allowed this access to the child. As a part of the school district, the requirements for unsupervised access to the child need to match the requirements from OSPI and the school district. • 5b.vi - Are school buses considered public transportation? If so, how is "actively supervise" children defined? We do not have the capacity to add a second person to buses for supervision. OSPI requirements for preschool age students receiving special education services are okay with one driver. 	<p>The negotiating teams focused on reaching consensus on rules that would suit the majority of programs. Negotiating teams and DEL staff are aware that variances may be needed to address alternative approaches some programs may need to follow to achieve the desired outcome of a rule(s).</p>	<p>No</p>

<p>ECEAP requirements for programs located in a school district need to match/follow the OSPI requirements.</p> <p>WAC 170-300-0354 Indoor early learning program space capacity</p> <ul style="list-style-type: none"> • 2c. Does this mean that 2 feet around any handwashing sink cannot be counted in square footage calculation? If so, we'll likely need a waiver on square footage requirements for our portable classrooms that are tight on space as it is. • 2g. To operate a high-quality program, many materials, supplies, etc. are required. Classrooms have considerable space and storage issues as it is. I'm concerned about taking these out of square footage calculations (especially if they are under a countertop or still create usable space for student activities). We simply do not have the facilities available to store materials and supplies outside the classrooms. <p>WAC 170-300-0356 Center capacity, ratio and group size</p> <ul style="list-style-type: none"> • How does this related/affect/connect with district facilities/space regulations from OSPI? • Would gyms, playgrounds, courtyards, libraries, cafeterias, and other travel paths, etc. need to be licensed/certified? • 2f. How do subs play into this? We access district paraeducator substitutes. Removing this as an option for subs would SIGNIFICANTLY impact our ability to gain coverage when staff are absent. • 3. Request waiver - Transportation is not provided by early learning program staff, but by school district/transportation staff or approved transportation contractor - regulated by OSPI. Ratios during transportation do not meet these requirements. • 4. Request waiver - Cannot meet ratios during transportation. This would be a major financial constraint in order to meet ratios for the MANY buses that provide services to ECEAP. Buses meet OSPI regulations for transportation of preschool age students. • I won't be sending this one in my online feedback, but this is a question for you all ? How do these ratio requirements, space requirements, etc. impact family nights that provide childcare? <p>WAC 170-300-0360 Program and daily schedule 2c.ii - Request variance. This does not align with ECERS requirements which is 25 minutes for a 3 hour program (21 minutes for 2.75 hour program). Time is already VERY limited in programs and every minute counts. We want to have time to have an extended free choice to ensure we meet ECERS requirements for substantial portion of the day.</p>		
<p>I am concerned with the depth of knowledge displayed by this entire section. There is no such thing as a "curriculum philosophy." "Philosophy of Education" is different than "Philosophy of Learning" is different than "Philosophy of Teaching,"; HOWEVER, there is no such defined term as "curriculum philosophy." This is because "curriculum philosophy" is a contradiction. Curriculum is the means by which your philosophy is executed, and cannot therefore be both. There are extensive portions in this section that are biased toward academic philosophies of education. Please email me directly for specific WAC highlighting, as there are too many philosophical biases to include specifically.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>

<p>LOOKS like WAC is forcing children to learn through curriculum--- As a home child care provider I can create better environment for children to learn through their own space NOT by doing curriculum activity- NOT all child learn same- EACH child is unique and same curriculum cannot provide same support</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>I agree with the rule changes except for the following: 170-300-0305 (1) "Curriculum philosophy" should be titled "Early care and education philosophy and planning" in order to include an emphasis on the care that is needed to support early learning development, not just a focus on what is "taught", which is what a curriculum is for. "Planned daily activities" for young children need to be focused on responsive care and high-quality interactions and the title "curriculum philosophy" gives the impression that the "activities" should be academically driven. 170-300-0305 (4) An amount of time needs to be defined here, otherwise it is left to interpretation. There needs to be a minimal amount of time required, such as one hour per week. 170-300-0356 and 170-300-0345 (2)(a) Need to allow for larger group sizes on a large outdoor area. More than two groupings should be allowed as long as the teacher to child ratio is met and the required square footage determines the maximum number of children allowed in the outdoor space at one time.</p>	<p>DEL honors the negotiation process and accepts the negotiated language and title.</p>	<p>No</p>
<p>You are drowning us in paper work. Childcare curriculum should be guided by the children...there is NO WAY a provider can predict what will happen...let alone plan for it. WAC 170-300-0305 Curriculum philosophy and planning. (1) An early learning provider must have a written curriculum philosophy that describes the program of planned daily activities related to early childhood or child development. (2) The curriculum philosophy must address all age groups being served, be informed by the Washington state early learning and development guidelines, and may include: (a) How children develop emotionally, socially, cognitively, and physically; (b) What early learning looks like or areas of focus for each age group being served; (c) How the provider will meet cultural, dual language learner, and special needs of children in care; (d) How to guide learning and social interactions; (e) The importance of play to a child's learning process; and (f) For infants and toddlers, the importance of developing consistent, nurturing relationships with caregivers as a component of learning.</p>	<p>DEL's intention is not to drown providers in paperwork or create unnecessary work. DEL believes the curriculum philosophy is a critical foundation needed to thoughtfully and strategically plan a curriculum that best serves the enrolled children's emotional, social, cognitive, and physical development needs.</p>	<p>No</p>
<p>0345(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. Weight #7----what about a home provider that works by themselves? when are they supposed to use the bathroom? Every home provider will break this WAC and a weight of 7 could warrant a closure. This need to be reworded so providers can use the bathroom.</p>	<p>This is not a new requirement. Current WAC 170-296A-5750(5) requires family home providers to be <i>within sight or hearing range when children are indoors and be available and able to respond if the needed arises for the safety of the children.</i></p>	<p>No</p>
<p>My name is Michele Willis ,I am a family child care provider in Snohomish county and have been licenced since 1989 ,29years . I have seen a lot of changes in the years with licencing , the one thing that does change much is the kids intersts and the love to play and learn . Del is trying to make are job very difficult, to do what we do best ,take care of kids while they play and learn and keep them safe also . Most of the family providers that I know , have a certain personally to do what we do and they have a system that works for their daycare ,and have been doing just fine with the rules that they have ,the kids are well</p>	<p>This is not a new requirement. Current WAC 170-296A-5750(5) requires family home providers to be <i>within sight or hearing range when children are indoors and be available and able to respond if the needed arises for the safety of the children.</i></p>	<p>No</p>

