

Department of Early Learning

10.1.3

Compliance Agreement Procedure

Completing the Compliance Agreement

1. The licensor must use 10.9.1.1 Compliance Agreement in ELF to record noncompliance issues. If the technology equipment is not working, then the licensor will use the hardcopy 10.9.1.1 Compliance Agreement form.
2. The licensor must ensure that all the basic information of the licensed facility and the details of the inspection are recorded on the form.
3. The licensor must document the full WAC code number including the subsection and provide a description of each specific WAC noncompliance issue.
 - a. If a compliance agreement is being developed as a result of a valid complaint, no other licensing issues must be present on the compliance agreement.
 - b. If additional noncompliance issues exist at the facility, the licensor must use additional compliance agreement forms.
4. Licensors must ensure that children's names are not recorded on the compliance agreement form.
5. The licensee must write specific action plans in the Plan of Correction column to correct the RCW and/or WAC noncompliance issues.
 - a. The licensee may request an interpreter free of charge at any time to assist in writing the plan of correction (see Administrative Policy 1.8 Translation/Interpretation Use).
 - b. If the licensee is unable to enter a written description of the plan of correction, the licensee may choose an on-site designee to complete the compliance agreement form on their behalf. This may include but is not limited to the licensor and must be noted on the compliance agreement and provider notes.
6. The licensor and licensee must agree upon a date each noncompliance issue will be corrected, with a maximum of 30 days from the date of the compliance agreement and not to exceed the initial license expiration date.
7. If there is an immediate health and safety issue, the issue will be corrected immediately or as soon as possible to ensure child safety but no later than 10 business days to ensure child health and safety.
8. If a licensee requests more than 30 days to correct a deficiency and the licensor agrees this is a reasonable request, the supervisor will document the approval in FamLink in a provider note. The compliance agreement form should be completed, dated, and signed by the licensee and the licensor. The licensor will provide a copy of the form to the licensee for them to correct any non-compliance issues. The compliance agreement should be filled out on site, discussed, and left with the provider when possible. Exceptions may include:
 - a. If the licensee is unable to enter a written description of the plan of correction due to limited English proficiency or literacy and there is not an on-site designee.

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- b. Unsafe conditions for the licensor.
9. Once all noncompliance issues are corrected, the licensee will indicate completion by filling in the date that the non-compliance issues were corrected. The licensee must return the final copy of the form with the date completed section filled out for each non-compliance issue cited. Once all non-compliance issues are corrected, the licensor will review and ensure that the compliance agreement is completed correctly, signed and dated by the licensee.

Monitoring the Compliance Agreement

10. The licensor must monitor the compliance agreement based on the nature and severity of WAC violations.
11. The licensor must make a site visit within 10 business days to verify correction of licensing non-compliance that could immediately impact the health, safety and well-being of children in care. The site visit must be documented in FamLink using the health and safety re-check code. The licensor must request supervisor approval if unable to meet this time frame and this must be documented in FamLink provider notes. Examples may include but are not limited to:
 - a. Health and safety hazards
 - b. Behavior management
 - c. Supervision
 - d. Staff/child interaction
 - e. Group size/capacity
 - f. Medication management
 - g. Nap and sleep equipment to include SIDS prevention
 - h. Window blind cords that form a loop
12. If the noncompliance issues do not immediately impact the health, safety and well-being of children in care, written verification in lieu of a site visit may be used to verify compliance. Examples may include but are not limited to:
 - a. Menu posting
 - b. Documentation of activity program
 - c. Supplies verified with receipt
 - d. Changes to parent communication
 - e. Staff development and training records
 - f. Health Care Plan
 - g. Fire Drill record