Provider Specific Foundational Quality Standards: Center

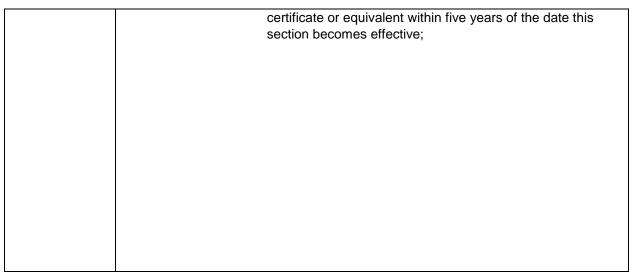
Below are regulations from the Foundational Quality Standards which apply only to family home early learning providers.

Disclaimer: The materials available in this guidebook are for informational purposes only. These materials are not intended to be relied upon as a comprehensive view of licensing regulations or legal advice. Each individual is responsible for knowing and understanding current Washington State laws and regulations. Current child care laws and rules can be found at chapters 43.216 RCW, 110-300A WAC, and 110-300B WAC. Chapter 110-300 WAC will go in effect on August 1, 2019.

The regulations listed below are excerpts from the sections and may not appear in whole; center-based early learning providers should always refer back to the section as a whole to see the regulation in full and in context. Chapter 110-300 WAC, containing all sections, can be found at: http://app.leg.wa.gov/wac/default.aspx?cite=110-300

TABLE 1. REGULATIONS SPECIFIC TO CENTER EARLY LEARNING PROVIDER

Section	Language
Reference	
110-300- 0010	 (4) The department may license a center located in a private family residence when the portion of the residence accessible to children is: (a) Used exclusively for children during the center's operating hours or when children are in care; or (b) Separate from the family living quarters.
110-300- 0015	(2) In a center early learning program, the licensee must have a written plan for when the Director, Assistant Director, and Program Supervisor will be simultaneously absent but the program remains open for the care of children. If the Director, Assistant Director, and Program Supervisor are simultaneously absent for more than ten consecutive operating days, an early learning provider must submit a written notification to the department and each child's parent or guardian at least two business days prior to the planned absence.
110-300- 0100	 (2) Center early learning program licensees must meet the requirements of a center director, listed in subsection (3) of this section, or hire a center director who meets the qualifications prior to being granted an initial license. Center licensees who fulfill the role of center director in their early learning program must complete all trainings and requirements for center directors. (3) Center directors or assistant directors manage the early learning program and set appropriate program and staff expectations. (a) A center director must meet the following qualifications: (i) Be at least eighteen years old; (ii) Have an ECE state certificate or equivalent as approved and verified in the electronic workforce registry by the department as follows: (A) A center director working at the time this chapter becomes effective must complete an ECE state



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TABLE 1. REGULATIONS SPECIFIC TO CENTER EARLY LEARNING PROVIDERS

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- (B) A center director hired or promoted after this chapter becomes effective must have an ECE state certificate or equivalent within five years of the time of hire.
- (iii) Have two years of experience as a teacher of children in any age group enrolled in the early learning program and at least six months of experience in administration or management or a department approved plan;
- (iv) Complete the applicable preservice requirements, pursuant to WAC **110-300-0105**;
- (v) If a center director does not meet the minimum qualification requirements, the center early learning program must employ an assistant director or program supervisor who meets the minimum qualifications of these positions;
- (vi) Have their continued professional development progress documented annually.
- (b) An assistant director must meet the following qualifications:
 - (i) Be at least eighteen years old;
 - (ii) Have an ECE state certificate or equivalent as approved and verified in the electronic workforce registry by the department as follows:
 - (A) An assistant director working at the time this chapter becomes effective must complete an ECE state certificate or equivalent within five years of the date this section becomes effective;
 - (B) An assistant director hired or promoted after this chapter becomes effective must have an ECE state certificate or equivalent within five years of the time of hire.
 - (iii) Have two years of experience as a teacher of children in any age group enrolled in the early learning program or two years of experience in administration or management, or a department approved plan;
 - (iv) Complete the applicable preservice requirements, pursuant to WAC **110-300-0105**;
 - (v) Have their continued professional development progress documented annually.
- (c) A center director or assistant director or equivalent must provide the following services:
 - (i) Be on-site for the daily operation of the early learning program fifty percent or more of weekly operating hours up to forty hours per week, or designate a person with the qualifications of an assistant director, program supervisor, or equivalent. A center director may act as a substitute teacher if acting as a substitute does not interfere with management or supervisory responsibilities;
 - (ii) Comply with foundational quality standards;
 - (iii) Develop a curriculum philosophy, communicate the philosophy to all early learning program staff and parents, and train staff to ensure the philosophy serves all children in the early learning program (or designate a program supervisor with this responsibility);
 - (iv) Have knowledge of community resources available to families, including resources for children with special needs and be able to share these resources with families; and

