

Updated Family Home Foundational Quality Standards

The following section outlines the updated regulations for Family Home early learning providers.

Updated Regulations for Family Home early learning providers
INTENT AND AUTHORITY
Intent and Authority
License required
110-300-0010 License required. (2) The department must not license a department employee or a member of the employee's household if the employee is involved directly, or in an administrative or supervisory capacity in the: (a) Licensing process; (b) Placement of a child in a licensed early learning program; or (c) Authorization of payment for the child in care.
Licensee absence
110-300-0015 Licensee absence. (1) In a family home early learning program, the licensee must have a written plan for when the licensee will be absent but the program remains open for the care of children. If a family home licensee is absent more than ten consecutive operating days, the licensee 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. (3) A written notification under this section must include the following information: (c) A written plan for program staff to follow that includes: (ii) Identification of a lead teacher to be present and in charge;
Inactive status – voluntary and temporary closure

110-300-0016 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 thirty calendar days, and this closure is a departure from the program's regular schedule, an early learning provider must submit a notification to go on inactive status to the department at least two business days prior to the planned closure. Notifications for inactive status must include:
 - (a) The date the early learning program will cease operating;
 - (b) The reasons why the licensee is going on inactive status; and
 - (c) A projected date the early learning program will reopen.
- (2) The requirements of this section do not apply to licensed early learning programs that have temporary closures beyond thirty calendar days as part of their regular schedule, such as programs based on the school year or seasonal occupation.

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; family home 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. UPDATED REGULATIONS FOR FAMILY HOME EARLY LEARNING PROVIDERS

Updated Regulations for Family Home early learning providers
<p>(3) A licensee may not request inactive status during their first initial licensing period (six months) unless for an emergency.</p> <p>(4) An early learning provider must inform parents and guardians that the program will temporarily close.</p> <p>(5) An early learning provider is responsible for notifying the department of changes to program status including voluntary closures, new household members or staff, or other program changes. Program status updates must also be completed in the department's electronic system.</p> <p>(6) Background check rules in chapter 110-06 WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.</p> <p>(8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW 43.216.305.</p> <p>(9) If inactive status exceeds six months within a twelve-month period, the department must close the license for failing to comply with RCW 43.216.305(2). The licensee must reapply for licensing pursuant to RCW 43.216.305(3).</p> <p>(10) The department may pursue enforcement actions after three failed attempts to monitor an early learning program if:</p> <ul style="list-style-type: none"> (a) The early learning provider has not been available to permit the monitoring visits; (b) The monitoring visits were attempted within a three-month time period; and (c) The department attempted to contact the provider by phone during the third attempted visit while still on the early learning premises. <p>(11) When a licensee is ready to reopen after a temporary closure, the licensee must notify the department in writing. After receiving notice of the intent to reopen, the department will:</p> <ul style="list-style-type: none"> (a) Conduct a health and safety visit of the early learning program within ten business days to determine that the provider is in compliance with this chapter; (b) Activate the license and inform the licensee that the license is active; and (c) Notify the following programs of the active status: <ul style="list-style-type: none"> (i) The department's child care subsidy programs; (ii) CACFP; and (iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.
Certified and exempt programs
<p>110-300-0025 Certified and exempt programs.</p> <p>(3) A child care program exempt from licensing pursuant to RCW 43.216.010(2) must use the department's form to submit their exempt status.</p> <p>(6) The department must not certify a department employee or a member of their household when the employee is involved directly, or in an administrative or supervisory capacity, in the:</p> <ul style="list-style-type: none"> (a) Certification process; (b) Placement of a child in a certified program; or (c) Authorization of payment for the child in care.
Non-discrimination

110-300-0030 Non-discrimination.

- (1) Early learning programs are defined by state law as places of public accommodation that must:
 - (b) Comply with the requirements of the Washington law against discrimination (chapter [49.60](#) RCW) and the ADA.
- (2) An early learning program must have a written nondiscrimination policy addressing at least the factors listed in subsection (1) of this section.

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CHILD OUTCOMES

Developmental screening and communication to parents and guardians

110-300-0055 Developmental screening and communication to parents or guardians.

- (1) An early learning provider must inform parents or guardians about the importance of developmental screenings for each child from birth through age five.
- (2) If not conducted on-site, an early learning provider must share information with parents or guardians about organizations that conduct developmental screenings such as a local business, school district, health care provider, specialist, or resources listed on the department web site.

School readiness and family engagement

110-300-0065 School readiness and family engagement activities.

- (1) At least once per calendar year, an early learning provider must supply to parents or guardians kindergarten or school readiness materials when developmentally appropriate for enrolled children.
- (2) Kindergarten or school readiness materials must be the same or similar to resources posted online by OSPI, the department, or other equivalent organizations. These materials may address:
 - (a) Kindergarten transition activities, if applicable; and
 - (b) Developmentally appropriate local school and school district activities designed to engage families.

FAMILY ENGAGEMENT AND PARTNERSHIPS

Family support self-assessment

110-300-0080 Family support self-assessment.

An early learning provider must assess their program within one year of being licensed, or within six months of the date this section becomes effective, to identify ways to support the families of enrolled children. A provider must complete the strengthening families program self-assessment, or an equivalent assessment, applicable to the early learning program type (center or family home).

Family partnerships and communication

110-300-0085 Family partnerships and communication.

- (1) An early learning provider must communicate with families to identify individual children's developmental goals.
- (2) An early learning provider must attempt to obtain information from each child's family about that child's developmental, behavioral, health, linguistic, cultural, social, and other relevant information. The provider must make this attempt upon that child's enrollment and annually thereafter.
- (3) An early learning provider must determine how the program can best accommodate each child's individual characteristics, strengths, and needs. The provider must utilize the information in subsection (2) of this section and seek input from family members and staff familiar with a child's behavior, developmental, and learning patterns.
- (4) An early learning provider must:
 - (a) Attempt to discuss with parents or guardians information including, but not limited to:
 - (i) A child's strength in areas of development, health issues, special needs, and other concerns;
 - (ii) Family routines or events, approaches to parenting, family beliefs, culture, language, and child rearing practices;
 - (iii) Internal transitions within the early learning program and transitions to external services or programs, as necessary;
 - (iv) Collaboration between the provider and the parent or guardian in behavior management; and
 - (v) A child's progress, at least two times per year.
 - (b) Communicate the importance of regular attendance for the child;
 - (c) Give parents or guardians contact information for questions or concerns;
 - (d) Give families opportunities to share their language and culture in the early learning program;
 - (e) Arrange a confidential time and space for individual conversations regarding children, as needed;
 - (f) Allow parents or guardians access to their child during normal hours of operation, except as excluded by a court order; and
 - (g) Communicate verbally or in writing:
 - (i) Changes in drop-off and pickup arrangements as needed; and
 - (ii) Daily activities.

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PROFESSIONAL DEVELOPMENT, TRAINING AND REQUIREMENTS

General staff qualifications

110-300-0100 General staff qualifications.

All early learning providers must meet the following requirements prior to working:

(1) **Family home early learning program licensees** work from their private residence to provide early learning programming to a group of no more than twelve children present at one time.

(iii) Complete the applicable preservice requirements pursuant to WAC [110-300-0105](#).

(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.

(A) If a family home licensee already has an existing ECE initial certificate or equivalent, the licensee must complete an ECE short certificate or equivalent within five years of licensure by the department.

(B) Five years from the date this rule takes effect, the family home licensee must complete an ECE short certificate or equivalent within three years.

(iii) Have their continued professional development progress documented annually.

(c) Family home licensees 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, or designate a person with the qualifications of a family home licensee to be onsite when not present;

(ii) Comply with these 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;

(iv) Have knowledge of community resources available to families, including resources for children with special needs and the ability to share these resources with families; and

(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:

(iii) Complete the applicable preservice requirements, pursuant to WAC [110-300-0105](#).

(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

- (7) **Assistant teachers** help a lead teacher or licensee provide instructional support to children and implement developmentally appropriate programs in center or family home early learning programs.
- (a) An assistant teacher must meet the following qualifications:
 - (ii) Have a high school diploma or equivalent; and
 - (iii) Have a minimum of 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 to this position at any licensed early learning program;
 - (iv) Complete the applicable preservice requirements, pursuant to WAC [110-300-0105](#); and
 - (b) Assistant teachers may work alone with children with regular, scheduled, and documented oversight and on-the-job classroom training from the classroom's assigned lead teacher who is primarily responsible for the care of the same group of children for the majority of their day.
 - (c) For continuity of care, assistant teachers can act as a substitute lead teacher up to two weeks. If longer than two weeks, the provider must notify the department with a plan to manage the classroom.
- (8) **Aides** provide classroom support to an assistant teacher, lead teacher, program supervisor, center director, assistant director, or family home licensee. Aides must meet the following qualifications:
- (a) Be at least fourteen years old;
 - (b) Have a high school diploma or equivalent, or be currently enrolled in high school or an equivalent education program;
 - (c) Complete the applicable preservice requirements, pursuant to WAC [110-300-0105](#);
 - (d) Have their professional development progress documented annually; and
 - (e) Aides may be counted in the staff-to-child ratio if they are working under the continuous oversight of a lead teacher, program supervisor, center director, assistant director, assistant teacher, or family home licensee.
 - (i) Aides working nineteen hours per month or less can count towards ratio with applicable preservice requirements pursuant to WAC [110-300-0105](#) and without in-service training requirements pursuant to WAC [110-300-0107](#) (1)(a).
 - (ii) Aides who work twenty hours or more per month with a cumulative twelve months of employment must complete applicable preservice requirements pursuant to WAC [110-300-0105](#) and in-service training pursuant to WAC [110-300-0107](#) (1)(a).
- (9) **Other personnel** who do not directly care for children and are not listed in subsections (1) through (8) of this section must meet the following qualifications:
- (a) Complete and pass a background check, pursuant to chapter [110-06](#) WAC;
 - (b) Have a negative TB test, pursuant to WAC [110-300-0105](#); and
 - (c) Complete program based staff policies and training, pursuant to WAC [110-300-0110](#).
- (10) **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);
- (c) Regular, ongoing volunteers may count in staff-to-child ratio if they:
 - (i) Complete the training requirements, pursuant to WAC [110-300-0106](#);
 - (ii) Complete program based staff policies and training, pursuant to WAC [110-300-0110](#); and
 - (v) Have their professional development progress documented annually.
 - (d) Occasional volunteers must comply with (a) and (b) of this subsection. Occasional volunteers may include, but are not limited to, a parent or guardian helping on a field trip, special guest presenters, or a parent or guardian, family member, or community member helping with a cultural celebration.

Training requirements

WAC 110-300-0106 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 effective unless otherwise indicated. State or federal rules

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may require health and safety training described under this chapter to be renewed annually. Early learning providers hired after the date this section becomes effective must complete the training requirements of subsections (4) through (10) of this section within three months of the date of hire and prior to working in an unsupervised capacity with children.

(3) License applicants, center directors, assistant directors, program supervisors, lead teachers, assistant teachers, and aides must complete the child care basics training as approved or offered by the department:

- (a) Prior to being granted a license;
- (b) Prior to working unsupervised with children; or
- (c) Within three months of the date this section becomes effective if already employed or being promoted to a new role.

(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. Training must include the prevention of child abuse and neglect as defined in RCW [26.44.020](#) and mandatory reporting requirements under RCW [26.44.030](#).