<p>taken care of they are learning weather we want them to or not , kids need simple play time to learn when they are at the ages 0-5 or even 12yrs .</p> <p>Most of the wac I get are safety oriented ,but some of them have not been thought through if you were to do our job some of these would be empossible ,like having sight of kids at all times ,what happens when they go to the bathroom are we to all go with them ,think of your children at home are they in your sight at all times or are the watching and listening to them to make sure they are safe , you create a safe environment for them ,and then they are safe to play and move with out getting in trouble.</p> <p>Please look at some of these requirements and realize that the are empossible to follow</p>		
<p>WAC 170-300-0350 Supervising children during water activities. (1) During water activities, an early learning provider must meet all supervision requirements of this section and WAC 170-300-0345. Weight NA (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; This is impossible to comply with. an inch of water for a sitting infant is safe when they are within reach. I understand if the water is deeper than an inch or two. You will be taking away important activity for children. Sitting infants can safely splash in a small tray of water to keep cool.</p>	<p>Proposed WAC 170-300-0350 should be read in conjunction with the proposed definition of “water activities.” ““Water activities’ means early learning program activities in which enrolled children swim or play in a body of water that poses a risk of drowning for children. Water activities do not include using sensory tables.” DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>Refer to Chapter 246-260 WAC, instead requiring lifesaving equipment to be readily available. Chapter 246-260 WAC provides more clear requirements about types of equipment that are appropriate. The suggested changes will provide consistency for compliance, will help reduce confusion between chapter 173-300 WAC and chapter 246-260 WAC.</p>	<p>The requirement to follow chapter 246-260 WAC has been inserted in WAC 170-300-0175.</p>	<p>No</p>
<p>Category: Child Outcomes</p>		
<p>Overall, I oppose the draft version of the standards alignment for the following reasons:</p> <ul style="list-style-type: none"> • They are unduly burdensome, • They are difficult to navigate, • They stifle cultural and economic equity, • They may push providers and members of the current workforce who have proven competency via Early Achievers or other assessment systems out of the field because of the set professional development requirements without a clear equivalency pathway, • The economic impact (particularly true of the standards related to professional qualifications, furniture and facilities) will inevitably raise the cost of care to Washington families without a clear route to how the standards improve child outcomes. Combined, these factors threaten to push early learning sites out of the field at a time when many areas are already struggling with a shortage of early learning programs. The providers most impacted by these pressures are those serving low-income and diverse populations who already operate on thin margins with extremely limited resources. 	<p>DEL is sensitive to all of the concerns expressed during the rule development, negotiations, and in response to the proposed rules. DEL is also mindful of its duty to comply with the Early Start Act, which emphasized high quality care to yield more positive outcomes for children and maximizing the learning opportunities that exist in early childhood during critical development windows. DEL believes the negotiated rules strike a balance between the reforms introduced by the Early Start Act and providers’ concerns about burdensome changes and financial hardship of complying with the changes.</p>	<p>No</p>
<p>I am very tired of the Big Brother aspect of this section. NO, we do not need to rate children. We provide for them learning environments and then let them go! Children should play and play and play. That is their</p>	<p>See previous response.</p>	<p>No</p>

job and when allowed to do it without formal instruction being shoved down their throats, they do very well!		
I am very tired of the Big Brother aspect of this section. NO, we do not need to rate children. We provide for them learning environments and then let them go! Children should play and play and play. That is their job and when allowed to do it without formal instruction being shoved down their throats, they do very well!	See previous response.	No
How did we get from licensing and certifying for the health and safety of children in out of home care to “foundational standards” with an incredible increase in the direct costs, administration, and bureaucracy of child care? This is such a regulatory overreach and an attempt to alter reality for families who are simply trying to have their children taken care of by loving, responsible providers at a cost they can afford. The state wanting to build a system and expand its prestige doesn’t change the economic realities of parenthood.	See previous response.	No
This should not be a requirement for Family Childcare. We are not Preschool. This whole section should be thrown out. Parents will not like the intrusion.	See previous response.	No
Children are people, not outcomes. This is their childhood and it should not be exploited for economic or political purposes. As with all the proposals, who is paying for this? Providers must pass the cost on to parents. Do parents want this and are they willing to pay for the costs? Providers need to have the authority to choose what services to provide within the financial constraints of their business. For family homes and very small programs, where is the staff time to come from and what will suffer as time is diverted from direct care?	See previous response.	No
The state is interfering at a level that goes way beyond regulating to ensure the children are in a healthy and safe environment. Furthermore, the state is granting access for the colleges to dictate that the employees of this industry be forced into the college system. At whose expense? Sure, EA may have some scholarship dollars, but not enough. AND what about those that are not interested in attending college? Well, the parents and children will lose out on their trusted caregiver who will have to leave the industry. The centers will lose employees - who will replace everyone that chooses to leave and find work that doesn’t force them to spend evenings taking college classes?? There aren’t enough people entering this workforce as it is - now they’ll be told they must be on a professional development plan with college on the horizon?? No – they’ll just go work at the grocery store. It may be less fulfilling for them, but it pays the bills.	See previous response.	No
0065 What does school readiness materials mean? Every year? So from birth thru 5 yrs? This is not age appropriate!	School readiness means preparing children from birth to five years old for a smooth transition from child care to school and a successful start to the K-12 system. DEL will clarify when materials should be distributed by adding “when developmentally appropriate for enrolled children.”	Yes
0065 - This should be applicable to preschool age children, not all children.	Disagree. DEL is complying with the Legislature’s 2015 Early Start Act with the adoption of these rules. One of the intents of the ESA was to maximize the critical developmental windows of early childhood. The	No

	resources that DEL, OSPI, and other organizations produce will explain children's developmental goals for specific age groups, birth to 5.	
I hope that DEL will provide these materials for us to pass along. We are already struggling with all the increased administration paperwork.	The proposed rule requires distribution of materials produced by DEL, OSPI, or other equivalent organizations (or similar materials).	No
he title of this section alone is biased toward an essentialist educational philosophy. Children are not outcomes, they are human beings.	Commentary – no response.	No
Providing parents with guidance and resources on child development and kindergarten readiness is in my opinion, part of our job as early childhood educators. I agree with this WAC.	Commentary – no response.	No
Category: Family Engagement		
You are asking us to interfere too much in the lives of clients and their children. Yes, if a child is in danger, I will report it. Yes, I will suggest programs to help a parent if their child may need it. But, the way these rules are worded indicates a Big Brother mentality in which I the provider am supposed to educate the parents in a rather obtrusive manner. This will cause many of them to change childcares frequently. It's better to develop a friendship and trust and then work together for the child. DEL is pushing the boundaries of what is morally and professionally right.	Under the family engagement sections, providers will 1) consider and determine ways they can support the families of enrolled children, 2) engage with families to learn about their children's specific needs, and 3) determine how best to accommodate those needs. DEL suspects that the majority of providers already do these activities. Requiring family engagement will ensure that providers better meet individual needs of the children in their care. The intent is not meant to counsel families, but to connect them to helpful resources and materials and for providers to share their experience and knowledge with families who it will benefit.	No
We are childcare providers NOT family therapist. Next year our teachers will all be required to have their degrees in psychotherapy...This is so far outside the scope of what the WAC's were created for to begin with...remember it's about the health and safety of children. Please stop with this non-sense!	See previous response.	No
0080 This is an Early Achievers requirement. Not all providers are participating in EA and should not be required to do this. Where will this form be available? 0085 Where are these forms available and resources?	See previous response.	No
0085-4-a-i This is an ECEAP standard and should not be required as a baseline WAC. Parents have been known to withdraw from child care when providers suggest a child may need help in a developmental domain such as social/emotional. We are not health practitioners and should not be suggesting screenings for any particular health issue. This should be addressed by the child's health care professional.	See previous response.	No
Again, who is paying for these requirements and do the parents want "support" which may be considered a violation of their privacy rights? They may resent being parented by their children's providers,	See previous response.	No