- (v) Oversee professional development plans for early learning program staff including, but not limited to:
 - (A) Providing support to staff for creating and maintaining staff records;
 - (B) Setting educational goals with staff and locating or coordinating state-approved training opportunities for staff: and
 - (C) Observing and mentoring staff.
- (4) **Center program supervisors** plan the early learning program services under the oversight of a center director or assistant director.
 - (a) A program supervisor must meet the following qualifications:
 - (i) Be at least 18 years old;
 - (ii) Have an ECE state certificate or equivalent within five years of the date this section becomes effective or from the time of hire or promotion, if a director or assistant director does not have an ECE state certificate or equivalent as required by this section;
 - (iii) Have two years of experience as a teacher of children in any age group enrolled in any early learning program;
 - (iv) Complete the applicable preservice requirements, pursuant to WAC **110-300-0105**; and
 - (v) Have their continued professional development progress documented annually.
 - (b) A program supervisor performs the following duties:
 - (i) Guide the planning of curriculum philosophy, implementation, and environmental design of the early learning program;
 - (ii) Comply with foundational quality standards;
 - (iii) Act as a teacher or director as long as it does not interfere with the program supervisor's primary responsibilities; and
 - (iv) Manage the professional development plans and requirements for staff as needed.
 - (c) One person may be the center director, assistant director, and the program supervisor when qualified for all positions, provided that all requirements of subsection (3)(a) and (b) of this section are met.
- (5) Any individual hired or promoted into a position detailed in subsections (2), (3), and (4) of this section who does not have an ECE state certificate or equivalent as required under subsections (3)(a)(ii), (b)(ii), and (4)(a)(ii) of this section must instead meet the following requirement as approved and verified in the electronic workforce registry by the department:

	Then the director, assistant director, or program supervisor must have completed at least this number of
licensed for	college quarter credits in early
this number of	childhood education core
children:	competencies:
(a) 12 or fewer	10
(b) 13 to 24	25
(c) 25 or more	45

(6) **Lead teachers** are responsible for implementing the center or family home early learning program. Lead teachers develop and provide a nurturing and responsive learning environment that meets the needs of enrolled children.

- (a) A lead teacher must meet the following qualifications:
 - (i) Be at least eighteen years old;
 - (ii) Have a high school diploma or equivalent; and
 - (iii) Complete the applicable preservice requirements, pursuant to WAC **110-300-0105**.
- (b) A center lead teacher must meet the following requirements:
 - (i) 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, or five years from being employed or promoted into this position at any licensed early learning program;
 - (ii) Progress towards an ECE short certificate or equivalent. A center lead teacher hired after this chapter becomes effective must have an ECE short certificate within two years of receiving an ECE initial certificate, or seven years from being employed or promoted into this position at any licensed early learning program; and
 - (iii) Have their professional development progress documented annually.
- (c) A family home lead teacher must meet the following requirements:
 - (i) 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, or from being employed or promoted into this position at any licensed early learning program;
 - (ii) Prior to being in charge of their early learning program fifty percent or more of the time, a family home lead teacher must meet the qualifications of the family home licensee and complete or be registered in orientation training required in WAC 110-300-0105(1); and
 - (iii) Have their professional development progress documented annually.