(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.

(9) Family home licensees, center directors, assistant directors, program supervisors, lead teachers, and other appropriate staff members must complete the child restraint training as approved or offered by the department. This training must be completed annually; and: (a) Prior to being authorized to restrain an enrolled child; or (b) According to subsection (1) of this section.

(10) Family home licensees, center directors, assistant directors, program supervisors, and lead teachers must complete the medication management and administration training as approved or offered by the department prior to giving medication to an enrolled child, or as indicated in subsection (1) of this section.

(11) Early learning providers who directly care for children must complete the prevention of exposure to blood and body fluids training that meets Washington state department of labor and industries' requirements prior to being granted a license or working with children. This training must be repeated pursuant to Washington state department of labor and industries regulations.

In-Service training

WAC 110-300-0107 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.

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(b) Every thirty-six months, following the completion of EQEL or a department approved alternative training, family home licensees, center directors, assistant directors, and program supervisors, must complete a minimum of ten hours of in-service training "child development" and a minimum of ten hours of in-service training on "leadership practices."

Program based staff policies and training

110-300-0110 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 prior to issuing a provider's initial license. Providers must notify the department when substantial changes are made.

(2) Early learning program staff policies must include, but are not limited to:

- (b) Job descriptions, pay dates, and benefits;
- (c) Professional development expectations and plans; (d) Expectations for attendance and conduct;
- (e) Early learning program staff responsibilities for:
- (g) A plan that includes how both administrative and child caretaking duties are met when a job requires such dual responsibilities; and
- (h) Observation, evaluation, and feedback policies.

(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 (e) Information to be shared with the family.

(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;
 - (ii) Chapter [43.216](#) RCW; and
 - (iii) Chapters [110-300](#) and [110-06](#) WAC.
- (b) Training must be updated with changes in program policies and state or federal regulations.

Staff oversight

110-300-0111 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.
- (2) When the family home licensee, center director, assistant director, program supervisor, lead teacher, or assistant teacher is the only staff supervising an aide or volunteer, the aide or volunteer may be out of the supervisor's visual and auditory range only when the aide, volunteer or supervisor is attending to personal needs.

Staff records

110-300-0115 Staff records.

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- (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. Early learning program staff records must be:
 - (a) Verified by the licensee, center director, assistant director, or program supervisor;
 - (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;
 - (c) Updated to delete staff names from the electronic workforce registry when no longer employed at the early learning program; and
- (2) Records for each early learning provider and staff member must include: (c) Job title; (d) First and last day of employment, if applicable;
- (3) A licensee, center director, assistant director, or program supervisor must maintain the following records for each early learning provider and program staff in a confidential manner. These records must be reviewable by the department and must include at a minimum:
 - (b) Emergency contact information;
 - (d) Annual observation, evaluation, and feedback information;

Providing for personal, professional, and health needs of staff

110-300-0120 Providing for personal, professional, and health needs of staff.

- (1) A licensee must provide for the personal and professional needs of staff by:
 - (a) Having a secure place to store personal belongings that is inaccessible to children;
 - (b) Having a readily accessible phone to use for emergency calls or to contact the parents of enrolled children; and
 - (c) Providing file and storage space for professional materials.
- (3) If a staff person has not been vaccinated, or 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](#),
- (4) An early learning program's health policy, pursuant to WAC [110-300-0500](#), must include provisions for excluding or separating staff with a contagious disease described in WAC [246-110-010](#), as now and hereafter amended.

ENVIRONMENT

Indoor early learning program space
<p>110-300-0130 Indoor early learning program space.</p> <p>(3) Early learning program space must allow children to move between areas without disrupting another child's work or play.</p> <p>(4) A family home licensee must provide a signed and dated declaration form annually stating that the early learning program meets the following requirements, as applicable, in unlicensed space:</p> <ul style="list-style-type: none">(c) Medication storage pursuant to WAC 110-300-0215;(d) Refrigerator or freezer pursuant to WAC 110-300-0165 (3)(d);(e) Storage areas that contain chemicals, utility sinks, or wet mops pursuant to WAC 110-300-0260; or(f) Swimming pools under WAC 110-300-0175.
Routine care, play, learning, relaxation and comfort
<p>110-300-0135 Routine care, play, learning, relaxation, and comfort.</p> <p>(1) An early learning provider must have accessible and child-size furniture and equipment (or altered and adapted in a family home early learning program) in sufficient quantity for the number of children in care. Tables must not be bucket style.</p>

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<p>(2) Furniture and equipment must be:</p> <ul style="list-style-type: none">(b) Developmentally and age appropriate;(c) Visually inspected at least weekly for hazards, broken parts, or damage. All equipment with hazardous, broken parts, or damage must be repaired as soon as possible and must be inaccessible to children until repairs are made according to the manufacturer's instructions, if available;(d) Arranged in a way that does not interfere with other play equipment; (e) Installed and assembled according to manufacturer's specifications; <p>(3) An early learning provider must supply soft furnishings in licensed space accessible to children. Soft furnishings may include, but are not limited to, carpeted areas and area rugs, upholstered furniture, cushions or large floor pillows, and stuffed animals.</p>
Room arrangement, child-related displays, private space, and belongings

110-300-0140 Room arrangement, child-related displays, private space, and belongings.

(1) Early learning materials and equipment must be visible, accessible to children in care, and must be arranged to promote and encourage independent access by children.

(2) An early learning provider must display age and developmentally appropriate early learning materials. Materials must be located at enrolled children's eye level and related to current activities or curriculum.

(3) An early learning provider must offer, or allow a child to create, a place for privacy. This space must:

- (a) Allow the provider to supervise children; and
- (b) Include an area accessible to children who seek or need time alone or in small groups.

(5) An early learning provider must supply individual storage space for each child's belongings while in attendance. At a minimum, the space must be:

- (a) Accessible to the child; and
- (b) Large enough and spaced sufficiently apart from other storage space to:
 - (i) Store the child's personal articles and clothing; and
 - (ii) Promote or encourage children to organize their possessions.

(6) Child usable and accessible areas must be arranged to provide sufficient space for routine care, child play, and learning activities. These areas must be designed to:

- (a) Allow the provider to supervise or actively supervise the children, depending on the nature of the activities;
- (b) Allow children to move freely; and
- (c) Allow for different types of activities at the same time (for example: Blocks, puppets, language and literary materials, art materials, clay or play dough, music and movement, or dramatic play).

Outdoor early learning program space

110-300-0145 Outdoor early learning program space.

(1) An early learning provider must visually inspect outdoor program space and equipment daily to ensure outdoor areas and equipment are free of hazards.

(3) An early learning program must have shaded areas in outdoor play space provided by trees, buildings, or shade structures.

(4) Outdoor play space must promote a variety of age and developmentally appropriate active play areas for children in care. Activities must encourage and promote both moderate and vigorous physical activity such as running, jumping, skipping, throwing, pedaling, pushing, pulling, kicking, and climbing.

(6) Licensed outdoor play areas must be enclosed with a fence or barrier that is intended to prevent children from exiting and discourages climbing. If the outdoor play area is enclosed by a barrier that is not a fence, the barrier may be a wall constructed with brick, stone, or a similar material.

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<p>(9) The opening between a fence post and gate or fence post and building must have no gap through which a sphere with a diameter of three and one-half inches can pass.</p> <p>(10) An early learning provider must not install any wooden fence, playground structure, or furniture if it contains chromated copper arsenate (CCA), creosote or pentachlorophenol. If wooden fences, structures, and furniture are suspected of having CCA, they must be tested. If CCA is present, fences, structures, and furniture must be removed or sealed with an oil-based outdoor sealant annually or as needed within six months of the date this section becomes effective.</p> <p>(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.</p> <p>(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.</p>
Equipment and surfaces in outdoor early learning space
<p>110-300-0146 Equipment and surfaces in outdoor early learning space.</p> <p>(1) Playground equipment and surfacing used by an early learning provider must comply with applicable CPSC guidelines, as now and hereafter amended including, but not limited to, installing, arranging, designing, constructing, and maintaining outdoor play equipment and surfacing.</p> <p>(b) The ground under swings and play equipment must be covered by a shock absorbing material (grass alone is not an acceptable) such as:</p> <p>(iv) Any material that has a certificate of compliance, label, or documentation stating it meets ASTM standards F1292-13 and F2223-10, as now and hereafter amended.</p> <p>(2) Permanently anchored outdoor play equipment must not be placed over septic tank areas or drain fields, and must be installed according to the manufacturer's directions.</p> <p>(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.</p>
Weather conditions and outdoor hazards
<p>110-300-0147 Weather conditions and outdoor hazards.</p> <p>(2) An early learning provider must dress children for weather conditions during outdoor play time.</p>
Garden in outdoor early learning program space
Program and activities
<p>110-300-0150 Program and activities.</p> <p>(1) An early learning provider must supply children in care with early learning materials that are age and developmentally appropriate. For each age group of children in care, a provider must supply a variety of materials that satisfy individual, developmental, and cultural needs. Early learning materials must be:</p> <p>(d) Available to children in care appropriate to a child's age and developmental level;</p> <p>(h) Removed from the early learning program space once an item has been recalled by CPSC.</p>
Use of television, video, and computers

110-300-0155 Use of television, video, and computers.

If an early learning provider offers screen time to children in care:

- (1) The screen time available for each child:
 - (b) Should be interactive with staff.
- (3) Screen time must not occur during scheduled meals or snacks.

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- (4) Total screen time must not exceed two and one-half hours per week for each child over twenty-four months of age through preschool in full-day care (one and one-quarter hours per child in half-day care).
- (5) For school-age children, screen time must be limited to two and one-half hours per week for each child unless computer use is required for homework or a part of curriculum.

Promoting acceptance of diversity

110-300-0160 Promoting acceptance of diversity.

- (1) An early learning provider must provide culturally and racially diverse learning opportunities. Diverse learning opportunities must be demonstrated by the provider's curriculum, activities, and materials that represent all children, families, and staff. A provider must use equipment and materials that include, but are not limited to:
 - (a) Diverse dolls, books, pictures, games, or materials that do not reinforce stereotypes;
 - (b) Diverse music from many cultures in children's primary languages; and
 - (c) A balance of different ethnic and cultural groups, ages, abilities, family styles, and genders.
- (2) An early learning provider must intervene appropriately to stop biased behavior displayed by children or adults including, but not limited to:
 - (a) Redirecting an inappropriate conversation or behavior;
 - (b) Being aware of situations that may involve bias and responding appropriately; and (c) Refusing to ignore bias.

Safety requirements

110-300-0165 Safety requirements.