undermining the relationship between parents and providers. Providers must take time from other aspects of their business or take time away from their own families. Providers should not function as social workers or therapists.		
WAC 170-300-0085 PROVIDERS ARE NOT QUALIFIED FOR THIS. WE ARE CAREGIVERS. NOR SHOULD WE BE FORCED TO GO BACK TO SCHOOL TO GET A DEGREE TO CARE FOR CHILDREN THIS YOUNG. WHAT ABOUT THIS ONE: (b) Communicate the importance of regular attendance for the child; THIS ISN'T SCHOOL. PARENTS SHOULD NOT BE STRESSED ABOUT GETTING THEIR CHILD TO DAYCARE. KIDS SHOULD BE HOME SPENDING TIME WITH PARENTS EVERY CHANCE THEY GET. FAMILY IS WHAT MATTERS!	See previous response.	No
(d) Give families opportunities to share their language and culture in the early learning program; WILL BACKGROUND CHECKS BE REQUIRED OF THESE FAMILIES?	Not if the family member qualifies as an occasional volunteer/special guest presenter identified in proposed WAC 170-300-0100(9)(d).	No
I think the state should provide any documents they expect providers to share with the parents. When I took the QRIS classes-the one on Family engagement in particular-I was struck by how much as a provider my teachers and I were supposed to listen to, support etc. the parents emotional state. My minimum wage teachers who have their own life struggles are not here to council or engage adults who make their own life choices. I do however, expect them to communicate with parents on behalf of the children. I expect conversations to focus on the needs and gifts of the child only. I agree that a yearly assessment to share with the parents and even at least one to two yearly offerings of parent meetings is necessary. We should provide developmental profiles(simple ones) and encourage parents. We should also expect the state to hold parents accountable to follow through on parenting responsibilities. We are not the parents-we are teachers. We are here to support the children.	Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.	No
We do most of these things in the course of discussions and parent teacher conferences. But to have it in the WAC and include mandated topics is an administrative nightmare. Please provide packets or templates for the information you expect us to share.	See previous response.	No
WAC 170-300-0080 Family support self-assessment ECEAP programs include a strong family support component with designated staff members who regularly meet with families. Request permanent waiver.	The negotiating teams focused on reaching consensus on rules that would suit the majority of programs. Negotiating teams and DEL staff are aware that variances may be needed to address alternative approaches some programs may need to follow to achieve the desired outcome of a rule(s).	No
I agree with the rule changes except for the following: 170-300-0085 (2), (3), (4a) The department should provide a template document that can satisfy the information in these sections in order to support providers in obtaining the information needed to meet these requirements. 170-300-0085 (4)(c) Contact information for who? The center? The director, specifically?	See previous response. The provider is giving family/parent the provider's or program's contact information.	No

0085 this along with all the extra paperwork will put providers that work alone out of business. This will be paperwork instead of loving/being/working with children.	Commentary	No
This is not for family childcare. My clients/parents bring their children according to their childcare needs. Some come in right before lunch and pick up during outside time after nap. They bring their children 1 -5 days a week. They need affordable childcare not preschool. My private business shouldn't be required to do developmental goals or encourage regular attendance.	Commentary	No
Maybe the State can mandate DSHS families attend some parenting classes DSHS put on during their after hours. leave us alone!	Commentary – no response.	No
Category: Intent		
<p>The Rule Changes: I fear that these rule changes will do lasting damage to our state's child care system and will make childcare more expensive and harder to find for our state's families. The new rules will cost centers substantially in terms of money and administrative time for both improvements to indoor and outdoor space and in additional staffing needs. The new rules will also require a complete reworking of policies and records and training for administration and staff. I hope that child care licensing will offer templates and support in developing all of these. It seems like an insurmountable task to fulfill. I expect that there will be many small centers and family home child cares that will close rather than rework their whole systems. I know that people nearing retirement age will seriously consider whether it is worth it to continue. I also expect that the new ECE and education requirements will deter new people from entering the workforce as child care providers. Many centers will convert to half-day preschool classes to avoid licensing concerns and costs all together. That will be a loss for families needing care for children. There needs to be financial support for the new education requirements. There also should be substantial increases in the amount the state pays for low income children so that centers don't take a loss for each state paid child that they enroll. Our center doesn't enroll state paid clients because the reimbursement is so low. There was a significant loss of licensed child care during the recent 2008 economic downturn. These new rules will again make it harder for businesses that struggle to make a profit and teachers and staff that struggle to make a living in this field. Early learning providers are some of the most sacrificing and dedicated professionals, but they are rewarded with some of the lowest wages and worst benefits of any profession. These new rules need to be carefully considered before implementation so that they do not further damage our state's child care programs.</p>	Commentary – no response.	No
<p>INTENT AND AUTHORITY I thought that the Legislature gave DEL the job of aligning the WACs governing Child Care, Early Achievers and ECEAP. Minimum licensing requirements were to provide a minimum level of safety for children. Early Achievers builds on the minimum setting high quality and best practice standards (both of which have reasonable people can disagree on). ECAEP was to be the highest level of services to children in need of them, i.e.: those living in poverty. This is not what you have done. You have seriously overstepped you authority in a bureaucratic power grab that puts the needs of a bureaucracy above the needs of children and the providers caring for them. DEL has become a threat to children by potentially putting providers out of business that don't want to be burdened by pointless paper work, overly intrusive and costly regulations or be forced to follow WACs that we personally believe are harmful to children. Your economic analysis is flawed. Child Cares exist on a very slim margin of</p>	Commentary – no response.	No

<p>profitability. Any increase in cost will put people out of business. We already face huge cost increases due to Washington’s minimum wage increase and paid leave. Those of us providing services in poor rural parts of the State, where majority of children enrolled are on WCCC, are struggling. The State has failed to increase rates to keep up with expenses, many of them mandated by the State. We can’t increase rates to private pay families, nor should they have to subsidize children on State rates. These families already pay taxes. Increased costs put providers out of business. Increased private child care rates push families to unlicensed care. Lack of licensed facilities only leaves unlicensed care. I think most of us agree that unlicensed care can place children in very unsafe situations. I believe many of these proposed WACs are best practice and I strive to help my teachers reach these goals. But let’s be honest how enforceable are many of WACs by a licensing agency that only has time for a once a year visit that may only last 2-3 hours. Where the licenser is not required to have any ECE training or education before being hired. Licensors should have to meet the same standards as Program Directors before being hired. DEL you have failed the children of Washington State. Which is real shame considering the time and money invested in this rules alignment.</p>		
<p>0001-4 It is understandable that DCYF will have the ability to monitor programs at any time. However, the wording of this time table is too ambiguous. Having DCYF staff in our programs is disruptive. Creating approximate timetables would be more helpful. Another option would be making internal DCYF licensing and enforcement procedures easily accessible.</p>	<p>Implementation suggestion – no response.</p>	<p>No</p>
<p>0345 -1 (d)A person authorized in writing or over the phone by that child’s parent . This is great that a parent can call if need be to allow someone else to pick their child up.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>The intent of DEL appears to be the destruction of an entire industry on which parents depend so they can go to work. Providers are not compelled to stay in child care or early learning careers nor are they compelled to sustain a business at a financial loss nor are they compelled to sacrifice family and personal time to try to appease a state agency constantly escalating the regulatory burden. There are many other opportunities to pursue and thousands of providers have already done so and where have the thousands of children not in licensed care gone to while parents work?</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>0350(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. This will eliminate a provider working alone to take their children to swimming lessons. There are multiple life guards (they teach the classes)present. This is an important life lesson I am happy to offer the children in my care and I do not need to pay an additional person to be there. There are at least 10 life guards present. There is no need to additional help when all the children are in the water with a life guard...This rule puts more children in harms way because they will not be able to get the lessons they are entitled to all because I don’t have additional staff. This should only if there are children not participating in the lessons. If they are all in the water a second person is not needed.</p>	<p>Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.</p> <p>The situation described could potentially be addressed by a waiver.</p>	<p>No</p>
<p>0350(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</p>	<p>See previous response.</p>	<p>No</p>

