



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of early Learning

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

Adopting new chapter 170-297, School-age Child Care Standards, and repealing all sections of chapter 170-151 WAC.

Citation of existing rules affected by this order:

Repealed: **See attachment A**

Amended: None

Suspended: None

Statutory authority for adoption: RCW 43.215

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 12-18-079 on 9/5/2012 (date).

Describe any changes other than editing from proposed to adopted version:

170-297-1040 was removed.

170-297-1710(3)(i) Changed to read "Have a minimum of forty-five college credits (or thirty college credits and one hundred fifty training hours) in approved school-age credits as specified in the Washington state guidelines for determining related degree and approved credits."

(4) Was changed to read "A program director must be on the premises as needed."

See Attachment B

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: 11/19/2012

NAME (TYPE OR PRINT)

Elizabeth M. Hyde

SIGNATURE

TITLE

DEL Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 19, 2012

TIME: 9:34 AM

WSR 12-23-057

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

| | | | | | | |
|---|-----|-------|---------|-------|----------|-------|
| Federal statute: | New | _____ | Amended | _____ | Repealed | _____ |
| Federal rules or standards: | New | _____ | Amended | _____ | Repealed | _____ |
| Recently enacted state statutes: | New | _____ | Amended | _____ | Repealed | _____ |

The number of sections adopted at the request of a nongovernmental entity:

| | | | | | |
|-----|-------|---------|-------|----------|-------|
| New | _____ | Amended | _____ | Repealed | _____ |
|-----|-------|---------|-------|----------|-------|

The number of sections adopted in the agency's own initiative:

| | | | | | |
|-----|-------|---------|-------|----------|-------|
| New | _____ | Amended | _____ | Repealed | _____ |
|-----|-------|---------|-------|----------|-------|

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

| | | | | | |
|-----|------------|---------|-------|----------|-----------|
| New | <u>190</u> | Amended | _____ | Repealed | <u>57</u> |
|-----|------------|---------|-------|----------|-----------|

The number of sections adopted using:

| | | | | | | |
|---------------------------------------|-----|------------|---------|-------|----------|-----------|
| Negotiated rule making: | New | _____ | Amended | _____ | Repealed | _____ |
| Pilot rule making: | New | _____ | Amended | _____ | Repealed | _____ |
| Other alternative rule making: | New | <u>190</u> | Amended | _____ | Repealed | <u>57</u> |

Citation of existing rules affected by this order:

Repealed: WAC:

- 170-151-010
- 170-151-020
- 170-151-040
- 170-151-045
- 170-151-070
- 170-151-075
- 170-151-080
- 170-151-085
- 170-151-087
- 170-151-090
- 170-151-092
- 170-151-093
- 170-151-094
- 170-151-095
- 170-151-096
- 170-151-097
- 170-151-098
- 170-151-100
- 170-151-110
- 170-151-120
- 170-151-130
- 170-151-150
- 170-151-160
- 170-151-165
- 170-151-170
- 170-151-180
- 170-151-190
- 170-151-200
- 170-151-210
- 170-151-220
- 170-151-230
- 170-151-240
- 170-151-250
- 170-151-260
- 170-151-280
- 170-151-290
- 170-151-310
- 170-151-320
- 170-151-330
- 170-151-340
- 170-151-380
- 170-151-390
- 170-151-410
- 170-151-420
- 170-151-430
- 170-151-440
- 170-151-450
- 170-151-460
- 170-151-461
- 170-151-462
- 170-151-470
- 170-151-480
- 170-151-490
- 170-151-500
- 170-151-991
- 170-151-992
- 170-151-993

Describe any changes other than editing from proposed to adopted version:

170-297-1710

(5) Changed to read "When the program director is not on-site the program director must leave a competent, designated staff person in charge. This staff person must meet the qualifications of a site coordinator and may also serve as child care staff when that role does not interfere with management and supervisory responsibilities."

170-297-1715 (2) (e) Changed to read" Have completed thirty college credits in approved school-age credits as specified in the Washington state guidelines for determining related degree and approved credits , or twenty college credits and one hundred clock hours of related community training."

170-297-1720 (3) (j) added, "if applicable".

(5) Changed to read "When the site coordinator is off-site or unavailable, lead teachers may assume the duties of site coordinator when they meet the site coordinator minimum qualifications, and may also serve as child care staff when the role does not interfere with management and supervisor responsibilities."

170-297-1730 (5) (f) added "if applicable"

170-297-1735 moved (4)(d) Food worker card, if applicable to (2)(e).

170-297-1820 Changed to read "The program staff must be provided with the following training:

- (1) Child/adolescent growth and development;
- (2) Learning environment and curriculum;
- (3) Child observation and assessment;
- (4) Families, communities, and schools;
- (5) Safety and wellness;
- (6) Interactions with children/youth;
- (7) Program planning and development;
- (8) Professional development and leadership;
- (9) Cultural competency and responsiveness;
- (10) Youth empowerment;

and

- (11) Other training as appropriate."

170-297-2200 (5) removed "asthma attack"

170-297-2875 (1) (c) Changed to read "How to test the smoke detectors and carbon monoxide detectors and replace detector batteries, if required;"

170-297-3250 (1) (d) Changed to read "Provide access to immunization records of each child enrolled to agents of the state or local health department."

(2) Deleted

170-297-3300 Changed to read "The child care program may accept a child without any immunizations if the parent or guardian provides a DOH certificate of exemption form indicating a medical, religious, philosophical or personal exemption as provided in WAC 246-105-060."

Describe any changes other than editing from proposed to adopted version:

170-297-3700 Added (2) "Where the licensee does not have decision making authority over the licensed premises, document verification of compliance is acceptable."

170-297-3925 (1) added "Where the licensee does not have decision making authority over the licensed premises, document verification of compliance is acceptable."

Cleaning, sanitizing and disinfecting table

Removed (c) (iii) and (iv)

(d) Deleted, "may use disposable, one time utensils."

(e) Changed to read "Toys that are not contaminated with bodily fluids. Dress-up clothes (not worn on the head or come into contact with the head while dressing). "

(f) Deleted

(g) Changed to read" Hats and helmets after each child's use or use disposable hats that only one child wears.

(h) Changed to read "Wash cloths or single use towels, Sanitize (see subsection (3) of this section) after each child's use

3950 added "(3) Where the licensee does not have decision making authority over the licensed premises, document verification of compliance is acceptable."

170-297-4025 (1) (c) added the statement "During operating hours,"

4100(2) Changed to read "The following chemicals and other substances that belonging to the program or program staff must be stored inaccessible to children:"

170-297-4275 changed to read "A fan, air conditioner or cross ventilation must be used in licensed space when the inside temperature exceeds eighty-two degrees Fahrenheit. Fans and air conditioners must be kept inaccessible to the children, or a protective barrier must be used to prevent children from accessing fan blades."

170-297-4550 (1) deleted " Windows in the licensed space that are within the reach of the children must have a screen or guard to prevent a child's exit or limited opening of less than three and one-half inches.

170-297-5050 changed the word "equipment" to "structures"

170-297-5600 added "(3) At minimum, a 1:15 staff-to-child ratio must be maintained at all times."

170-297-5700 Deleted entire paragraph

170-297-6675 (1) added the statement "except when children are completing homework assignments"

170-297-7625 (1) changed to read "Breakfast must be made available either by the program or the school"

170-297-8060 (5) added the statement "at one time"