- (1) An early learning provider must keep indoor and outdoor early learning program space, materials, and equipment free from hazards and in safe working condition. Equipment and toys purchased and used must be compliant with CPSC guidelines or ASTM standards, as now and hereafter amended. Playground equipment and surfaces must meet the requirements of WAC [110-300-0146](#).
- (2) An early learning provider must take steps to prevent hazards to children including, but not limited to:
 - (a) Making inaccessible to infants and toddlers any equipment, material, or objects that may pose a risk of choking, aspiration, or ingestion. For the purposes of this section, equipment, material, or objects that have a diameter or overall dimension of one and three-quarter inches or less shall be considered items that may pose a risk of choking, aspiration, or ingestion. Small parts from larger equipment, material, or objects that have a diameter or overall dimension of one and three-quarter inches or less, that may become detached from the larger equipment, materials, or object shall also be considered items that may pose a risk of choking, aspiration, or ingestion;
 - (c) Making inaccessible to children straps, strings, cords, wires, or similar items capable of forming a loop around a child's neck that are not used during supervised early learning program activities;
 - (d) Making inaccessible to children plastic bags and other suffocation hazards;
 - (f) Preventing children from walking into or through a glass door, window, or other glass barrier, by placing stickers or art work at the children's eye level on the glass; and
 - (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.
- (3) An early learning provider must take measures intended to prevent other hazards to children in care in early learning program space including, but not limited to:
 - (a) **Cuts, abrasions, and punctures.** Equipment, materials, and other objects on the premises that have splintered edges, sharp edges, points, protruding nails, bolts, or other dangers must be repaired, removed, or made inaccessible to children;
 - (b) **Burns.** Equipment, materials, or products that may be hot enough to injure a child must be made inaccessible to children;
 - (c) **Sheering, crushing, or pinching.** Broken or cracked equipment, materials, and objects must be repaired, removed, or made inaccessible to children;

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<p>(d) Entrapment. Freezers, refrigerators, washers, dryers, compost bins, and other entrapment dangers must be inaccessible to children unless being actively supervised;</p> <p>(e) Tripping. Tripping hazards must be eliminated. Uneven walkways, damaged flooring or carpeting, or other tripping hazards must be removed or repaired;</p> <p>(f) Falling objects. Large objects that pose a risk of falling or tipping must be securely anchored. Large objects include, but are not limited to, televisions, dressers, bookshelves, wall cabinets, sideboards or hutches, and wall units; and</p> <p>(g) Equipment in poor condition. Equipment in poor condition (loose parts, rusty parts, flaking paint, or other dangers) must be repaired, removed, or made inaccessible to children.</p> <p>(4) To ensure a safe environment for children in care, an early learning provider must comply with the following requirements:</p> <p>(b) Window openings. Windows within the reach of children must only open up to three and one-half inches or have some barrier or preventative measure to discourage children from exiting through the window. The three and one-half inch opening does not apply to exit windows in family home early learning programs;</p> <p>(c) Licensed space lighting. Early learning program space must have natural or artificial light that provides appropriate illumination for early learning program activities and supervision. A provider must comply with all light fixture manufacturers' installation and use requirements. A provider must also ensure compliance with the following requirements:</p> <p>(iii) Free standing lamps must be attached or secured to prevent tipping; and (f)</p> <p>Stairway safety.</p> <p>(ii) All stairways (indoor and outdoor), not including play structures, must meet local building codes pursuant to RCW 43.216.340.</p> <p>(A) Open stairways with no walls on either side must have handrails with slats (balusters) that prevent a child from falling off either side of the stairway.</p> <p>(g) Platforms and decks. All platforms and decks used for child care activities must meet local building codes pursuant to RCW 43.216.340. This does not include play equipment.</p> <p>(5) To ensure a safe environment for children in care, an early learning provider must comply with the following electrical requirements:</p> <p>(g) Electrical devices accessible to children must not be plugged into an electrical outlet near a water source such as sink, tub, water table, or swimming pool.</p>	Emergency preparation and exiting
<p>110-300-0166 Emergency preparation and exiting.</p> <p>(3) To ensure a safe exit from the premises during an emergency, the early learning provider must comply with the following requirements:</p> <p>(c) Exit doors must not be partially or entirely blocked; and</p>	Fire safety

110-300-0170 Fire safety.

- (2) An early learning provider must arrange for a fire safety inspection annually. A provider must arrange a fire safety inspection with a local government agency. 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.
- (3) To ensure a safe environment for children in care, an early learning provider must comply with the following fire safety requirements:
- (a) **Combustible materials.**
 - (ii) Combustible materials stored in a closed metal container must not be stored in the premises licensed space or any place that may be accessible to children in care; (b) **Furnaces and other heating devices.**
 - (iii) An appliance or heating device that has a surface capable of burning a child or reaching 110 degrees Fahrenheit must be inaccessible to children in care unless a program activity involves such an appliance or device and children are being actively supervised.

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- (f) **Fireplaces, woodstoves, or similar wood burning heating devices.** Chimneys, fireplaces, gas burning fireplaces, wood stoves or similar wood-burning devices must be inspected annually by a state or locally certified inspector, unless the provider submits to the department a written statement that the chimney, fireplace, wood stove or similar wood-burning device will not be used at any time.
- (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, 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.
- (i) **Extinguishers.**
- (i) Fire extinguishers must be located pursuant to the state building code chapter [51-54A](#) WAC, as now and hereafter amended, and must be readily available for use in case of an emergency;

Water hazards and swimming pools

110-300-0175 Water hazards and swimming pools.

To prevent injury or drowning and ensure the health and safety of children, an early learning provider must comply with the requirements described in this section.

(1) The following bodies of water must be inaccessible to children in care by using a physical barrier with a locking mechanism in compliance with WAC [246-260-031](#)(4):

- (b) Ponds, lakes, storm retention ponds, ditches, fountains, fish ponds, landscape pools or similar bodies of water; and
- (c) Uncovered wells, septic tanks, wastewater, wastewater tanks, below grade storage tanks, farm manure ponds or other similar hazards.

(2) An early learning provider must comply with the following requirements when using a swimming pool as part of the early learning program:

- (a) Comply with the supervision requirements of WAC [110-300-0350](#);
- (b) Audible alarms must be on all doors, screens, and gates in licensed areas that lead to a swimming pool. The alarm must be sufficient to warn staff when children enter the outdoor area and could access the swimming pool;
- (e) A swimming pool must not be used if the main drain cover is missing; and

(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.

(4) For bodies of water not located in early learning program space, but that are in close proximity, a physical barrier on the property must make such bodies of water inaccessible to children in care.

(6) If an early learning provider uses water tables or similar containers, the tables or containers must be emptied and sanitized daily, or more often if necessary.

Meal and snack schedule

110-300-0180 Meal and snack schedule.

(2) At least once per day, an early learning provider must offer children an opportunity for developmentally appropriate tooth brushing activities.

- (a) Tooth brushing activities must be safe, sanitary, and educational.
- (b) Toothbrushes used in an early learning program must be stored in a manner that prevents cross contamination.
- (c) The parent or guardian of a child may opt out of the daily tooth brushing activities by signing a written form.

Menus, milk, and food

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110-300-0185 Menus, milk, and food.

To ensure proper nutrition of children in care, an early learning provider must comply with the child nutrition requirements described in this section.

- (1) 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.
 - (a) An early learning provider must supply dated menus.
 - (b) Food and beverage substitutions to a scheduled menu must be of equal nutritional value.
 - (c) An early learning provider must only serve water, unflavored milk or one hundred percent fruit or vegetable juice.
 - (d) An early learning provider must limit the consumption of one hundred percent fruit juice to no more than four to six ounces per day for children between one and six years old, and eight to twelve ounces per day for children seven through twelve years old.
- (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.

Food allergies and special dietary needs

110-300-0186 Food allergies and special dietary needs.

- (2) An early learning provider must arrange with the parents or guardians of a child in care to ensure the early learning program has the necessary medication, training, and equipment to properly manage a child's food allergies.
- (3) If a child suffers from an allergic reaction, the early learning provider must immediately:
 - (a) Administer medication pursuant to the instructions in that child's individual care plan;
 - (b) Contact 911 whenever epinephrine or other lifesaving medication has been administered; and (c) Notify the parents or guardians of a child if it is suspected or appears that any of the following occurred, or is occurring:
 - (i) The child is having an allergic reaction; or
 - (ii) The child consumed or came in contact with a food identified by the parents or guardians that must not be consumed by the child, even if the child is not having or did not have an allergic reaction.
- (4) Early learning providers must review each child's individual care plan information for food allergies prior to serving food to children.

Parent or guardian provided food and Written Food Plans

110-300-0190 Parent or guardian provided food and Written Food Plans.

(1) A written food plan must be developed by the provider and a child's parent or guardian, signed by all parties, and followed when accommodating a child's: (e) Other needs.

(3) If a parent or guardian provides meals for their child, an early learning provider must:

(a) Notify the parent or guardian in writing of the USDA CACFP requirements for each meal; and

(4) On special occasions, such as birthdays, an early learning provider may allow parents or guardians to bring in snacks that may not satisfy the nutritional requirements for all children. The snacks provided must be limited to:

(a) Store purchased fruits and vegetables (uncut);

(b) Foods prepackaged in the original manufacturer containers; or

(c) Snacks prepared, cooked, or baked at home by parents or guardians of a child in care. Prior to serving, an early learning provider must receive written permission from each child's parent or guardian stating their child may consume food prepared, cooked, or baked by another child's parent or guardian.

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Food service, equipment, and practices

110-300-0195 Food service, equipment, and practices.

(2) Snacks and meals must be prepared and served by an early learning provider who possesses a valid and current food worker card pursuant to WAC [110-300-0106](#)(13).

(3) An early learning provider must:

(b) Clean and sanitize eating and drinking equipment after each use. Water cups or bottles must be cleaned and sanitized daily if designated for a single child;

(c) Ensure plastic eating and drinking equipment does not contain BPA (a chemical used in hard plastic bottles and as a protective lining in food and beverage cans) or have cracks or chips;

(4) An early learning provider must:

(b) Sit with children during meals.

Food sources

110-300-0196 Food sources.

- (1) Food prepared and served from an early learning program must not be tampered with or spoiled.
- (2) Food prepared and served from an early learning program must be obtained from an approved source licensed and inspected by the local health jurisdiction, the Washington state department of agriculture (WSDA), or the USDA. Food items not approved to be served to children in care include:
 - (a) Meat, fish, poultry, eggs, or milk that has not been inspected by the USDA or WSDA;
 - (c) Game meat or other meat that has not been inspected by the WSDA or USDA;
 - (d) Leftover food that was previously served from outside of the early learning program; or (e) Food from roadside stands selling without a permit.
- (3) Food not prepared on-site by an early learning provider, pursuant to WAC [110-300-0195](#)(2), must be provided by:
 - (a) A licensed food establishment, kitchen, or catering business that meets food service requirements (chapter [246-215](#) WAC) and is regularly inspected by a local health jurisdiction;
 - (b) A parent or guardian for his or her own children; or (c) A manufacturer of prepackaged food.
- (4) Fruits and vegetables (produce) grown on-site in a garden as part of an early learning program may be served to children as part of a meal or snack. Prior to preparing and serving:
 - (a) The produce must be thoroughly washed and scrubbed in running cold water to remove soil and other contaminants;
 - (b) Damaged or bruised areas on the produce must be removed; and (c) Produce that shows signs of rotting must be discarded.

Safe food practices

110-300-0197 Safe food practices.

- (4) Food must be stored as follows:
 - (a) In original containers or in clean, labeled, dated, and airtight food grade containers, if appropriate;
 - (b) Food not required to be refrigerated or frozen must not be stored directly on the floor;
 - (c) In a manner that prevents contamination;
 - (d) Food and food service items (such as utensils, napkins, and dishes) must not be stored in an area with toxic materials (such as cleaning supplies, paint, or pesticides);
 - (e) Food that is past the manufacturer's expiration or "best served by" date must not be served to enrolled children; and
 - (f) Raw meat must be stored in the refrigerator or freezer below cooked or ready to eat foods.