<p>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. This should not be followed if all the children present are participating in lessons.</p>		
<p>Need to keep the age at 18 months and not age 2. There is going to be a continual shortage of daycare available in the area and this is not going to help. Again DEL has no idea and does not care about the shortage.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>for Family home providers, the age needs to remain 18 months. Moving it back to 2 years will only force another/continued shortage on infant care. It is difficult to find care for infants and that is why family home bargained to lower the age to 18months (just for family homes) so this would open up spots for infants that desperately need care. This will force providers to terminate care for some of the children they currently care for. Please move age limits back to 18month and not 2 years.</p>	<p>See previous response.</p>	<p>No</p>
<p>The outside activity time lines are not reality based. We can have a plan for the day to play outside in the afternoon and then it begins to rain. Are we supposed to take them out anyways (including infants) and subject them to the bad weather? Current WAC is sufficient and providers will always opt for more outside time when the weather is approximate. You do not have to make it so that every three hours we have to take them outside for 30 minutes.</p>	<p>The requirement is to have an established program and daily schedule that is familiar to children. The negotiating teams discussed unexpected circumstances that might prevent a provider from following the schedule. Care was taken to revise the language so that the focus in on the development of the schedule, rather than following the schedule.</p>	<p>No</p>
<p>There should not be an exemption for providers who operate less than 4 hours. All providers who care for children in the required age range should be required to follow the same regulations. What is happening now and will be worse once these new rules are in place, is that as the costs grow for licensed providers parents will unknowingly choose unlicensed, possibly illegal operators because they are cheaper, which will put an increasing number of children at risk. The state is over-regulating only a portion of the same market such which will drive children into unlicensed, potentially illegal childcare situations. If the state instead made the rules more reasonable and then applied them to everyone children overall would be safer in our state.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Too much interference and not enough finding out exactly what a provider can or cannot do.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>170-300-0016 Inactive status “ voluntary and temporary closure. 1) If a center or family home licensee plans to temporarily close their early learning program for more than 14 calendar days, and this closure is a departure from the program’s regular schedule, an early learning provider must submit a request to go on inactive status to the department at least two business days prior to the planned closure. Requests for inactive status must include: (a) The date the early learning program will cease operating; (b) A reason why the licensee is requesting an inactive status; and (c) A projected date the early learning program will reopen. Weight #1 Taking some time off from work does not imply we are closing our childcare! Having to go into an inactive status is wrong. We are not closing, only taking some time off. 14 days! That’s a normal vacation time. I could see if it was a 3 month period of time, but this is outrageous.</p>	<p>Closing for <u>more than</u> 14 calendar days triggers inactive status – negotiators recognized that 14 days is a “normal vacation time.” DEL honors the negotiation process and accepts the negotiated language. DEL also believes the proposed rule encourages stable, reliable child care for families who depend on it.</p>	<p>No</p>

<p>170-300-0016-1 This states that we need to submit notification of inactive status two business days prior to closure. This will not be possible if something unexpected is the cause of the closure. There needs to be some wording that states, unless emergent or unexpected closure occurs.</p>	<p>Proposed WAC 170-300-0016 applies to planned closures.</p>	<p>No</p>
<p>The economic impact (particularly true of the standards related to professional qualifications, furniture and facilities) will inevitably raise the cost of care to Washington families without a clear route to how the standards improve child outcomes. The new aligned WACs threaten to push early learning sites out of the field at a time when many areas are already struggling with a shortage of early learning programs. The providers most impacted by these pressures are those serving low-income and diverse populations who already operate on thin margins with extremely limited resources.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>Overall, I oppose the draft version of the standards alignment for the following reasons: They are unduly burdensome, They are difficult to navigate, They stifle cultural and economic equity, They may push providers and members of the current workforce who have proven competency via Early Achievers or other assessment systems out of the field because of the set professional development requirements without a clear equivalency pathway, The economic impact (particularly true of the standards related to professional qualifications, furniture and facilities) will inevitably raise the cost of care to Washington families without a clear route to how the standards improve child outcomes. Combined, these factors threaten to push early learning sites out of the field at a time when many areas are already struggling with a shortage of early learning programs. The providers most impacted by these pressures are those serving low-income and diverse populations who already operate on thin margins with extremely limited resources.</p>	<p>DEL honors the negotiation process and accepts the negotiated language.</p>	<p>No</p>
<p>MANY of these rules are subjective. Please clearly define terms. Please email me for a .pdf indicating which new regulations are overly subjective in nature, as there are too many to name by specific WAC.</p>	<p>The dictionary definition is the default definition for all words in a rule's text. Definitions are included in rules only when words or terms that are not found in the dictionary or the agency wants to assign a meaning other than what is found in the dictionary.</p>	<p>No</p>
<p>0107 is confusing and needs to be simplified. There are so many different trainings that there needs to be a graph with a time line.</p>	<p>Forms and other resources will be updated and developed as necessary during July 2018 -2019 implementation.</p>	<p>No</p>
<p>I am writing today as a volunteer of the American Heart Association in support of the strong proposed childcare licensing standards concerning screen time, nutrition and physical activity (listed below). I encourage the Department of Early Learning to adopt them as they are currently written.</p> <p>Washington children deserve the best possible start in life and one way we can help ensure that is to make sure they have safe, healthy places to be during the day. Please adopt the standards as they have been proposed.</p> <ul style="list-style-type: none"> • Nutrition: WAC 170-300-0185 (1) (Healthy Eating – Meal Pattern), 	<p>Commentary – no response.</p>	<p>No</p>