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110-300- 0165	(2) An early learning provider must take steps to prevent hazards to children including, but not limited to: (e) Ensuring firearms, guns, weapons, and ammunition are not on the premises of a center early learning program. Firearms, guns, weapons, and ammunition on the premises of a family home early learning program must be stored in a locked gun safe or locked room inaccessible to children. If stored in a locked room, each gun must be stored unloaded and with a trigger lock or other disabling device. The locked room must be inaccessible to children at all times;
110-300- 0110	(3) To ensure a safe environment for children in care, an early learning provider must comply with the following fire safety requirements: (g) Fire alarms and smoke and carbon monoxide detectors. (i) An early learning provider must have and maintain at least one smoke detector per licensed sleeping area and one per floor. Pursuant to the State Building Code, center early learning providers must comply with WAC 51-50-0907, as now and hereafter amended, and family early learning providers must comply with WAC 51-51-0314, as now and hereafter amended; and (ii) An early learning provider must have and maintain carbon monoxide detectors. Pursuant to the State Building Code, the State Building Code, center early learning providers must comply with WAC 51-50-0915, as now and hereafter amended, and family early learning providers must comply with WAC 51-51-0315, as now and hereafter amended.
110-300- 0197	(5) For food requiring temperature control, a center early learning program must maintain a food temperature log by using a calibrated and working metal stemtype or digital food thermometer.
110-300- 0198	(4) Center early learning programs licensed after the date this chapter becomes effective must have: (a) A handwashing sink separate from dishwashing facilities; (b) A food preparation sink located in the food preparation area; and (c) A method to clean and sanitize dishes, pans, kitchen utensils, and equipment in the food preparation area using: (i) A two-compartment sink and an automatic dishwasher that sanitizes with heat or chemicals; or (ii) A three-compartment sink method (sink one is used to wash, sink two is used to rinse, sink three contains a sanitizer, and the dishes are allowed to air dry).

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110-300- 0220	 (1) An early learning provider must provide at least one indoor bathroom in the licensed space that has the following: (a) One working flush toilet;
	(ii) Center early learning programs licensed after this chapter becomes effective must have one working flush toilet for every 15 children and staff. A child in diapers does not count for purposes of toilet calculations until the child begins toilet training. (b) One working sink and faucet; (vii) Center early learning programs must have one working sink and faucet for every 15 children and staff. (2) If an early learning program space is equipped with a bathtub or shower, the provider must: (d) Keep the bathtub or shower inaccessible to children when not in use by children (in center early learning programs only).
110-300- 0221	(1) A center early learning provider must have a designated diaper changing area, including stand-up diapering, for each classroom or for every age grouping of children who require diapering. Only one diaper changing area is required at a family home early learning provider.
110-300- 0225	(4) An early learning provider must: (g) Not allow animals in rooms or areas typically used by infants or toddlers (center early learning programs only);
110-300- 0236	(1) An early learning program's drinking water must: (b) Be offered in outdoor play areas, <i>in each classroom for centers</i> , and in the licensed space for family homes;
110-300- 0255	(1) An early learning provider must take appropriate steps to safely prevent or control pests that pose a risk to the health and safety of adults and children in and around the licensed space. Pest control steps must include: (f) Application. Pesticide must be applied to early learning program space when children are not present. When pesticide is applied, center providers must comply with chapter 17.21 RCW and family home providers must comply with the pesticide manufacturer's instructions.
110-300- 0260	(3) Center early learning program space with storage areas and rooms that contain chemicals, utility sinks, or wet mops must be ventilated to the outdoors with an exterior window or mechanical ventilation to prevent the buildup of odors, fumes, or other hazards.
110-300- 0275	 (4) A center early learning provider licensed to care for any infant shall employ or contract with a child care health consultant to provide health consultation to support the practices of staff working with infants and to support the needs of individual infants. (5) The provider shall enter into a department approved written agreement for services with a child care health consultant. (a) The child care health consultant must be a currently licensed registered nurse who:

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110-300- 0356	(1) The department issues initial or non-expiring center early learning provider licenses. The department will not issue a center license to care for more
110-300- 0354	(1) To define capacity, licensed indoor early learning program space must have a minimum of 35 square feet per child in attendance and further comply with the requirements of this chapter. (a)Center early learning program space must provide 15 additional square feet for each infant or toddler using a crib or playpen if the crib or playpen is located or placed in the sleeping or play area.
	and any actions taken to address concerns identified. (8) If a center early learning provider is unable to independently employ or contract with a child care health consultant within 30 calendar days of enrolling an infant, the provider shall contact the department for assistance. The department shall assist the provider obtain the services of a child care health consultant or may grant a waiver until the services can be secured.
	assessment, or screening outcomes; and (c) Reports each visit to the department. (7) The early learning provider must keep on-site a copy of the child care health consultant's written reports along with any notes, recommended follow up,
	(b) Provides a dated, signed, written summary to the early learning provider for each visit that includes topics discussed with parents or staff, any areas of concern related to discussion, observation,
	(iii) Observes and assesses behavior, development, and health status of individual infants in care and make recommendations to staff or parents or guardians including if further assessment is recommended, as requested or otherwise determined appropriate.
	training, consultation, or referral; (ii) Observes and assesses classroom health practices, including but not limited to, infection control including cleaning, sanitizing, and disinfecting, and provides technical assistance to correct any practices of concern;
	 (a) Conducts at least one on-site visit monthly, if an infant is enrolled, during which the consultant; (i) Observes and assesses staff knowledge of infant health, development, and safety and offers support through
	competencies described in the most current version of <i>Caring for Our Children</i> . (b) The child care health consultant must be available, or make available a designee who meets the requirements of (2)(a), for consultation by phone as needed. (6) The provider shall ensure that the child care health consultant:
	years or has taken or taught classes in pediatric nursing at the college level in the past five years; (ii) Has experience with state licensing and public health requirements; and (iii) Attests in writing to knowledge and experience sufficient to provide service consistent with the health consultant
	(i) Has worked in pediatrics or public health in the past five