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- (6) Prior to storing leftover food in a refrigerator or freezer, an early learning provider must label the food with the date the leftover food was opened or cooked.
- (7) An early learning provider may serve leftover food that originated from the early learning program if the leftover food was not previously served and:
 - (a) Refrigerated leftover food must be stored and then served again within forty-eight hours of originally being prepared; or
 - (b) Frozen leftover food must be promptly served after thawing and being cooked.

Food preparation areas

110-300-0198 Food preparation areas.

- (2) In an early learning program's food preparation area, kitchens must:
- (a) Have walls, counter tops, floors, cabinets, and shelves that are:
 - (i) Maintained in good repair including, but not limited to, being properly sealed without chips, cracks, or tears; and
 - (ii) Moisture resistant.
 - (b) Have a properly maintained and vented range hood, exhaust fan, or operable window; and
 - (c) Have a properly maintained and working refrigerator, freezer, or a combination refrigerator and freezer with sufficient space for proper storage and cooling of food.
- (3) An early learning provider must:
- (a) Have at least eight feet between the food preparation area and any diaper changing tables or counters and sinks used for diaper changing;
 - (b) Clean and sanitize a sink immediately before using it to prepare food to be served to children in care;
 - (c) Use a colander or other method to prevent food and kitchen utensils from touching the sink basin; and
 - (d) Clean dishes, pans, baby bottles, and kitchen utensils as follows:
 - (i) Cleaning and sanitizing with an automatic dishwasher that uses heat or chemicals to sanitize;

Handwashing and hand sanitizer

110-300-0200 Handwashing and hand sanitizer.

- (1) Early learning providers must comply with the following handwashing procedures or those defined by the United States Center for Disease Control and Prevention, and children should strongly be encouraged to:
- (a) Wet hands with warm water;
 - (b) Apply soap to the hands;
 - (c) Rub hands together to wash for at least twenty seconds;
 - (d) Thoroughly rinse hands with water;
 - (e) Dry hands with a paper towel, single-use cloth towel, or air hand dryer;
 - (f) Turn water faucet off using a paper towel or single-use cloth towel unless it turns off automatically; and
 - (g) Properly discard paper single-use cloth towels after each use.
- (2) An early learning provider must wash and sanitize cloth towels after a single use. Soiled and used towels must be inaccessible to children.
- (4) Early learning providers must wash their hands following the handwashing procedures listed above:
- (l) After using tobacco or vapor products;
 - (n) After gardening activities;
- (5) Early learning providers must direct, assist, teach, and coach, children to wash their hands, using the steps listed above:
- (e) After gardening activities;

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(6) Hand sanitizers or hand wipes with alcohol may be used for adults and children over twenty-four months of age under the following conditions: (b) Hands are not visibly soiled or dirty.

(7) Children must be actively supervised when using hand sanitizers to avoid ingestion or contact with eyes, nose, or mouths.

(a) Hand sanitizer must not be used in place of proper handwashing.

(b) An alcohol-based hand sanitizer must contain sixty to ninety percent alcohol to be effective.

Child, staff, and household member illness

110-300-0205 Child, staff, and household member illness.

(1) An early learning provider must observe all children for signs of illness when they arrive at the early learning program and throughout the day. Parents or guardians of a child should be notified, as soon as possible, if the child develops signs or symptoms of illness.

(2) If an early learning provider becomes ill, a licensee, center director, assistant director, or program supervisor must determine whether that person should be required to leave the licensed early learning space.

(3) When a child becomes ill, an early learning provider (or school nurse, if applicable) must determine whether the child should be sent home or separated from others. A provider must supervise the child to reasonably prevent contact between the ill child and healthy children.

(4) An ill child must be sent home or reasonably separated from other children if:

(a) The illness or condition prevents the child from participating in normal activities;

(b) The illness or condition requires more care and attention than the early learning provider can give; (c) The required amount of care for the ill child compromises or places at risk the health and safety of other children in care; or

(d) There is a risk that the child's illness or condition will spread to other children or individuals.

(5) Unless covered by an individual care plan or protected by the ADA, an ill child, staff member, or other individual must be sent home or isolated from children in care if the ill individual has:

(e) Open sores or wounds discharging bodily fluids that cannot be adequately covered with a waterproof dressing or mouth sores with drooling;

(f) Lice, ringworm, or scabies. Individuals with head lice, ringworm, or scabies must be excluded from the child care premises beginning from the end of the day the head lice, ringworm, or scabies was discovered. The provider may allow an individual with head lice, ringworm, or scabies to return to the premises after receiving the first treatment; or

(g) A child who appears severely ill, which may include lethargy, persistent crying, difficulty breathing, or a significant change in behavior or activity level indicative of illness.

(7) An early learning provider must not take ear or rectal temperatures to determine a child's body temperature.

(a) Providers must use developmentally appropriate methods when taking infant or toddler temperatures (for example, digital forehead scan thermometers or underarm methods); (b) Oral temperatures may be taken for preschool through school-age children if single-use covers are used to prevent cross contamination; and

(c) Glass thermometers containing mercury must not be used.

(8) An early learning provider may readmit a child, staff member, volunteer or household member into the early learning program area with written permission of a health care provider or health jurisdiction stating the individual may safely return after being diagnosed with a contagious disease pursuant to WAC [246-110010](#)(3), as now and hereafter amended.

Immunizations and exempt children
<p>Updated Regulations for Family Home early learning providers</p> <p>110-300-0210 Immunizations and exempt children.</p> <p>(5) An early learning provider may accept homeless or foster children into care without the records listed in this section if the child's family, caseworker, or health care provider offers written proof that he or she is in the process of obtaining the child's immunization records.</p> <p>(7) If an outbreak of a vaccine-preventable disease occurs within an early learning program, an early learning provider must notify 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.</p> <p>(8) An early learning provider may have a written policy stating children exempted from immunization by their parent or guardian will not be accepted into care unless that exemption is due to an illness protected by the ADA or WLAD or by a completed and signed COE</p>
Managing and storing medication
<p>110-300-0215 Medication</p> <p>(2) Medication training. An early learning provider must not give medication to a child if the provider has not successfully completed:</p> <ul style="list-style-type: none"> (a) An orientation about the early learning program's medication policies and procedures; (b) The department standardized training course in medication administration that includes a competency assessment pursuant to WAC 110-300-0106(10) or equivalent training; and (c) If applicable, a training from a child's parents or guardian (or an appointed designee) for special medical procedures that are part of a child's individual care plan. This training must be documented and signed by the provider and the child's parent or guardian (or designee). <p>(3) Medication administration. An early learning provider must not give medication to any child without written and signed consent from that child's parent or guardian, must administer medication pursuant to directions on the medication label, and using appropriate cleaned and sanitized medication measuring devices.</p> <ul style="list-style-type: none"> (a) An early learning provider must administer medication to children in care as follows: <ul style="list-style-type: none"> (iv) Nonmedical items. A parent or guardian must annually authorize an early learning provider to administer the following nonmedical items: <ul style="list-style-type: none"> (C) Lip balm or lotion; (E) Fluoride toothpaste for children two years old or older. (b) Medication documentation (excluding nonmedical items). An early learning provider must keep a current written medication log that includes: <ul style="list-style-type: none"> (iv) Notes about any side effects exhibited by the child; (iii) Medication must be kept away from food in a separate, sealed container; and (iv) External medication (designed to be applied to the outside of the body) must be stored to provide separation from internal medication (designed to be swallowed or injected) to prevent cross contamination. (e) An early learning provider must not accept or give to a child homemade medication, such as diaper cream or sunscreen.
Bathroom space and toilet training

110-300-0220 Bathroom space and toilet training.

- (1) An early learning provider must provide at least one indoor bathroom in the licensed space that has the following:
 - (b) One working sink and faucet.
 - (v) Water controls on bathroom sinks must be accessible for the intended user.
 - (vi) Bathroom sinks must not be used as a drinking source or for food preparation.
 - (f) An easily cleanable floor.
 - (iii) Cleaned and disinfected daily, or more often as needed.
- (2) If an early learning program space is equipped with a bathtub or shower, the provider must:

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- (b) Only use the bath or shower:
 - (ii) During overnight care hours.
- (4) An early learning provider may use a modified toilet seat if it is cleaned and disinfected using a safe disinfectant at least daily or more often if soiled.
- (5) Toilet training equipment must be cleaned in a sink not used for food preparation, handwashing, or clean up.
 - (a) A family home early learning program may use a bathtub or multipurpose sink to clean toilet training equipment unless it is used for food preparation.
 - (b) The sink, basin, or bathtub in a family home early learning program used to clean toilet training equipment must be cleaned and disinfected after each use with a safe disinfectant.
- (6) If a child is developmentally ready, and an early learning provider uses a stand-up diapering procedure, it must be done in the bathroom or a diaper changing area.

Diaper changing areas and disposal

110-300-0221 Diaper changing areas and disposal.

- (2) If an early learning provider uses a diaper changing station, the station must:
 - (a) Have a handwashing sink within arm's reach of, or be readily accessible to, an early learning provider to prevent cross contamination; and
 - (b) Be on moisture resistant, washable material that horizontally or vertically surrounds and extends at least two feet from the diaper changing station and handwashing area; and either:
 - (i) A table or counter large enough to accommodate the length of a child, with a protective barrier at least three and one-half inches high on all sides from the surface the child lays on; or
 - (ii) A wall mounted diaper changing station that meets manufacturer guidelines and specifications in addition to the requirements of this section.

Pets and animals

110-300-0225 Pets and animals.

(4) An early learning provider must:

- (b) Require that chickens, ducks, turkeys, doves, pigeons, or other birds are caged, cooped, or penned outside early learning program space when children are in care, at a distance that prevents children from having direct access to the enclosures or waste;
- (h) Store pet and animal medication separate from human medication.

(5) An early learning provider must require:

- (f) Animal waste to be disposed of in a manner that prevents children from coming into contact with the waste material;
- (g) Animal waste, including fish tank water, must be disposed of in unlicensed space or toilets or custodial sinks. Toilets and custodial sink areas must be washed, rinsed, and disinfected after disposal; and
- (h) Indoor and outdoor play space to be cleaned and disinfected where animal or bird waste or vomit is present. This must be done as soon as possible or prior to access by children.

First aid supplies

110-300-0230 First aid supplies.

(1) An early learning provider must keep a complete first-aid kit in the licensed space, on any off-site trip, and in a vehicle used to transport children in care. A first-aid kit must:

- (e) Be stored in a manner that prevents contamination; and
- (f) Have sufficient supplies for the number of enrolled children and staff consistent with the early learning program's licensed capacity, or sufficient supplies for each room in the licensed space.

(2) A first-aid kit must include:

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- (a) Disposable nonporous protective nonlatex gloves;
- (k) A CPR barrier with a one-way valve or both an adult and pediatric CPR mask with a one-way valve;
- (m) Hand sanitizer (for adult use only).

Safe sources of drinking water

110-300-0235 Safe water sources.

(1) Hot and cold running water must be directly plumbed to early learning program premises.

(2) An early learning provider must use a Washington state certified water laboratory accredited by the department of ecology to test the program water supply for lead and copper.