<p>170-300-0285 (2.a) (Healthy Eating – Infants), 170-300-0185 (2) (Healthy Eating – Fruits and Vegetables), 170-300-0185 (1.c) (Healthy Eating – Unflavored Milk), 170-300-0236 (Healthy Eating – Water), 170-300-0185 (1.c) (Healthy Eating – Sugar Sweetened Beverages),</p> <ul style="list-style-type: none"> Physical Activity: WAC 170-300-0360 (2.c) (Physical Activity – Time Requirements), 170-300-0145 (4) (Physical Activity – Mixture of Activities), 170-300-0296 (2.b) (Physical Activity – Infant Mixture of Activities), 170-300-0360 (2.c) (Physical Activity – Outdoor), 170-300-0296 (2.b.i) (Physical Activity – Infant Tummy Time). Screentime: WAC 170-300-0005 (Screentime Definitions), 170-300-0155 (4) and (5) (Screentime Over 2 Years Old). 		
<p>Children’s health is critical and providers play a wonderful role in helping to support our children to grow healthy. Washington’s children are facing a future of chronic disease which is preventable and for the first time in history they have the potential to have shorter life spans than their parents. emerging brain science continues to show that children’s early years are very critical in shaping their physical emotional and social well-being and that they all deserve a healthy start to life, no matter where they live. Nearly ¼ of all preschool age children spend their time in in nonparental care. Child care facilities are the ideal setting to promote physical activity and healthy eating habits early in life that will prevent the onset of costly chronic diseases. childcare is an investment in tomorrow’s students Children that are healthy and well-fed are better prepared to focus and learn in the classroom. so while we would like to support stronger standards, especially those focused on health, it’s really important that providers are engaged in this discussion. Providers need to be given the tech assistance, training, and resources to make these new standards come to life and to keep their operational costs at a reasonable level. We encourage DEL to invest in these supports for providers. As a government employee, I understand the rule making process. It’s my job. But you all, that’s not your job. Your job is to protect children and keep them safe. I would sugestt that DEL do a little more work on how to engage providers and I would encourage them to translate the rule making process into a language that anybody can understand.</p>	<p>Commentary – no response.</p>	<p>No</p>
<p>Requiring center aides to be a high school graduate is concerning. Five years seems long when the average worker stays in a position for three years. Terms need to be better defined such as Strengthening Family Systems so we know what that means and what we are supposed to do. Bottles need to be better clarified – we can use glass or stainless steel but it says plastic bottles can be numbered. Is that if the bottles are provided by the parents? It says teachers can use nap time for planning – not allowed by Early Achievers. People need to have food handlers if they are serving or preparing. It was that way a long time ago but then the policy changed. Is it coming back? Add an age for when dental exams need to be offered. Having aligned requirements for centers and family homes is making it difficult for providers.</p>	<p>Glass, stainless steel or certain plastic bottles can be used. WAC 170-300-0280 requires that a plastic bottle have a recycle code of 1-5.</p> <p>Individuals preparing or serving food must possess a food and beverage service worker’s permit and comply with chapter 69.06 RCW.</p> <p>The proposed rules do not require that providers ensure that children in their care receive dental exams.</p>	
<p>See Attachment A – comment from the American Heart Association</p>	<p>DEL honors the negotiation process and accepts the negotiated language. Several edits to the proposed rules are recommended, but stressed most</p>	

	<p>is a requirement to limit serving fried food and processed meat. The comment suggests that by not limiting fried food and processed meats in our rule, the department is failing to meet national standards. This is incorrect. The department’s rules explicitly state that food served by a licensed child care provider must meet the United States Department of Agriculture (USDA) standards.² These standards are designed to promote healthy eating habits through balanced nutrition. While limiting fried food and processed meat is not specifically one of these standards, it is indicated as a “best practice” by the USDA.³ The COPC also notes that the department did have a rule limiting these foods in earlier drafts but has since removed it. This is true. The department removed this requirement, instead requiring providers to follow the more robust nutrition guidelines of the CACFP or national school breakfast and school lunch programs.</p>	
--	--	--

III. Changes to the final rules (variances from proposed rules).

WAC 170-300-0005 Definitions.

- “Contagious disease” list location clarified as WAC 246-110-010.
- “Disinfectant” changed to mean *a chemical or physical process that kills bacteria and viruses;*
- “Disinfect” changed to mean *eliminate virtually all germs from an inanimate surface by the process of cleaning and rinsing, followed by (a) A chlorine bleach and water solution following the manufacturer’s instructions;*
- “Food worker card” changed to mean *a food and beverage service worker’s permit as required under chapter 69.06 RCW;*
- “Private septic system” inserted reference to chapter 246-272A WAC to clarify definition.

WAC 170-300-0065. Inserted *when developmentally appropriate* at the end to add clarity.

WAC 170-300-0106(1). Insert *State or federal rules may require health and safety training described under this chapter to be renewed annually.*

² “To ensure proper nutrition of children in care, an early learning provider must comply with the child nutrition requirements described in this section. Meals, snack foods, and beverages provided to children in care must comply with the requirements contained in the most current edition of the USDA Child and Adult Care Food Program (CACFP) [standards], or the USDA National School Lunch and School Breakfast Program standards.” See WAC draft 170-300-0185(1).

³ Limit serving pre-fried food and processed meat to no more than one serving per week. See CACFP Best Practices (https://fns-prod.azureedge.net/sites/default/files/cacfp/CACFP_factBP.pdf).

WAC 170-300-0130(3). Insert *(f) Swimming pools under WAC 170-300-0175.*

WAC 170-300-0165.

- Remove “within six months of when this section takes effect” to clarify that alterations are not necessary for platforms and decks that met local building code at the time of construction; and
- Change minimum indoor temperature from 65 to 68 degrees *Fahrenheit.*

WAC 170-300-0170. Change the minimum space between any generator and buildings, windows, doors, etc. from 15 to 20 feet.

WAC 170-300-0175(2)(d). Insert reference to chapter 246-260 WAC for clarity.

WAC 170-300-0180. The frequency of tooth brushing opportunities an early learning provider must offer is reduced from *after every meal and snack* to *once daily.*

WAC 170-300-0185. The USDA Child and Adult Care Food Program (CACFP) *Handbook* changed to USDA Child and Adult Care Food Program (CACFP) *standards.*

WAC 170-300-0195(2). Deleted *unless the food is provided pursuant to WAC 170-300-0196(3).*

WAC 170-300-0196.

- Change *licensed food service establishment* to *licensed food establishment;*
- Delete *department of health; and*
- Delete *as now and hereafter amended.*

WAC 170-300-0210.

- *As soon as possible* replaced with *consistent with chapter 246-105 WAC* in subsection (3); and
- *May* replaced with *shall* and *as now and hereafter amended* deleted from subsection (6).

WAC 170-300-0241(1). The frequency a freezer must be cleaned and sanitized reduced from monthly to quarterly.

WAC 170-300-0335(2)(d). Clarified that only *trained* early learning providers may engage in restraint techniques.



June 5, 2018

Chair

Jeff Galbraith

President

Veronica Hooper, D.O.

Directors

Cindy Briggs
Kim Cannon
Gordon Cohen, M.D.
Henry Dixon
Brett Ferullo
Scott Howe
Wayne S. Hwang, M.D.
Bruce Leaverton
Alexandra Liggins
W. Robb MacLellan, M.D.
Carrie Miceli
David Nelson, M.D.
Seth Stankus, D.O.
Chris Thomson
Wilf Wainhouse

Executive Director

Shelli Kind

Heather Moss

Director

Washington State Department of Early Learning

PO Box 40970

Olympia, WA 98504-0970

RE: Feedback on Proposed Standards Alignment for Nutrition, Physical Activity, Screen Time

Dear Ms. Moss:

The American Heart Association is proud to advocate for strong obesity prevention programs in early childhood education settings. Child care providers play a critical part. Reaching young children and their families is an essential strategy for primary prevention of obesity, cardiovascular disease, and its associated risk factors.

