

Capacity Waivers for Family Home Providers



What is a Family Home Child Care Capacity Waiver?

Washington State Law, RCW 43.216.692, allows a family home child care provider to care for more than 12 children with an approved DCYF waiver that meets requirements set forth in WAC 110-300-0358.

Total Capacity Requested

Providers may request capacity waivers to serve more than 12 but not more than 16 children.

Ages of Children

Include the ages of the youngest child through the oldest child you would accept into care (not just who you currently have in care).

Children Under Two Years of Age

The total number of children you wish to enroll that are under age two. However, this waiver does set a limit of no more than six children under age two.

Experience Required

You must have a minimum of three years as a licensed family home child care provider, center director, program supervisor, lead teacher, or similar role.

Education/Training Required

To be eligible, you must have a Washington State Short Certificate or Equivalent that has been verified in MERIT. Additionally, you must have a second person on your staff who has an Initial Certificate or Equivalent verified in MERIT.

Local City/County Zoning Requirements:

Examples (local requirements will vary):

- House will require a county or city inspection to make sure it meets requirements
- Permitted Sprinkler System (most cities and counties)
We encourage you to begin looking into this as this will likely require a contractor
- Heat detector is required in the kitchen
- Exit path lighting is required to automatically come on in case of power loss

Indoor Space Required

- 35 square feet per child (regardless of age) is required and the space must already be DCYF licensed child care space.
- In addition, for each child under two years of age in capacity, you must have an additional 15 square feet of already DCYF licensed child care space.
- Child care licensing staff may measure to ensure the space is adequate.

Outdoor Space Required

- 75 square feet per child (regardless of age) is required and the space must already be DCYF licensed child care space.
- If you do not have the required amount of outdoor space, you may submit a written plan of how you will rotate children in the *Staffing Plan and Use of Space* section.

Toilets and Sinks Required

There must be one toilet and one sink for every 15 people who are of bathroom-using age. This includes all household members, staff, and children on site. Staff and household members may access toilets and sinks in unlicensed space but child care children may not. DCYF will need you to identify where your additional toilets and sinks are located and your plan to accommodate the needs of your staff. Please submit a written plan of how you will manage the toilets and sinks in the *Staffing Plan and Use of Space* section.



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Septic System Verification

If a child care facility is on septic, verification from public health or other qualified septic system inspector is required showing that your system is capable of handling the total number of people including household members, staff, and requested capacity of children.

Program Requirements

A family home child care provider must supply sufficient items to meet the needs of each child enrolled in the program:

- Cubbies/personal storage space
- Nap mats/cots
- Cribs/playpens/pack and plays
- Tables with seating
- Toys
- Games
- Learning materials
- Outdoor equipment
- Other items as outlined in WAC 110-300

Emergency Preparedness

Your emergency preparedness plan may need updating to accommodate the differing amounts of children in care. If revisions are made, please send child care licensing staff an updated plan for approval.

Staffing Plan and Use of Space

In this section, you can elaborate on items that need additional clarification or approval, such as toilets and sinks required, outdoor play, etc.

Capacity Waiver Requests:

- Get Family Home Child Care Capacity Waiver Inspection Checklist approved by local city/county: https://www.dcyf.wa.gov/forms?field_number_value=10-019&title=
- Submit approved checklist and capacity waiver request form through the Provider Portal.

Who do I contact if I have questions?

Please reach out to your local Child Care Licensing Office or your Child Care Licensors.

Important Links

RCW 43.216.692: <https://app.leg.wa.gov/rcw/default.aspx?cite=43.216.692#:~:text=The%20department%20may%20waive%20the,not%20more%20than%2012%20children.>

WAC 110-300-0358: <https://app.leg.wa.gov/WAC/default.aspx?cite=110-300-0358>

Short Certificate or Equivalent: <https://www.dcyf.wa.gov/services/early-learning-providers/qualifications/child-care-providers>

MERIT: <https://apps.dcyf.wa.gov/MERIT>

WAC 110-300: <https://app.leg.wa.gov/wac/default.aspx?cite=110-300>

Emergency Preparedness Plan: <https://app.leg.wa.gov/WAC/default.aspx?cite=110-300-0470>

Child Care Licensing Office: <https://dcyf.wa.gov/find-an-office/el-offices>

FAMILY HOME EARLY LEARNING PROGRAMS CAPACITY CHART 13+ CAPACITY WAIVER

Reference WAC 110-300-0358

Age/Group	Maximum Ratio	Group Dynamic	Children Under 2 Years Limit
2-12 years	1:8 When there are 13 or more children in care, there would be at least two staff (including licensee)	Mixed ages 2 years through 12 years	No children under 2 years
Birth-12 years	1:6 When there are 13 or more children in care, there would be at least three staff (including licensee)	At least two children under two years can walk independently	6
		At least one child under two years can walk independently	5
		When no children under two years can walk independently	4

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