- (a) All fixtures used to obtain water for preparing food or infant formula, drinking, or cooking must be tested prior to licensing approval and at least once every six years.
- (b) Testing must be done pursuant to current environmental protection agency standard, and.
- (c) A copy of the water testing results must be kept on the licensed premises. If the test results are at or above the current EPA action level, an early learning provider must immediately:

(3) If the test results are at or above the current EPA lead action level, an early learning provider must do the following within twenty-four hours:

- (a) Consult with department of health for technical assistance;
- (b) Close the early learning program to prevent children from using or consuming water, or supply bottled or packaged water to meet the requirements of this chapter;
- (c) Notify all parents and guardians of enrolled children of the test results;
- (d) Notify the department of the water test results and steps taken to protect the enrolled children;
- (e) Notify the department once lead and copper levels are below the current EPA action level.

Safe drinking water

110-300-0236 Safe drinking water.

- (1) An early learning program's drinking water must:
 - (a) Be offered multiple times throughout the day and be readily available to children at all times;
 - (b) Be offered in outdoor play areas, in each classroom for centers, and in the licensed space for family homes;
 - (c) Be served in a manner that prevents contamination;
 - (d) Not be obtained from a handwashing sink used with toileting or diapering; and (e) Be served fresh daily or more often as needed.
- (2) Drinking fountains at an early learning program must:
 - (a) Not be attached to handwashing sinks or disabled;
 - (b) Not be located in bathrooms;
 - (c) Not be a "bubble type" fountain (the water flow must form an arch); (d) Be cleaned and sanitized daily, or more often as needed; and (e) Be located above water impervious flooring.

Clean and healthy environment

110-300-0240 Clean and healthy environment.

- (2) Hard surfaces in early learning programs including, but not limited to, floors (excluding carpet), walls, counters, bookshelves, and tables must be smooth and easily cleanable.
 - (a) A cleanable surface must be:
 - (i) Designed to be cleaned frequently and made of sealed wood, linoleum, tile, plastic, or other solid surface materials;
 - (ii) Moisture resistant; and
 - (iii) Free of chips, cracks, and tears.
 - (b) An early learning provider must have at least twenty-four inches of moisture resistant and cleanable material or barrier around sinks, drinking fountains, and toilets.
 - (d) Aerosol sprays and air fresheners must not be used during child care hours.

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- (e) 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.
- (f) If an early learning provider uses a product other than bleach, including wipes, to sanitize or disinfect, the product must be:
 - (i) Approved by the department prior to use;
 - (ii) Used by trained staff only;
 - (iii) Registered with the EPA and have safety data sheets (SDSs) available; (iv) Used in accordance with the manufacturer's label, which must include: (A) Directions for use; (B) A description of the safety precautions, procedures, and equipment that must be used for mixing the substitute product concentration, if applicable; (C) A description of the safety precautions and procedures if the substitute product contacts skin or is inhaled, if applicable; and (D) A description of the procedures and safety precautions for rinsing cleaned areas and cleaning equipment, if applicable.
 - (v) Labeled as safe to use on food surfaces if the product will be used to sanitize: (A) Food contact surfaces; or (B) Items such as eating utensils or toys used by the child or put into the child's mouth; and
 - (vi) Fragrance-free.

Cleaning schedules

110-300-0241 Cleaning schedules.

- (1) An early learning provider must develop and follow a cleaning schedule that includes:
 - (c) Pacifiers, which:
 - (i) Must be cleaned and sanitized after each use by washing and boiling the pacifier or washing the pacifier in the dishwasher; or
 - (ii) May be reused by an individual child if they have been rinsed after each use and stored in a device or container that prevents contamination. Both the pacifier and the storage device or container must be cleaned and sanitized daily;
 - (d) Appliances used to prepare food, which must be cleaned after each use and sanitized daily or more often as needed;
 - (e) Refrigerators, which must be cleaned and sanitized monthly or more often as needed; (f) Freezers, which must be cleaned and sanitized quarterly or more often as needed; (g) Toys, which must be cleaned and sanitized as follows:
 - (ii) All other toys must be cleaned and sanitized weekly or more often as needed; and
- (2) Machine washable clothes provided by the early learning program must be laundered as needed.
- (8) Garbage cans and receptacles must be emptied on a daily basis and cleaned and disinfected as needed.
- (9) Diaper receptacles must be emptied, cleaned, and disinfected daily or more often as needed. Contents of a diaper receptacle must be removed from the licensed space, and replaced with a new liner at least daily or more often if odor is present.
- (11) Large area rugs or installed carpet must be cleaned at least once every six months, or when visible dirt or stains are present, using a carpet shampoo machine, steam cleaner, or other method that minimizes the exposure of children in care to pathogens and allergens.
 - (a) An early learning provider must not use dry shampoos or dry chemical sanitizers or disinfectants, unless approved by the department.
 - (b) If caring for infants, a provider must either place a safe and clean material over large rugs or carpet, or clean rugs or carpet at least once per month or more often if visible stains are present.
- (14) Children must not:

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- (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; or (b) Use or play on or near carpet areas until dry.

Laundry and equipment

110-300-0245 Laundry and equipment.

- (1) Laundry and laundry equipment at an early learning program must be inaccessible to children and separated from areas where food is prepared to prevent cross contamination.
- (2) Dirty or soiled laundry must be: (a) Kept separate from clean laundry; (d) Sanitized:
 - (i) With bleach or a similar sanitizer registered by the EPA; or
 - (ii) By using a "sanitize" setting on a washing machine or dryer that reaches at least 140 degrees Fahrenheit.
- (3) A dryer must be vented to the outside of the building or following the manufacturer's specifications.

Private septic systems

110-300-0250 Private septic systems.

- (a) A private septic system must be inspected 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.
 - (c) If an early learning provider does not have the documentation described in (b) of this subsection, the provider must obtain from the state, local health jurisdiction, or a department approved private company such documentation within six months of the date this section becomes effective.
 - (d) An early learning provider must notify the department and local health jurisdiction if there is a problem, concern, or malfunction with a private septic system.
 - (e) If a private septic system problem, concern, or malfunction interferes with the proper care of children and an approved alternative is not available, the state, local health jurisdiction, or department may require an early learning program to close until the system is inspected, repaired, and approved by the local health jurisdiction.
- (2) Pursuant to WAC [110-300-0146](#)(2), playground design must not:
- (a) Interfere with access to or the operation of a private septic system, including a private septic system's drain field and tanks; or
 - (b) Be located or placed in a way that impacts the private septic system's drain field or tanks as determined by local officials.

Pest control

110-300-0255 Pest control.

- (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:
- (a) **Prevention.** A provider must take steps to prevent attracting pests including, but not limited to, identifying and removing food and water sources that attract pests.
 - (b) **Inspection.** Indoor and outdoor areas in and around the licensed space must be inspected for evidence of pests. A provider must document the date and location if evidence is found.
 - (c) **Identification.** Pests found in the licensed space must be identified and documented so the pest may be properly removed or exterminated.
 - (d) **Management.** A provider must document steps taken to remove or exterminate the pests if found in the licensed space.

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- (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.
- (2) An early learning provider must have a pest control policy that emphasizes prevention and natural, nonchemical, low-toxicity methods where pesticides or herbicides are used as a last resort (i.e., integrated pest management).

Storage of hazardous and maintenance supplies

110-300-0260 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:

(d) In compliance with the manufacturer's directions (including, not storing products near heat sources).

(2) Storage areas and storage rooms must:

(b) Have locking doors or other methods to prevent child access;

(c) Have moisture resistant and easily cleanable floors;

(d) Have a designated maintenance or janitorial utility sink, or another method to dispose of wastewater (kitchen sinks must not be used for disposal of wastewater); and (e) Be kept clean and sanitary.

(4) Family home providers must store and maintain chemicals and wet mops in a manner that minimizes the buildup of odors, fumes, or other hazards.

(5) Saws, power tools, lawn mowers, toilet plungers, toilet brushes, and other maintenance and janitorial equipment must be inaccessible to children.

Sleep, rest, and equipment

110-300-0265 Sleep, rest, and equipment.

(3) An early learning provider must communicate a child's sleep needs and patterns with that child's parent or guardian.

(8) Floor mats must be spaced apart from other floor mats, cots, and mattresses to reduce germ exposure and allow early learning providers' access to each child during sleep time as follows:

(a) There must be at least eighteen inches on each side between each floor mat, cot, or mattress; and

(b) Floor mats, cots, and mattresses must be arranged so children are head to toe, or toe to toe.

Overnight care

110-300-0270 Overnight care.

(1) An early learning provider must be approved by the department to provide overnight care between nine o'clock at night and five o'clock in the morning when any enrolled child sleeps for three or more hours at the program.

(4) An early learning provider must:

(a) Supervise children until they are asleep, except where children demonstrate the need for privacy to change clothes and can safely do so; and

(b) Have department approval prior to using night latches, deadbolts, or security chains.

(5) An early learning provider who sleeps while children are in overnight care must:

(a) Have written permission and documentation that parents are aware that the provider is sleeping while their children are in care and have read the facilities policies and procedures for overnight care;

(b) Stay awake until all children are asleep or returning to sleep;

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<ul style="list-style-type: none"> (c) Remain on the same floor level as sleeping children at all times; (d) Sleep in the same room with infants and toddlers; (e) Be physically available and responsive, available to immediately respond to a child's needs; (f) Have alarms to alert them if a child should leave the room; (g) Have monitoring devices to assist in hearing and visibly checking on children in each room used for sleeping; and (h) Be awake for the arrival and departure of each child in overnight care. <p>(6) An early learning provider who accepts infants for overnight care must comply with all safe sleep rules pursuant to WAC 110-300-0291 for at least the first fifteen nights a new infant is enrolled in that program. A provider may sleep while the infant sleeps during overnight care if:</p> <ul style="list-style-type: none"> (a) The provider continues to comply with WAC 110-300-0291 (1)(b), (c), (f), (g), (h), (i) and (2); (b) Once that provider has become familiar with the sleep routines and patterns of that infant; and (c) The provider has observed no apparent health or safety risks while the infant sleeps.
Infant and toddler care
110-300-0275 Infant and toddler care.
Bottle preparation
<p>110-300-0280 Bottle preparation.</p> <p>(1) An early learning provider may allow parents to bring from home filled bottles clearly labeled with the date and infant's first and last name for daily use. Bottles must be immediately refrigerated.</p> <p>(2) A bottle preparation area must:</p> <ul style="list-style-type: none"> (a) Include a sink; and (b) Be located at least eight feet from any diaper changing tables or counters and sinks used for diaper changing; or (c) Be physically separated from the diaper changing area by means of a barrier to prevent cross contamination. If a barrier is used, it must be: <ul style="list-style-type: none"> (i) Smooth and easily cleanable; (ii) Sealed, if made of wood; (iii) Moisture resistant; (iv) Extend at least twenty-four inches in height from the counter or changing surface; and (v) Solid without cracks, breaks or separation. <p>(3) To prepare bottles, an early learning provider must:</p> <ul style="list-style-type: none"> (a) Clean bottles and nipples before use using warm soapy water and a bottlebrush and sanitize by boiling in hot water for one minute, or pursuant to WAC 110-300-0198; (b) Clean and sanitize the sink used for preparing bottles; (c) Obtain water from a sink used for bottle or food preparation only, or from another approved source, such as bottled water. Water from a handwashing or diaper changing sink may not be used for bottle preparation; (d) Use bottles and nipples in good repair (with no cracks); (f) Prepare infant formula according to manufacturer's directions and never serve infant formula past the expiration date on the container; (h) Warm bottles under running warm water, in a container of water, or in a bottle warmer; (j) Store prepared and unserved bottles in the refrigerator;
Breast milk
<p>110-300-0281 Breast milk.</p> <p>(1) When a parent or guardian provides breast milk, an early learning provider must:</p> <ul style="list-style-type: none"> (c) Store frozen breast milk at zero degrees Fahrenheit or less, and in a closed container to prevent contamination; and