Child care settings are an important environment for forming good health behaviors, attitudes and habits around children's dietary intake, physical activity, and energy balance. As such we have worked closely with our partners at the Childhood Obesity Prevention Coalition to monitor the standards alignment process as it relates to nutrition, physical activity and screentime standards.

We are very pleased to see that the proposed rule strengthens these standards in a meaningful way and will provide a healthy environment for young children in child care. There are a few additional areas we have identified that could be further strengthened. Please see the proposed nutrition, physical activity and screen time standards in the three tables below – those that meet target national standards, those that make significant progress toward the target national standards and those that do not meet the target.

Every kid deserves a healthy start in life. No matter where children live or go for early care and education, they all deserve healthy food and physical activity. Thank you for your careful consideration of how we can best nurture our children and set them up for a lifetime of success.

Sincerely,

Lindsay Hovind

Senior Director, Government Relations

American Heart Association

Proposed WAC's Meeting National Standards – Maintain Language as Proposed		
Proposed WAC	Topic	Justification for Maintaining Proposed Language
170-300-0005	Screen Time – Definitions	The definition of screen time in the proposed WAC meets target standards by defining it to mean “watching, using, or playing television, computer, video games, video or DVD players, mobile communication devices, or similar devices.”
170-300-0145 (4)	Physical Activity – Mixture of Activities	The proposed WAC would meet target standards by requiring that activities must encourage and promote both moderate and vigorous physical activity such as running, jumping, skipping, throwing, pedaling, pushing and pulling, kicking, and climbing.
170-300-0155 (4) & (5)	Screen Time – Over 2 Years Old	The proposed WAC would meet target standards by: <ul style="list-style-type: none"> • Limiting total screen time to a maximum of 2.5 hours per week for each child over 24 months of age through preschool in full-day care (1.25 hours per child in half-day care); and • For school-age children, screen time must be limited 2.5 hours per week for each child unless computer use is required for homework or a part of curriculum.
170-300-0185 (1)	Healthy Eating – Meal Patterns	The proposed WAC would meet target standards by requiring that all meals, snack foods, and beverages be compliant with the most current edition of the <i>USDA Child and Adult Care Food Program (CACF) Handbook</i> , or the <i>USDA National School Lunch and School Breakfast Program standards</i>
170-300-0185 (1.c)	Healthy Eating – Unflavored Milk	The proposed WAC would meet target standards by limiting milk that can be served to only unflavored.
170-300-0185 (1.c)	Healthy Eating – Sugar Sweetened Beverages	The proposed WAC meets national standards by limiting what an early learning provider can serve to only water, unflavored milk, or 100% fruit or vegetable juice. indirectly prohibiting sugar sweetened beverages.
170-300-0185 (2)	Healthy Eating – Fruits & Vegetables	The proposed WAC would meet target standards by saying an early learning provider must serve a fruit or vegetable as one of the two required components during at least one snack per day.
170-300-0236	Healthy Eating – Water	The proposed WAC would meet target standards by requiring that drinking water is: <ul style="list-style-type: none"> • Offered multiple times throughout the day and readily available to children at all times; • Offered in outdoor play areas, in each classroom for centers, and in the licensed space for family homes; and • Served fresh daily or more often as needed
170-300-0285 (2.a)	Healthy Eating – Infants	The proposed WAC would meet target standards by saying that an early learning provider must include a plan to support the needs of a breastfeeding mother and infant by providing an area for mothers to breastfeed their infants and providing educational materials and resources to support breastfeeding mothers.

170-300-0296 (2.b)	Infant Physical Activity – Varied Activity	The proposed WAC would meet target standards by requiring providers to: <ul style="list-style-type: none"> • Provide infants and toddlers access to active outdoor play time; and • Encourage infants and toddlers to play, crawl, pull up, and walk such as, but not limited to materials and equipment that promotes...physical and cognitive activities.
170-300-0296 (2.b.i)	Infant Physical Activity – Tummy Time	The proposed WAC would meet target standards by requiring providers to allow infants actively supervised tummy time throughout the day when the infant is awake.
170-300-0360 (2.c)	Physical Activity – Defined Time Periods	The proposed WAC would meet target standards by requiring that programs must provide daily morning or afternoon active outdoor play time not less than: <ul style="list-style-type: none"> • 20 minutes for each 3 hours of programming for infants (as tolerated) and toddlers; • 30 minutes for each 3 hours of programming for children preschool age and older; and • For programs that operate more than 6 hours a day, they must provide 90 minutes of active play for preschool age and up or 60 minutes of active play for infants and toddlers; 30 of which may be moderate to vigorous indoor activities.
170-300-0360 (2.c)	Physical Activity – Outdoor	The proposed WAC would meet target standards by requiring the provider to have daily opportunities for active outdoor play, and specifically requires both full and part-day programs to include a defined period of active outdoor play.

Proposed WAC's Making Progress – Improved Language Requested		
Proposed WAC	Topic	Recommendation for Improving Proposed Language
170-300-0155 (6)	Screen Time – Under 2 Years Old	The proposed WAC would meet target standards by prohibiting intentional screen time for children under 24 months of age. In addition, providers are required to redirect infants or toddlers from an area where screen time is displayed. However, the use of the word 'intentional' in relation to infant screen time exposure is concerning in that it is vague and makes it difficult for enforcement. While it is understandable that some unintentional screen time may occur, we are concerned that there is no limiting language on unintentional exposure.
170-300-0185 (1.d)	Healthy Eating – Juice	The proposed WAC makes significant progress towards limiting the amount of juice served to kids by limiting the consumption of 100% fruit juice to no more than 4-6 ounces per day for children between one and six years old, and 8-12 ounces per day for children seven through twelve. In addition, providers are prohibited from serving 100% fruit juice to an infant less than 12 months old, unless a health care provider gives written consent. However, since the standards alignment process started, the American Academy of Pediatrics has come out with new recommended levels. We recommend that DEL utilize this new target standard.

170-300-0195 (4.a)	Healthy Eating – Family Style	The proposed WAC makes progress by saying that an early learning provider must serve each child individually or serve family style dining. However, family style dining is not required. In addition, language was removed that was in earlier drafts relating to providers sitting with children during meals and engaging in pleasant conversation if family style dining is not possible. We recommend family style should be required for some, if not all foods at meals and snacks, and also restore language that adult should sit with children to model social-emotional connections and ensure a safe eating environment. In addition, the proposed WAC does meet target standards for requiring early learning providers to sit with children during meals.
170-300-0331 (1.g.iv)	Healthy Eating – Food Reward/Punish	While the proposed WAC does address the standard for not using food as punishment by including language saying a provider must not allow anyone to deprive a child of food, there is no language prohibiting the use of food as a reward. Previous draft WAC included language that stated, “Using or withholding food or liquids as punishment or reward” is not permitted. We recommend this language from previous drafts be added back in so it is clearer and addresses concerns around using food as reward.