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Reference	children than permitted by the rules in this chapter. The department may issue a license to care for fewer than the maximum allowable enrolled children. For each center, licenses state: (a) The maximum number of children that may be in care at any one time (total capacity); (b) The licensed capacity for each space within the center licensed for use by children; and (c) The age range of children allowed in care. (2) The department determines capacity for a center early learning program after considering: (a) Square footage of the early learning program; (b) A provider's education and on-going training; (c) The age range of children requested or approved by the	
	department; (d) The amount of developmentally appropriate equipment, materials, and toys an early learning program can provide children to use; (e) A provider's licensing history with the department; and (f) The number of qualified staff available to meet staff-to-child ratios. (3) A center licensee must not exceed the total capacity or age range stated on the child care license at any time except as provided in this section. All children on the premises, signed in to child care, on an off-site trip from the early learning program, or being transported by the early learning program staff are counted in capacity including the children of staff. (a) A center licensee must receive department approval to care for a child with special people, pursuant to WAC 110-300-0300, if the child	
	a child with special needs, pursuant to WAC 110-300-0300, if the child is older than the maximum age identified on the license. A child with documented special needs may be in care up to age 19 and must be counted in capacity and staff-to-child ratio. (b) A child with special needs who requires individualized supervision pursuant WAC 110-300-0300 does not count in the staff-to-child ratio. (c) A child who turns 13 years old permitted by chapter 110-290 WAC, as hereafter recodified or amended, must be counted in both capacity and staff-to-child ratio.	
	(4) A center licensee must provide qualified staff to fulfill staffing requirements, staff-to-child ratios, group size, and mixed age grouping during operating hours, including off-site activities or when transporting children in care.	
	(5) In each classroom or well-defined space, the maximum group size and ratio of center staff members to children, including children related to staff or the licensee, must be: (a) Infants (birth through 11 months of age) with a: (i) Maximum group size of 8 with a ratio of 1 staff to 4 children (1:4); (ii) Maximum group size of 9 with a ratio of 1:3; (b) Toddlers (12 through 29 months of age) with a:	

(i) Maximum group size of 14 with a ratio of 1:7; (ii) Maximum group size of 15 with a ratio of 1:5;
(ii) Maximum group size of 15 with a ratio of 1:5;

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Reference	(c) Preschoolers (30 months through 6 years of age who are not attending kindergarten or elementary school) with a maximum group size of 20 with a ratio of 1:10; and (d) School-age children (5 years through 12 years of age who are enrolled in or attending kindergarten or elementary school) with a maximum group size of 30 with a ratio of 1:15.
	(6) A center licensee may combine children of different age groups for periods of no more than the first two hours of the day or the last two hours of the day, not to exceed two hours in any given day, provided the staff-to-child ratio and group size designated for the youngest child in the mixed group are maintained.
	(7) Children at least five years old and enrolled in or attending kindergarten may be a part of the preschool or school-age group if developmentally appropriate and the child's parent or guardian agrees to this placement.
	(8) A center licensee must conduct activities for each group of children in a specific room or other defined space within a larger area.
	(9) A center licensee must provide additional staff as described in WAC 110300-0350 when children are participating in water activities or activities near water.
	(10) When only one center staff is required to care for the only group of children on site for up to an hour at the beginning or end of the day, the center licensee must ensure: (a) That staff member provides an appropriate level of supervision at all times to the children in care; (b) That staff member is free of all other duties while providing care to children; and (c) A second individual with a cleared background check is on site and readily available to respond if needed, or the department approves an alternate plan.
110-300- 0357	(1) A center early learning program must do the following to mix age groups of children in care (in addition to any specific requirements of this section): (a) Meet the square footage and staff-to-child ratio requirements for the youngest child present in the group; (b) Meet the health, safety, and developmental needs for all ages of children in the mixed group; and (c) Inform the department of the center's mixed age group policy.
	(2) A center early learning program must do the following to mix groups of children birth to 36 months old with a maximum group size of eight children: (a) Have at least two staff present with the group, consisting of one Lead Teacher and one other staff member qualified under this chapter; and (b) Keep a staff-to-child ratio of 1:4.