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<p>(d) Keep frozen breast milk for no more than thirty days upon receipt and return any unused frozen breast milk to the parent after thirty days.</p> <p>(2) Frozen breast milk must be kept in the refrigerator at a temperature of 39 degrees Fahrenheit for up to twenty-four hours after thawed.</p> <p>(3) Thawed breast milk that has not been served within twenty-four hours must be labeled "do not use" and returned to the parent or guardian.</p> <p>(4) An early learning provider must return any unused refrigerated, not been previously frozen, bottles or containers of breast milk to the parent at the end of the child's day, or label "do not use."</p> <p>(7) An early learning provider must obtain parental consent prior to feeding infant formula to an otherwise breastfed infant.</p>
Infant and toddler nutrition and feeding
<p>110-300-0285 Infant and toddler nutrition and feeding.</p> <p>(1) An early learning provider must have and follow written policies on providing, preparing, and storing breast milk or infant formula and food.</p> <p>(2) After consulting a parent or guardian, an early learning provider must implement a feeding plan for infants and toddlers that includes:</p> <ul style="list-style-type: none"> (a) A plan to support the needs of a breastfeeding mother and infant by: <ul style="list-style-type: none"> (i) Providing an area for mothers to breastfeed their infants; and (ii) Providing educational materials and resources to support breastfeeding mothers. (d) Serving only breast milk or infant formula to an infant, unless the child's health care provider offers a written order stating otherwise; and (e) When bottle feeding, an early learning provider must: <ul style="list-style-type: none"> (ii) Hold infants and, when developmentally appropriate, toddlers to make eye contact and talk to them; (f) Transitioning a child to a cup only when developmentally appropriate; (g) Introducing age-appropriate solid foods no sooner than four months of age, based on an infant's ability to sit with support, hold his or her head steady, close his or her lips over a spoon, and show signs of hunger and being full, unless identified in written food plan pursuant to WAC 110-300-0190 or written medical approval; (h) Not serving one hundred percent juice or any sweetened beverages (for example, juice drinks, sports drinks, or tea) to infants less than twelve months old, unless a health care provider gives written consent, and helping prevent tooth decay by only offering juice to children older than twelve months from a cup; (i) Increasing the texture of the food from strained, to mashed, to soft table foods as a child's development and skills progress between six and twelve months of age. Soft foods offered to older infants should be cut into pieces one-quarter inch or smaller to prevent choking; (k) Placing infants or toddlers who can sit up on their own in high chairs or at an appropriate child-size table and chairs when feeding solid foods or liquids from a cup, and having an early learning provider sit with and observe each child eating. (l) Not leaving infants or toddlers more than fifteen minutes in high chairs waiting for meal or snack time, and removing a child as soon as possible once he or she finishes eating; (o) Not serving food to infants or toddlers using polystyrene foam (styrofoam) cups, bowls, or plates.
Infant toddler sleep, rest, and equipment

110-300-0290 Infant and toddler sleep, rest, and equipment.

(2) An early learning provider must allow toddlers to follow their own sleep patterns.

(3) Sleep equipment not covered in WAC [110-300-0265](#) must:

(g) Cribs and playpens arranged side by side must be spaced at least thirty inches apart; and

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(h) Cribs and playpens placed end to end must have a moisture resistant and easily cleanable solid barrier if spaced closer than thirty inches.

(6) When parents do not agree with transitioning, the provider and parent will cocreate a transition plan.

Infant and toddler programs and activities

110-300-0295 Infant and toddler programs and activities.

(1) An early learning provider must support each infant and toddler's culture, language, and family.

(2) An early learning provider must ensure an adequate supply of age and developmentally appropriate program materials and equipment for infants and toddlers. Materials and equipment must meet individual, developmental, and cultural needs of children in care, and must be:

(b) Nonpoisonous, free of toxins, and meet ASTM D-4236 labeling requirements for chronic health hazards;

(g) Accessible for children to find, use, and return independently; and

(h) Removed from the early learning premises as soon as a provider becomes aware an item has been recalled by CPSC.

Infant and toddler development

110-300-0296 Infant and toddler development.

- (1) An early learning provider must expose infants and toddlers to a developmentally appropriate curriculum.
- (2) Developmentally appropriate curriculum may include, but is not limited to:
 - (a) Developing infant and toddler language and communication by:
 - (i) Talking and listening to children, encouraging soft infant sounds, naming objects, feelings, and desires, and describing actions;
 - (ii) Giving individual attention to children when needed;
 - (iii) Playing and reading with children;
 - (iv) Mirroring similar infant sounds and sharing a child's focus of attention;
 - (v) Communicating throughout the day and during feeding, changing, and cuddle times; and
 - (vi) Providing materials and equipment that promote language development and communication such as soft books, interactive storybook reading, rhymes and songs, and finger puppets.
 - (b) Developing infant and toddler physical and cognitive abilities by:
 - (i) Providing infants and toddlers freedom to explore and learn on their own on the floor;
 - (ii) Providing infants and toddlers access to active outdoor playtime. An early learning provider must enforce sun safety precautions for infants younger than six months old by keeping them out of the direct sunlight and limiting sun exposure when ultraviolet rays are strongest (typically from 10:00 a.m. to 2:00 p.m.); and
 - (iii) Encouraging infants and toddlers to play, crawl, pull up, and walk by using materials and equipment that promotes:
 - (A) Physical and cognitive activities, for example rattles, grasping and reaching toys, busy boxes, nesting cups, small push and pull toys, riding toys, balls, squeezable toys, books, dolls, press-together blocks, and limited use of equipment such as bouncers, swings, or boppies; and
 - (B) Spatial and numeracy understanding, for example counting toys, soft blocks and toys with different sizes such as measuring cups or spoons, and toys with different shapes and colors to help introduce sorting and categorization.
 - (c) Developing infant and toddler social and emotional abilities by:
 - (i) Providing social contact with infants and toddlers in addition to time spent feeding, diapering and bathing by playing with children, naming and acknowledging emotions, and encouraging peer interaction;
 - (ii) Immediately investigating cries or other signs of distress;
 - (iii) Providing comfort to an upset or hurt child;
 - (iv) Positively responding to a child's verbal and nonverbal cues;

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- (v) Intervening during negative peer interactions such as when a child grabs other children's toys, pulls hair, or bites;
- (vi) Providing physical stimulation through holding, cuddling, rocking, talking, singing, playing, carrying, and changing positions; and
- (vii) Providing materials and equipment that promote social and emotional activities such as pictures of children and adults exhibiting different emotions, pictures of infants and family members, dolls and soft toys, rattles, music, and dancing scarves.

INTERACTIONS AND CURRICULUM

Individual Care Plan

110-300-0300 Individual Care Plan.

- (1) An early learning provider must develop an individual care plan for each child with special needs and must notify the department when a child with special needs is enrolled or identified in the early learning program. Plans and documentation required under this section must:
- (c) Have written permission from a child's parent or guardian stating that a visiting health professional may provide services to the child at the early learning program, if applicable;
 - (d) Have verification that early learning program staff involved with a particular child has been trained on implementing the individual care plan for that child, if applicable;
- (2) The individual care plan must be signed by the parent or guardian and may be developed using a department provided template.
- (a) The individual care plan must contain:
- (ii) Contact information for the primary health care provider or other relevant specialist;
 - (iii) A list of medications to be administered at scheduled times, or during an emergency along with descriptions of symptoms that would trigger emergency medication; (iv) Directions on how to administer medication;
 - (v) Allergies;
 - (vi) Food allergy and dietary needs, pursuant to WAC [110-300-0186](#);
 - (vii) Activity, behavioral, or environmental modifications for the child;
 - (viii) Known symptoms and triggers;
 - (ix) Emergency response plans and what procedures to perform; and
 - (x) Suggested special skills training, and education for early learning program staff, including specific pediatric first aid and CPR for special health care needs.

Curriculum philosophy and planning

110-300-0305 Curriculum philosophy and planning.

- (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.
- (3) Staff must be trained on the program's curriculum philosophy.
- (4) A lead teacher or family home early learning provider must be given regularly scheduled time to plan and develop curriculum and activities. Planning may be done during rest time but all supervision requirements pursuant to WAC [110-300-0345](#) must be met.

Concept development and feedback quality

110-300-0310 Concept development and feedback quality.

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(2) An early learning provider may facilitate child learning and understanding through a variety of techniques such as:

- (b) Helping children enter into and sustain play;
- (e) Linking concepts and activities to one another and to the children's lives and interests;
- (f) Noticing and responding to teachable moments;
- (g) Clarifying and expanding children's understanding;
- (h) Describing and discussing children's learning processes;
- (i) Encouraging children's efforts and persistence;
- (k) Using diverse vocabulary;
- (m) Providing materials during the day, including daily routines such as meals and transitions, to encourage communication in English and children's home languages when possible; and
- (n) Use scaffolding methods to gradually move children toward stronger understanding and greater independence in the learning process.

Language modeling and reasoning

110-300-0315 Language modeling and reasoning.

(1) An early learning provider must be aware of and responsive to children's developmental, linguistic, cultural, and academic needs.

(2) An early learning provider must be aware of and responsive to children's needs by engaging in activities such as:

- (a) Asking developmentally appropriate questions for the age group and allow children to answer without interruption from the provider;
- (b) Circulating among the children during free choice activities and talking with children about what they are doing;
- (c) Using teaching techniques such as:
 - (i) Self-talk: When the provider talks about what he or she is doing, seeing, eating, touching, or thinking as he or she is involved in that activity;
 - (ii) Parallel-talk: When the provider talks about what the child is doing, seeing, eating, or touching as the child is engaging in those activities; or
 - (iii) Language expansion: When the provider adds detail or new words to build on ideas that children are expressing.
- (d) An early learning provider working with preschool and school-age children must use language to develop and encourage reasoning skills by using techniques such as:
 - (i) Talking about logical relationships or concepts during the day including, but not limited to, the daily schedule, the differences and similarities between objects, or people in the classroom;
 - (ii) Introducing concepts using guiding questions that encourage children to figure out cause and effect relationships;
 - (iii) Providing opportunities for reading and writing activities; and
- (e) An early learning provider working with non-English speaking children must encourage language development and acquisition by using techniques such as:
 - (i) Using words in various languages to talk about the routines;
 - (ii) Reading books out loud or using audio books; and
 - (iii) Playing games in different languages.

Facilitating child interests, learning, perspective, and productivity

110-300-0320 Facilitating child interests, learning, perspective, and productivity.