Proposed WAC Failing to Meet National Standards – Additional Language Needed		
Proposed WAC	Topic	Recommendation for Adding Proposed Language
n/a	Healthy Eating – Processed Meats and Fried Foods	While previous drafts of the proposed WAC limited the serving of processed meats, the current proposed WAC does not include such language. It is important that language be added back in that limits the consumption of processed meats. Under the 2013 Nutrition and Physical Activity Childcare survey showed that fried and processed foods are frequently served to children. It is important that children in care are regularly eating nutritious food that supports their physical and brain development.



June 8, 2018

Department of Early Learning
Attn: Heather Moss
PO Box 40970
Olympia, WA 98504

Dear Ms. Moss,

As members of the Snohomish Health District's Child Care Health Outreach team, we wish to express our concern regarding the removal of the requirement for a health professional to review and sign off on child care health policies ([WAC 170-295-3010-d](#)). Over the past few decades, our program has reviewed and signed off on hundreds of health policies. During our comprehensive reviews of these documents and on-site visits, we have been able to identify critical health issues, such as improper sanitation that could lead to diseases such as *E. Coli*, improper storage of lifesaving medications such as epi-pens, unsafe sleep practices that put infants at risk for Sudden Unexpected Infant Death, and use of chemicals that could be toxic to vulnerable young children.

The identification of these issues requires analysis by qualified health care professionals who are well versed in the adverse health impacts of unsafe child care environments. Health policy review by a child care health consultant is a best practice standard as indicated in Caring For Our Children: National Health and Safety Performance Standards, which states "*at least annually, after an incident has occurred, or when changes are made in the health policies, the facility should obtain input and a review of the policies from a child care health consultant.*" (CFOC 9.2.3.17) In the same text, a child care health consultant is defined as "*a licensed health professional with education and experience in child and community health.*" (CFOC 1.6.0.1) Without the benefit of skilled insight from qualified health care professionals, we are concerned that the health and safety of young children may be at risk.

We would like to advocate for the return of this best practice standard into the WAC language, and offer ourselves as a resource to you if you wish to explore this issue further.

Thank you,

Bonnie Decker, RN, BSN
Public Health Nurse

Micha Horn, MS, RS
Environmental Health Specialist

Alexandria Deas, MA, LHMCA, MHP
Behavioral Health Specialist

Katy Levenhagen, MS, RDN
Child Care Nutrition Consultant



419 Third Ave. West
 Seattle, WA 98119
 360.878.2543
www.copcwa.org

June 13, 2018

Heather Moss
 Director
 Washington State Department of Early Learning
 Olympia, WA

RE: Standards Alignment – Rule-making -- Feedback

Dear Director Moss,

On behalf of the Childhood Obesity Prevention Coalition, a state-wide coalition with 48-member organizations dedicated to protecting our children from the obesity epidemic, I am writing you directly to provide comment on your proposed Aligned Standards related to nutrition, physical activity, and screen time.

Changes to provider standards and licensing must consider overall population health concerns. Early care and education settings are critical places for obesity prevention efforts. Healthy eating and physical activity habits acquired during the early years can last a lifetime. Child care providers are in a unique position to educate parents about healthy eating and activity habits, and to provide a healthy environment for children to eat, play, and grow.

The proposed aligned standards go quite far in incorporating these population health concepts; thus, we are generally pleased overall with this initial official rules proposal. However, there remain a few areas that need improvement. We have laid out the proposed WACs related to nutrition, physical activity, and screen time in three tables below – *those that meet target national standards, those that make significant progress toward meeting target national standards, and those that do not meet target national standards*. We ask that the proposed WACs that meet target national standards be maintained in the final adopted rules and that language be improved in the other two categories so that we can move forward with robust standards in our state.

PROPOSED WAC MEETING NATIONAL STANDARDS – MAINTAIN LANGUAGE AS PROPOSED		
Proposed WAC	Topic	Justification for Maintaining Proposed Language
170-300-0005	Screen Time – Definitions	The definition of screen time in the proposed WAC meets target standards by defining it to mean “watching, using, or playing television, computer, video games, video or DVD players, mobile communication devices, or similar devices.”
170-300-0145 (4)	Physical Activity – Mixture of Activities	The proposed WAC would meet target standards by requiring that activities must encourage and promote both moderate and vigorous physical activity such as running, jumping, skipping, throwing, pedaling, pushing and pulling, kicking, and climbing.
170-300-0155 (4) & (5)	Screen Time – Over 2 Years Old	The proposed WAC would meet target standards by: <ul style="list-style-type: none"> Limiting total screen time to a maximum of 2.5 hours per week for each child over 24 months of age through preschool in full-day care (1.25 hours per child in half-day care); and For school-age children, screen time must be limited 2.5 hours per week for each child unless computer use is required for homework or a part of curriculum.

PROPOSED WAC MEETING NATIONAL STANDARDS – MAINTAIN LANGUAGE AS PROPOSED

Proposed WAC	Topic	Justification for Maintaining Proposed Language
170-300-0185 (1)	Healthy Eating – Meal Patterns	The proposed WAC would meet target standards by requiring that all meals, snack foods, and beverages be compliant with the most current edition of the <i>USDA Child and Adult Care Food Program (CACF) Handbook</i> , or the <i>USDA National School Lunch and School Breakfast Program standards</i>
170-300-0185 (1.c)	Healthy Eating – Unflavored Milk	The proposed WAC would meet target standards by limiting milk that can be served to only being unflavored.
170-300-0185 (1.c)	Healthy Eating – Sugar Sweetened Beverages	The proposed WAC meets national standards by limiting what an early learning provider can serve to only water, unflavored milk, or 100% fruit or vegetable juice. This indirectly prohibits sugar sweetened beverages.
170-300-0185 (2)	Healthy Eating – Fruits & Vegetables	The proposed WAC would meet target standards by saying an early learning provider must serve a fruit or vegetable as one of the two required components during at least one snack per day.
170-300-0236	Healthy Eating – Water	The proposed WAC would meet target standards by requiring that drinking water: <ul style="list-style-type: none"> • Be offered multiple times throughout the day and be readily available to children at all times; • Be offered in outdoor play areas, in each classroom for centers, and in the licensed space for family homes; and • Be served fresh daily or more often as needed
170-300-0285 (2.a)	Healthy Eating – Infants	The proposed WAC would meet target standards by saying that an early learning provider must include a plan to support the needs of a breastfeeding mother and infant by providing an area for mothers to breastfeed their infants and providing educational materials and resources to support breastfeeding mothers.
170-300-0296 (2.b)	Infant Physical Activity – Varied Activity	The proposed WAC would meet target standards by requiring that providers: <ul style="list-style-type: none"> • Provide infants and toddlers access to active outdoor play time; and • Encourage infants and toddlers to play, crawl, pull up, and walk such as, but not limited to materials and equipment that promotes...physical and cognitive activities.
170-300-0296 (2.b.i)	Infant Physical Activity – Tummy Time	The proposed WAC would meet target standards by requiring providers to allow infants actively supervised tummy time throughout the day when the infant is awake.
170-300-0360 (2.c)	Physical Activity – Outdoor	The proposed WAC would meet target standards by requiring the provider to have daily opportunities for active outdoor play, and specifically requires both full and part-day programs to include a defined period of active outdoor play.

