

Department of Early Learning

10.1.16

Safe Sleep Procedure

1. The Department of Early Learning (DEL) licensing staff will complete annual required Safe Sleep training.
2. At licensing visits DEL licensors will check for compliance with safe sleep regulations.
3. The first time there is noncompliance with a safe sleep rule, the licensor will:
 - a. Complete the Facility Licensing Compliance Agreement (FLCA) citing any noncompliance and immediately require the licensee to correct the safe sleep violation.
 - b. The licensor should offer technical assistance which might include additional safe sleep training.
 - c. Require the child care licensee to post notice of the safe sleep violation;
 - d. Require the licensee to send letters to all families and the licensor to include:
 - i. Description of the safe sleep violation; and
 - ii. Information about what constitutes safe sleep for infants.
4. The second time there is noncompliance with a safe sleep rule within a three year period the licensor will:
 - a. Complete the FLCA citing any noncompliance and immediately require the licensee to correct the safe sleep violation;
 - b. Require the child care licensee to post notice of the safe sleep violation;
 - c. Require the licensee to send letters to all families and the licensor to include:
 - i. Description of the safe sleep violation; and
 - ii. Information about what constitutes safe sleep for infants.
 - d. Consult with the licensing supervisor to consider whether additional actions are appropriate including:
 - i. Civil Penalty as described in 10.2.7 Civil Penalty Procedure or
 - ii. Other adverse action.
5. The third time there is noncompliance with a safe sleep rule within a three year period the licensor will:
 - a. Complete the FLCA citing any noncompliance and immediately require the licensee to correct the safe sleep violation;
 - b. Require the child care licensee to post notice of the safe sleep violation;
 - c. Require the licensee to send letters to all families and the licensor to include:
 - i. Description of the safe sleep violation; and
 - ii. Information about what constitutes safe sleep for infants.
 - d. Consult with the licensing supervisor to consider whether additional actions are appropriate including:
 - i. Civil Penalty as described in 10.2.7 Civil Penalty Procedure; or
 - ii. Modification of the license (restrict ages of children in care to exclude infants); or

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- iii. Probationary license as described in 10.2.5 Probationary License Procedure; or
 - iv. Summary suspension as described in 10.2.2 Summary Suspension Procedure; or
 - v. Summary suspension and Revocation as described in 10.2.1 Revocation of a License, and 10.2.2 Summary Suspension Procedures.
6. When a compliance agreement is issued for a safe sleep violation, a follow up site visit must occur within 10 business days to verify compliance with these rules, even if the safe sleep issue is brought into compliance while licensor is on-site.
 7. Document all licensee contact regarding Safe Sleep in FamLink within five business days.

Definitions

A Safe Sleep violation would be any noncompliance issue with the following WAC:

- WAC 170 -295-4100 What sleep equipment do I need for infants?
- WAC 170-295-4110 What are Infant Safe Sleep Practices?
- WAC 170-296A-7075 Infant and toddler sleeping or napping equipment.
- WAC 170-296A-7085 Cribs.
- WAC 170-296A-7100 Infant Safe Sleep Practices.