(3) An early learning provider must offer developmentally and culturally responsive activities that offer a range of auditory, visual, and movement opportunities by using techniques such as:

- (c) Organized around child interests and ideas;
- (d) Allow choice, exploration, and experimentation;
- (h) Utilize interesting and creative materials;

Creating a climate for healthy child development

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<p>110-300-0325 Creating a climate for healthy child development.</p> <p>(1) When communicating or interacting with children, an early learning provider must maintain a climate for healthy, culturally responsive child development such as:</p> <ul style="list-style-type: none"> (b) Using positive language to explain what children can do and give descriptive feedback; (d) Greeting children upon arrival and departure at the early learning program; (e) Using facial expressions such as smiling, laughing, and enthusiasm to match a child's mood; (f) Using physical proximity in a culturally responsive way to speak to children at their eye level and with warm physical contact including, but not limited to, gently touching a hand or shoulder, sitting next to a child, appropriately holding younger children close while communicating; (i) Observing children in order to learn about their families, cultures, individual interests, ideas, questions, and theories; (j) Modeling and teaching emotional skills such as recognizing feelings, expressing them appropriately, accepting others' feelings, and controlling impulses to act out feelings; (k) Representing the diversity found in the early learning program and society, including gender, age, language, and abilities, while being respectful of cultural traditions, values, religion and beliefs of enrolled families; and <p>(2) An early learning provider must encourage positive interactions between and among children with techniques such as:</p> <ul style="list-style-type: none"> (a) Giving children several chances a day to interact with each other while playing or completing routine tasks; (b) Modeling social skills; (c) Encouraging socially isolated children to find friends; (d) Helping children understand feelings of others; and (e) Including children with special needs to play with others.
Positive relationships and child guidance
<p>110-300-0330 Positive relationships and child guidance.</p> <p>(1) An early learning provider must work to maintain positive relationships with children by using consistent guidance techniques to help children learn. Guidance techniques must adapt an early learning program's environment, routines, and activities to a child's strengths, developmental level, abilities, culture, community, and relate to the child's behavior.</p> <p>(2) Guidance techniques may include: (a) Coaching behavior;</p> <ul style="list-style-type: none"> (b) Modeling and teaching social skills such as taking turns, cooperation, waiting, self-control, respect for the rights of others, treating others kindly, and conflict resolution; (g) Explaining consistent, clear rules and involving children in defining simple, clear classroom limits;
Prohibited behavior, discipline, and physical removal of children

110-300-0331 Prohibited behavior, discipline, and physical removal of children.

- (e) Emotional abuse including victimizing, bullying, rejecting, terrorizing, extensive ignoring, or corrupting a child;
- (f) Prevent a child from or punish a child for exercising religious rights; or (g) Anyone to:
 - (i) Restrict a child's breathing;
 - (ii) Bind or restrict a child's movement unless permitted under WAC [110-300-0335](#);
 - (iii) Tape a child's nose, mouth, or other body part;
 - (iv) Deprive a child of sleep, food, clothing, shelter, physical activity, first aid, or regular or emergency medical or dental care;
 - (v) Force a child to ingest something as punishment such as hot sauce or soap;
 - (vii) Use toilet learning or training methods that punish, demean, or humiliate a child;
 - (ix) Expose a child to extreme temperatures as punishment;
 - (x) Demand excessive physical exercise or strenuous postures. Excessive physical exercise includes, but is not limited to, running laps around the yard until overly tired, an extensive number

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- of push-ups, having a child rest more than the child's development requires, standing on one foot for an uncomfortable amount of time, or holding out one's arms until tired or painful;
- (b) Separation time should be minimized and appropriate to the needs of the individual child.
- (5) If an early learning provider follows all strategies in this section, and a child continues to behave in an unsafe manner, only a licensee, center director, assistant director, program supervisor, lead teacher, or an assistant teacher may physically remove the child to a less stimulating environment. Staff must remain calm and use a calm voice when directing or removing the child. Physical removal of a child is determined by that child's ability to walk:
- (a) If the child is willing and able to walk, staff may hold the child's hand and walk him or her away from the situation.
 - (b) If the child is not willing or able to walk, staff may pick the child up and remove him or her to a quiet place where the child cannot hurt themselves or others

Physical restraint

110-300-0335 Physical restraint.

- (1) An early learning provider must have written physical restraint protocols pursuant to WAC [110-3000490](#), and implement such protocols only when appropriate and after complying with all requirements of WAC [110-300-0330](#) and [110-300-0331](#).
- (2) Physical restraint must only be used if a child's safety or the safety of others is threatened, and must be:
 - (d) Only performed by early learning providers trained in a restraint technique pursuant to WAC [110300-0106](#)(9).
- (3) No person may use bonds, ties, blankets, straps, car seats, high chairs, activity saucers, or heavy weights (including an adult sitting on a child) to physically restrain children.
- (4) Licensees, center directors, assistant directors, program supervisors, lead teachers or trained staff must remove him or herself from a situation if they sense a loss of their own self-control and concern for the child when using a restraint technique if another early learning provider is present. If an early learning provider observes another staff using inappropriate restraint techniques, the staff must intervene.
- (5) If physical restraint is used, staff must:
 - (a) Report the use of physical restraint, pursuant to WAC [110-300-0475](#);
 - (d) Develop a written plan with input from the child's primary care or mental health provider, and the parents or guardians, to address underlying issues and reduce need for further physical restraint if:
 - (i) Physical restraint has been used more than once; and
 - (ii) A plan is not already a part of the child's individual care plan.
 - (e) Notify the department when a written plan has been developed.

Expulsion

110-300-0340 Expulsion.

- (1) To promote consistent care and maximize opportunities for child development and learning, an early learning provider must develop and follow expulsion policies and practices, pursuant to WAC [110-3000486](#).
- (2) An early learning provider may expel a child only if:
 - (a) The child exhibits behavior that presents a serious safety concern for that child or others; and
 - (b) The program is not able to reduce or eliminate the safety concern through reasonable modifications.
- (3) If a child is expelled, an early learning provider must:

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<ul style="list-style-type: none"> (a) Review the program's expulsion policy with the parent or guardian of the child; (b) Provide a record to the parent or guardian about the expulsion and the steps that were taken to avoid expulsion. The record must include the date, time, early learning program staff involved, and details of each incident that led to expulsion; and (c) Provide information to the parent or guardian of the child that includes, but is not limited to, community-based resources that may benefit the child. <p>(4) The early learning provider must report to the department when children are expelled. The information must include:</p> <ul style="list-style-type: none"> (a) Child demographic data including, but not limited to, the age, race, ethnicity, and gender of the child; (b) The reason the child was expelled; and (c) The resources that were provided to the parent or guardian of the child.
Supervision children
<p>110-300-0345 Supervising children.</p> <p>(1) An early learning provider must only allow the following persons to have unsupervised access to a child in care:</p> <ul style="list-style-type: none"> (d) A person authorized in writing or over the phone by that child's parent such as a family member, family friend, or the child's therapist or health care provider. <p>(2) An early learning provider must meet capacity, group size, mixed age grouping, and staff-to-child ratios while children are in care. This includes, but is not limited to: (e) Rest periods;</p> <p>(3) An early learning provider must supervise children in care by:</p> <ul style="list-style-type: none"> (a) Scanning the environment looking and listening for both verbal and nonverbal cues to anticipate problems and plan accordingly; (c) Positioning him or herself to supervise all areas accessible to children; (d) Attending to children and being aware of what children are doing at all times; <p>(5) An early learning provider must:</p> <ul style="list-style-type: none"> (a) Not use devices such as a baby monitors, video monitors, or mirrors in place of supervision, unless used pursuant to WAC 110-300-0270(5); (b) Be able to hear when doors in the immediate area are opened to prevent children from leaving unsupervised; (c) Actively supervise children when the children: <ul style="list-style-type: none"> (i) Interact with pets or animals; (ii) Engage in water or sand play; (iii) Play in an area in close proximity to a body of water; (iv) Use a safe route to access an outdoor play area not immediately adjacent to the early learning program; (v) Engage in planned activities in the kitchen; (vi) Ride on public transportation; (vii) Engage in outdoor play; and (viii) During field trips. (e) Provide developmentally appropriate supervision to children while bathing.
Supervising children during water activities
<p>110-300-0350 Supervising children during water activities.</p> <ul style="list-style-type: none"> (b) Hold or have continuous touch of infants, nonambulatory toddlers, and children with special needs as required; and (c) Keep toddlers within arm's length.

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<p>(5) An early learning provider must have life-saving equipment readily accessible during water activities if a pool is six feet or more in any direction and two feet or more in depth. Life-saving equipment may include a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook that will not conduct electricity.</p> <p>(6) If an early learning provider takes children off-site to an area with an accessible body of water more than four inches deep (for example, a park with a lake or stream) but children are not engaging in a water activity, there must be:</p> <p>(b) At least one attending staff person must be able to swim.</p>
Family home capacity, ratio, and group size
<p>110-300-0355 Family home capacity, ratio, and group size.</p> <p>(2) The following indoor space must not be counted in the overall capacity: (e) Closets; (f) Stairways; and</p> <p>(3) A large, licensed indoor gross motor activity space may be used to supplement the requirements of outdoor program space, pursuant to WAC 110-300-0145, but must not be counted in the overall capacity if:</p> <p>(a) The space provides seventy-five square feet per child for the maximum number of children listed on the license or the provider rotates groups of children; and</p> <p>(b) The space is safe and appropriate for activities otherwise performed in an outdoor play space.</p>
Center capacity, ratio, and group size
Center mixed age group capacity, ratio, and group size
Program and daily schedule
<p>110-300-0360 Program and daily schedule.</p> <p>(2) A schedule must be designed to meet enrolled children's developmental, cultural, and special needs. The daily schedule must:</p> <p>(a) Be specific for each age group of children, when applicable;</p> <p>(b) Offer a variety of activities to meet children's needs, pursuant to WAC 110-300-0150; (c) Meet the following daily morning or afternoon active outdoor play time requirements:</p> <p>(i) Twenty minutes for each three hours of programming for infants (as tolerated) and toddlers;</p> <p>(ii) Thirty minutes for each three hours of programming for children preschool age and older; and (iii) Programs that operate more than six hours a day must provide ninety minutes of active play for preschool age and up or sixty minutes of active play for infants and toddlers (thirty minutes of which may be moderate to vigorous indoor activities).</p>
PROGRAM ADMINISTRATION AND OVERSIGHT
Changing early learning program space or location

110-300-0402 Changing early learning program space or location

(1) An early learning provider must notify the department prior to making a change to early learning program space that may impact the health, safety, or welfare of enrolled children. Such changes include, but are not limited to:

- (a) Moving early learning programs to a different residence, building, or facility (even if the new location is on the same premises);
- (b) An early learning program altering a planned use of space including, but not limited to, the ages of children served in a room or previously unlicensed areas;
- (c) Modifying facilities in a way that requires a permit under the Washington state building code or by a local jurisdiction, such as remodeling or renovating early learning program space; and
- (d) Changing outdoor play areas, such as adding or altering the type of surface or altering stationary climbing or play equipment.

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(2) An early learning provider must submit to the department the new proposed floor plan prior to making changes under subsection (1)(a) through (c) of this section.

(3) An early learning provider planning a change under subsection (1)(a) of this section must also: (a) Submit a complete application, pursuant to WAC [110-300-0400](#), as soon as the provider plans to move and has an identified address, but not more than ninety calendar days before moving;

License and program location

110-300-0410 License and program location.