PROPOSED WAC MAKING PROGRESS – IMPROVED LANGUAGE REQUESTED

Proposed WAC	Topic	Recommendation for Improving Proposed Language
170-300-0155 (6)	Screen Time – Under 2 Years Old	The proposed WAC would meet target standards by prohibiting intentional screen time for children under 24 months of age. In addition, providers are required to redirect infants or toddlers from an area where screen time is displayed. However, the use of the word ‘intentional’ in relation to infant screen time exposure is concerning in that it is vague and makes it difficult for enforcement. While it is understandable that some unintentional screen time may occur, we recommend some kind of limiting language on unintentional exposure.
170-300-0185 (1.d)	Healthy Eating – Juice	The proposed WAC makes significant progress towards limiting the amount of juice served to kids by limiting the consumption of 100% fruit

PROPOSED WAC MAKING PROGRESS – IMPROVED LANGUAGE REQUESTED

Proposed WAC	Topic	Recommendation for Improving Proposed Language
		<p>juice to no more than 4-6 ounces per day for children between one and six years old, and 8-12 ounces per day for children seven through twelve. In addition, providers are prohibited from serving 100% fruit juice to an infant less than 12 months old, unless a health care provider gives written consent. However, recommendations from Healthy Eating Research provide a stronger set of standards that are based on guidelines from scientific bodies.</p> <p>We strongly recommend the consumption of 100% fruit juice be limited to:</p> <ul style="list-style-type: none"> • 4 ounces per day for children two-to-four years of age, • 6 ounces per day for children five years of age and older. • No juice being served to children under two years of age
170-300-0195 (4.a)	Healthy Eating – Family Style	<p>The proposed WAC makes progress by saying that an early learning provider must serve each child individually or serve family style dining. In addition, the proposed WAC does meet target standards for requiring early learning providers to sit with children during meals. However, family style dining is not required and language was removed that was in earlier drafts relating to providers sitting with children during meals and engaging in pleasant conversation if family style dining is not possible.</p> <p>We recommend family style should be required for some, if not all foods at meals and snacks, and restore language that adult should sit with children to model social-emotional connections and ensure a safe eating environment.</p>
170-300-0331 (1.g.iv)	Healthy Eating – Food as Reward or Punishment	<p>While the proposed WAC does address the standard for not using food as punishment by including language saying a provider must not allow anyone to deprive a child of food, there is no language prohibiting the use of food as a reward. Previous draft WAC included language that stated, “Using or withholding food or liquids as punishment or reward” is not permitted.</p> <p>We recommend this language from previous drafts be added back in, so it is clearer and addresses concerns around using food as reward.</p>
170-300-0360 (2.c)	Physical Activity – Defined Time Periods	<p>The proposed WAC would make progress by requiring that programs must provide daily morning or afternoon active outdoor play time not less than:</p> <ul style="list-style-type: none"> • 20 minutes for each 3 hours of programming for infants (as tolerated) and toddlers; • 30 minutes for each 3 hours of programming for children preschool age and older; and • For programs that operate more than 6 hours a day, they must provide 90 minutes of active play for preschool age and up or 60 minutes of active play for infants and toddlers; 30 of which may be moderate to vigorous indoor activities. <p>However, the way this standard is phrased leaves significant ambiguity that will make it difficult for providers to interpret and for the agency to enforce. For example, as written it is unclear if a program that operates for 4 hours is required to provide 40 minutes of activity for infants and toddlers, or if that additional 20-minute requirement doesn’t kick in until a program reaches 6 hours in length. If it is the later, then that amount of physical activity is not sufficient to meet target national standards.</p> <p>We recommend greater clarity in language here.</p>

Proposed WAC Failing to Meet National Standards – Additional Language Needed

Proposed WAC	Topic	Recommendation for Adding Proposed Language
n/a	Healthy Eating – Processed Meats and Fried Foods	While previous drafts of the proposed WAC limited the serving of processed meats, the current proposed WAC does not include such language. We recommend that language be added back in that limits the consumption of processed meats. The 2013 Nutrition and Physical Activity Childcare survey showed that fried and processed foods are frequently served to children. It is important that children in care are regularly eating nutritious food that supports their physical and brain development.

Let’s ensure that our youngest residents of our state receive quality child care that supports their well-being (and their family) by fostering healthy habits. Thank you again for your consideration.

Sincerely,



Victor Colman, Director
Childhood Obesity Prevention Coalition

COALITION MEMBERS

ACTION FOR HEALTHY KIDS – WA CHAPTER	SEA MAR COMMUNITY HEALTH CENTERS
AMERICAN ACADEMY OF PEDIATRICS – WA CHAPTER	SEATTLE CHILDREN’S
AMERICAN CANCER SOCIETY – CANCER ACTION NETWORK	SEATTLE AND KING COUNTY PUBLIC HEALTH
AMERICAN CANCER SOCIETY, INC.	SEATTLE PARKS AND RECREATION
AMERICAN DIABETES ASSOCIATION	SHAPE WASHINGTON
AMERICAN HEART ASSOCIATION	SKAGIT COUNTY HEALTHY COMMUNITIES PROJECT
AMERICAN PLANNING ASSOCIATION -- WA CHAPTER	SNOHOMISH HEALTH DISTRICT
ARTHRITIS FOUNDATION	SPOKANE REGIONAL HEALTH DISTRICT
BEECHER’S PURE FOOD KIDS FOUNDATION	TACOMA PIERCE COUNTY HEALTH DEPARTMENT
CASCADE BICYCLE CLUB EDUCATION FOUNDATION	TRANSPORTATION CHOICES
CHILDREN’S ALLIANCE	WA ASSOC. OF COMMUNITY & MIGRANT HEALTH CNTRS
COALITION FOR SAFETY AND HEALTH IN EARLY LEARNING	WASHINGTON BIKES
FEET FIRST	WA COALITION FOR PROMOTING PHYSICAL ACTIVITY
FORTERRA	WASHINGTON DENTAL SERVICE FOUNDATION
FOUNDATION FOR HEALTHY GENERATIONS	WASHINGTON RECREATION & PARK ASSOCIATION
GROUP HEALTH COOPERATIVE	WASHINGTON SCHOOL NUTRITION ASSOCIATION
HOPE HEART INSTITUTE	WA ST ASSOCIATION OF LOCAL PUBLIC HEALTH OFFICERS
LET’S MOVE CHENEY	WA STATE ACADEMY OF NUTRITION AND DIETETICS
MULTICARE HEALTH SYSTEMS	WASHINGTON STATE DAIRY COUNCIL
NUTRITION FIRST	WASHINGTON STATE PTA
ODESSA BROWN CHILDREN’S CLINIC	WASHINGTON STATE PUBLIC HEALTH ASSOCIATION
PHYSICAL THERAPY ASSOCIATION OF WASHINGTON	WASHINGTON TRAILS ASSOCIATION
PUBLIC HEALTH ROUNDTABLE	WITHINREACH
SAN JUAN COUNTY HEALTH AND COMMUNITY SERVICES	YAKIMA COUNTY MEMORIAL HOSPITAL
SCHOOL’S OUT WASHINGTON	YMCA – GREATER SEATTLE