(3) A center early learning program must do the following to mix groups of children birth to 36 months old with a maximum group size of nine children:

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- (a) Have at least three staff present with the group, consisting of one Lead Teacher and two other staff members qualified under this chapter; and
- (b) Keep a staff-to-child ration of 1:3.
- (4) A center early learning program must do the following to mix groups of children 12 to 36 months old:
 - (a) Have at least two staff present with the group, consisting of one Lead Teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:7 with a maximum group size of 14 children.
- (5) A center early learning program must do the following to mix groups of children 12 to 36 months old:
 - (a) Have at least three staff present with the group, consisting of one Lead Teacher and two other staff members qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:5 with a maximum group size of 15 children.
- (6) A center early learning program must do the following to mix groups of children between 36 months old through kindergarten with a maximum group size of 20 children:
 - (a) Have at least two staff present with the group, consisting of one Lead Teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.
- (7) A center early learning program must do the following to mix groups of children between 36 months old through kindergarten with a maximum group size of 26 children:
 - (a) Have at least three staff present with the group, consisting of one Lead Teacher and two other staff members qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.
- (8) A center early learning program must do the following to mix groups of children four-and-one-half to nine years old with a maximum group size of 20 children:
 - (a) Have at least two staff present with the group, consisting of one Lead Teacher and one other staff member qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.
- (9) A center early learning program must do the following to mix groups of children four-and-one-half to nine years old with a maximum group size of 26 children:
 - (a) Have at least three staff present with the group, consisting of one Lead Teacher and two other staff members qualified under this chapter; and
 - (b) Keep a staff-to-child ratio of 1:10.

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110-300- 0401	(5)The annual fee for center early learning programs is one hundred twenty-five dollars for the first twelve children plus twelve dollars for each additional child, or as otherwise set by the legislature.	
110-300- 0402	(3)An early learning provider planning a change under subsection (1)(a) of this section must also: (b)Not significantly change or move a center early learning program until the department has first inspected the new location and determines it meets the requirements in this chapter and RCW 43.216.305.	
110-300- 0415	 (4) Prior to licensing, a center early learning applicant must: (a) Have a certificate of occupancy issued by the local building, planning, or zoning department, or a local equivalent if locality does not have the certificate of occupancy; and (b) Be inspected and approved by the State Fire Marshal. 	
110-300- 0420	(4) A center early learning provider must prohibit any person from using, consuming, or being under the influence of cannabis in any form on licensed space.	
110-300- 0425	 (9) An early learning provider must report within 24 hours: (b) To the department: (i) A retirement, termination, death, incapacity, or change of the Program Director, or Program Supervisor, or change of ownership or incorporation of a provider; 	
110-300- 0443	(4) Fines shall not exceed <i>two hundred and fifty dollars</i> (\$250) per day per <i>violation for center early learning programs</i> or one hundred and fifty dollars (\$150) per day per violation for family home early learning programs, or as otherwise set by the legislature.	
110-300- 0470	 (1) An early learning provider must have and follow a written emergency preparedness plan. The plan must be reviewed and approved by the department prior to when changes are made. Emergency preparedness plans must: (e)Must follow requirements in chapter 212-12 WAC, as now or hereafter amended (Fire Marshal Standards) and the State Fire Marshal's office requirements if a center early learning program; (2) The written emergency preparedness plan must cover at a minimum: (a) Disaster plans, including fires that may require evacuation: (iv)How the early learning provider will evacuate children, especially those who cannot walk independently. This may include infant evacuation cribs (for center early learning programs), children with disabilities, functional needs requirements, or other special needs; 	