(3) Early learning program space must be located:

- (a) On a site free from environmental hazards;
- (b) In an area where nonemergency services and utilities can serve the early learning program space; and

(4) An early learning provider must prevent enrolled child from being exposed to the following known hazards within and around the licensed premises:

- (b) Plumbing and fixtures containing lead or lead solders;
- (c) Asbestos;
- (d) Arsenic, lead, or copper in the soil or drinking water;
- (e) Toxic mold; and

(6) A license applicant planning to open an early learning program in the designated Tacoma smelter plume (counties of King, Pierce, and Thurston) must contact the state department of ecology (DOE) and complete and sign an access agreement with DOE to evaluate the applicant's property for possible arsenic and lead soil contamination.

Prohibited substances

110-300-0420 Prohibited substances.

- (2) Pursuant to RCW [70.160.050](#), an early learning provider must:
- (a) Prohibit smoking, vaping, or similar activities in licensed indoor space, even during nonbusiness hours;
 - (b) Prohibit smoking, vaping, or similar activities in licensed outdoor space unless:
 - (i) Smoking, vaping or similar activities occurs during nonbusiness hours; or
 - (ii) In an area for smoking or vaping tobacco products that is not a "public place" or "place of employment," as defined in RCW [70.160.020](#).
 - (c) Prohibit smoking, vaping, or similar activities in motor vehicles used to transport enrolled children;
 - (d) Prohibit smoking, vaping, or similar activities by any provider who is supervising children, including during field trips;
- (3) An early learning provider must:
- (c) Store any tobacco or vapor products, or the packaging of tobacco or vapor products in a space that is inaccessible to children;
 - (d) Prohibit children from accessing cigarette or cigar butts or ashes;
 - (e) Store any cannabis or associated paraphernalia out of the licensed space and in a space that is inaccessible to children; and
- (5) A family home early learning provider must prohibit any person from using, consuming, or being under the influence of cannabis products in any form on licensed space during business hours.

Initial, non-expiring, dual licenses, and license modification

110-300-0425 Initial, non-expiring, dual licenses, and license modification.

- (9) An early learning provider must report within twenty-four hours:
- (b) To the department:

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- (v) Any changes in the early learning program hours of operation to include closure dates.

Waiver from department rules (WAC)

110-300-0435 Waiver from department rules (WAC).

- (4) A granted waiver may be time specific or may remain in effect for as long as the early learning provider continues to comply with the conditions of the waiver. If the waiver from the rule is time limited, the provider must not exceed the time frame established by the department.

Variance from department rules (WAC)

110-300-0436 Variance from department rules (WAC).

- (1) The department cannot provide variance from a requirement in state (RCW) or federal law.
- (2) Upon written request of an applicant, licensee, center director, assistant director, or program supervisor, the department may grant a variance from a rule in this chapter if the proposed program alternative does not jeopardize the health, safety, or welfare of the children in care.
- (3) A request for variance from a rule in this chapter must be:
- (a) Submitted in writing on the department's form to the local licensing office;
 - (b) Approved in writing by the department director or the director's designee prior to the early learning provider implementing the variance from the rule; and
 - (c) For a specific program approach or methodology.
- (4) A granted variance may be time specific or may remain in effect for as long as the early learning provider continues to comply with the conditions of the variance. If the variance from the rule is time limited, the provider must not exceed the time frame established by the department.

Parent or guardian handbook and related policies
<p>110-300-0450 Parent or guardian handbook and related policies.</p> <p>(1) An early learning provider must supply to each parent or guardian written policies regarding the early learning program. Each enrolled child's record must have signed documentation stating the parent or guardian reviewed the handbook and early learning program policies.</p> <p>(2) An early learning provider must have and follow formal written policies in either paper or electronic format, including:</p> <ul style="list-style-type: none"> (b) A family engagement and partnership communication plan; (e) Curriculum philosophy on how children learn and develop, and how this philosophy is implemented; (g) Expulsion policy; (h) Early learning program staff-to-child ratios and classroom types offered, if applicable; (i) If the early learning program offers any of the following, they must include a policy for each that applies to their program: <ul style="list-style-type: none"> (i) Care for children with specific or special needs; (n) Information required for the child's record, including: (ii) A plan to keep the child's information confidential; and (iii) Who may legally access the child's information. (o) A kindergarten transition plan, if applicable; (r) Termination of services policy; (u) Policies regarding mixed age groups, if applicable (including when children may be in a mixed age group); (v) Description of where the parent or guardian may find and review the early learning program's: <ul style="list-style-type: none"> (iii) Consistent care policy;

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Child records
<p>110-300-0460 Child records.</p> <p>(2) Each child's enrollment record must include the following:</p> <ul style="list-style-type: none"> (i) Expulsion information, documentation, and steps taken to avoid expulsion; (j) Termination of services documentation and communication; and (k) Notification of child developmental screening information given to the child's parent or guardian, if applicable.
Retaining facility and program records
<p>110-300-0465 Retaining facility and program records.</p> <p>(4) An early learning provider must keep the following records available for department review:</p> <ul style="list-style-type: none"> (i) Food temperature logs per CACFP; (n) Cleaning log for large area rugs or carpets; (o) Pesticide use (seven years); (r) Tacoma smelter inspection results; (s) Curriculum planning schedule; (t) Strengthening families program self-assessment or an equivalent assessment

Emergency preparedness plan
<p>110-300-0470 Emergency preparedness plan.</p> <p>(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:</p> <ul style="list-style-type: none">(f) Be reviewed at program orientation, annually with all early learning program staff with documented signatures, and when the plan is updated; and(g) Be reviewed with parents or guardians when a child is enrolled and when the plan is updated. <p>(2) The written emergency preparedness plan must cover at a minimum:</p> <ul style="list-style-type: none">(a) Disaster plans, including fires that may require evacuation:<ul style="list-style-type: none">(vi) What to take when evacuating children, including:<ul style="list-style-type: none">(B) Copies of emergency contact information;(C) Child medication records; and(vii) How the provider will maintain the required staff-to-child ratio and account for all children;(viii) How parents or guardians will be able to contact the early learning program; and <p>(4) An early learning provider must practice and record emergency drills with staff and children as follows:</p> <ul style="list-style-type: none">(c) Emergency drills must be conducted with a variety of staff and at different times of the day, including in the evening and during overnight hours for early learning programs that care for children during those hours;
<p>110-300-0475 Duty to protect children and report incidents.</p> <p>(2) An early learning provider must report by telephone to the listed individuals, department, and other government agencies when the provider knows or has reason to know of an act, event, or occurrence described in (a) through (f) of this subsection:</p> <ul style="list-style-type: none">(a) Law enforcement or the department at the first opportunity, but in no case longer than forty-eight hours: <p>(3) In addition to reporting to the department by phone or email, an early learning provider must submit a written incident report of the following on a department form within twenty-four hours:</p>
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<ul style="list-style-type: none">(a) Situations that required an emergency response from emergency services (911), Washington poison center, or department of health;(b) Situations that occur while children are in care that may put children at risk including, but not limited to, inappropriate sexual touching, neglect, physical abuse, maltreatment, or exploitation; and(c) A serious injury to a child in care.
Transportation and off-site activity policy

110-300-0480 Transportation and off-site activity policy.

- (1) An early learning provider must have and follow a transportation and off-site activity policy for personal or public transportation service, or nonmotorized travel offered to children in care.
 - (a) The transportation and off-site activity policy must include routine trips, which must not exceed two hours per day for any individual child.
- (2) During travel to an off-site activity, an early learning provider must:
 - (a) Have the health history, appropriate medication (if applicable), emergency information, and emergency medical authorization forms accessible for each child being transported;
 - (b) Have a phone to call for emergency help;
 - (f) Take attendance using a roll call or other method that assures all children are accounted for each time children begin and end travel to an off-site activity, and every time children enter and exit a vehicle; and
- (3) When an early learning provider supplies the vehicle to transport children in care, the program and provider must:
 - (d) Maintain the vehicle temperature at a comfortable level to children;
 - (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;
 - (h) Prevent any driver with a known condition that would compromise driving, supervision, or evacuation capabilities from operating program vehicles; and

Termination of services policy

110-300-0485 Termination of services policy.

An early learning provider may terminate a child's services due to that child's parent or guardian's inability to meet the expectations and requirements of the early learning program. Expectations and requirements of the program may include unpaid bills, continual late arrivals, or a parent, guardian or family member's inappropriate or unsafe behavior in or near early learning program space.

Expulsion policy

110-300-0486 Expulsion policy.

- (1) An early learning provider must have and follow an expulsion policy, pursuant to WAC [110-300-0340](#).
- (2) An expulsion policy must:
 - (a) Provide examples of behavior that could lead to expulsion from the early learning program;
 - (b) Detail steps the provider takes to avoid expelling a child including, but not limited to, environmental and staffing changes;
 - (c) Detail how the provider communicates to the parent or guardian of a child the steps taken under (b) of this subsection; and
 - (d) Include information that may benefit an expelled child including, but not limited to, community based resources.

Child restraint policy

110-300-0490 Child restraint policy.

- (1) An early learning provider must have and follow a child restraint policy that contains behavior management and practices, pursuant to WAC [110-300-0335](#).

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- (2) A restraint policy must be:
 - (a) Appropriate for children's developmental level, abilities, and language skills; (b) Directly related to the child's behavior; and
 - (c) Designed to be consistent, fair, and positive.
- (3) Family home licensees, center directors, assistant directors, program supervisors, lead teachers and other appropriate staff members must be trained annually in the program's child restraint policy.
- (4) Only trained staff may restrain a child in care in accordance with WAC [110-300-0335](#).

Consistent care policy

110-300-0495 Consistent care policy.

- (1) An early learning program must have and follow a policy that promotes the consistent care of children.
- (2) When possible, an early learning provider must be assigned to work with a consistent group of children for much of the day with a goal of building long-term, trusting relationships.

Health policy

110-300-0500 Health policy.

- (1) An early learning provider must have and follow a written health policy reviewed and approved by the department that includes the topics listed in subsection (2) of this section. The health policy must be reviewed and approved by the department when changes are made, and as otherwise necessary.
- (2) An early learning program's health policy must meet the requirements of this chapter including, but not limited to:
 - (a) A prevention of exposure to blood and body fluids plan;
 - (b) Meals, snacks, and food services including guidelines for food allergies and food brought from home;
 - (d) Observing children for signs of illness daily;
 - (e) Exclusion and return of ill children, staff, or any other person in the program space; (n) Dental hygiene practices and education.

Postings

110-300-0505 Postings.

- (2) Postings on early learning premises must include:
 - (c) Dietary restrictions, known allergies, and nutrition requirements, if applicable, in a location easily accessible for staff but not available to those who are not parents or guardians of the enrolled child, pursuant to WAC [110-300-0186](#)(8);
 - (d) Handwashing practices at each handwashing sink, pursuant to WAC [110-300-0200](#)(1);
 - (e) If applicable, diaper changing or stand-up diapering procedure at each diapering station, pursuant to WAC [110-300-0220](#) and [110-300-0221](#) (1)(d);
 - (f) Pesticide treatment, if applicable, pursuant to RCW [43.216.280](#) and [17.21.410](#) (1)(d);
 - (iii) The department's toll-free number;
 - (l) A copy of a department approved waiver or variance from a rule of this chapter, if applicable. Waivers or variances must be posted for parent or guardian view when related to the overall program (not related to any specific child), and as long as the waiver or variance is approved;