

Follow-up Meeting
With DEL Director for
Negotiated Rule Making Team's Draft Rules
Saturday, March 27, 10:00 am to Noon
 Puget Sound ESD 121, Renton, Washington

Overall Session Purpose:

For DEL Director Bette Hyde to share and discuss directly with NRMT members the status of the proposed rules.

Meeting Objectives:

1. Go over the draft rules that rules can be implemented essentially as is.
2. Go over the rules about which the Director may have concerns or questions (DEL resources, legal or policy decisions).
3. Collect feedback from NRMT about areas of concern.
4. Review the what-happens-next on the path to formal WAC adoption.

<i>Time</i>	<i>Topic</i>	<i>Design Notes</i>
10:00	Session Purpose, Objectives, Agenda Overview	Debbie Rough-Mack
10:05	Welcome, Why We're Here	Dr. Hyde (Bette) welcomes everyone, clarifies nature of the meeting
10:10	Introductions Name, Affiliation, Length of Time as NRMT member	
10:20	DEL Feedback about Proposed Rules	Bette presents; Debbie facilitates
11:20	Next steps in the process	Andy Fernando brings visual timeline
11:30	Q & A Session	Debbie facilitates and records on flipchart
11:55	Closing Remarks	Bette
12:00	Adjourn	

NOTE: This meeting was not recorded.

NRMT members present:

Judy Bunkelman, DEL
 Stu Jacobson, Parent Advocate
 Sherry Schleufer, SEIU Staff

Vicky Lujan-Bell, DEL
 Nancy Gerber, SEIU/Provider
 Sandra VanDoren, EWFCCA/Provider

Judy Jaramillo, DEL
Lola Kling, SEIU/Provider
Mary Ruch-Brown, DEL
Sue Winn, WSFCCA/Provider
Jean Orton-Elders, DEL
Cassandra Clemans, Provider Advocate

Cynthia Hendsch, DEL
Sue Paskiewitz, SEIU/Provider
Angela Taylor, SEIU/Provider
MaryKay Quinlan, DEL
Lisa Beaulaurier, SEIU Staff
Laura Giddings, WSCCR&R Network



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March 27, 2010

MEMORANDUM

TO: NRM TEAM MEMBERS

FROM: BETTE HYDE

RE: NRM PROCESS AND CONTENT

PREFACE:

I just finished reviewing the many pages of the proposed Negotiated Rule Making regulations for Family Home Child Care Providers. It is obvious from reviewing this document and the many supporting documents containing staff comments that a great deal of work and effort was dedicated to this important effort. I see in your work that hard process in which you engaged. I see in your work that you have tackled many hard and multi faceted issues. Although I was not there during these discussions, I can almost read into the words the energy and quality of conversations which occurred. My sincere thanks to each and all of you for the time and expertise you have dedicated to this process.

What follows are my reflections on both the process and the content of the document. I see much in the recommendations which I am in agreement with. What follows is my feedback to your process and content. I share this with you as a basis for the upcoming second draft of the family home child care rules to be written by DEL.

PROCESS:

- I applaud the overall commitment to the overall intent in the WAC for DEL of “intervening to protect the health and safety of children”. I see many staff discussing that and wishing that sentiment were more contained within the pages.
- I applaud your delineating negotiating guiding principles. I think they serve your processes very well.
- I particularly like within these negotiated rule making guiding principles listing of rights of children in family child care. Focusing on the rights of children in our care will always guide us to the right conclusions.
- My evaluations, reflections and this memorandum to you is a next step in the process. As you know, we will solicit public input and expand it beyond the immediate participants to ensure that we have input from the broader public throughout the spring and summer. We will intentionally share this with child care licensors, license family home providers, families and the general public. As part of this process we will hold the typical hearings on the regulations as well as solicit input through the DEL website. We are indebted to the earlier efforts by SEIU throughout the process to garner constituent input in these regulations development. DEL next steps continue that outreach.

CONTENT:

- This section on content is organized to provide information by section of your “wheel”. I am not certain of the order in which you have done your work since, however, I have organized my remarks to you in the following order since it makes sense to me (not as a suggested WAC chapter organization):
 - Staff Qualifications
 - Licensing Process
 - Capacity and Ratio
 - Record Keeping and Posting
 - Health
 - Food & Nutrition
 - Emergency Preparedness
 - Infant Care
 - Indoor Environment
 - Outdoor Environment
 - Programs
 - Nurture and Guidance
 - Corrective Actions and Adverse Actions

I realize all these “spokes” of the wheel inter-relate and in fact, am concerned that in many cases thoughts and ideas are repeated in many sections. While this redundancy may be helpful, it serves to add to the length of the document and may reduce its “welcomingness” to readers.

A good deal of the content discussed in these WAC(s) is thoughtful, clear and needed.

I personally like the idea of having the intent of each section clearly delineated. I agree this needs to be checked with the Attorney General’s Office. However, it seems clear that if people understand the why behind the requirement, they are more likely to understand and support the requirement. Second, I like the idea of pre-service training but I am very worried about the logistics and funding thereof. Third, I applaud the idea of having different types of licenses for different ages of children. While there is certainly are interactive behavior that apply to all children, there are clear differences between infant, toddlers, and school aged children in what supports optimal individual child development. Relatedly, I am unclear but very supportive of a follow-up conversation about licensing both the site and separately certifying individuals who work there in. Although I do not see this clear delineation in the regulations, I think it is worthy of further conversation.

1/s Agreement – 69%

2’s Yes, with qualifiers 90%

3’2 Genuine differences – 10%

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
	170-296-5301	Add to (B) “responsible for following minimum licensing requirement and ensure staff and volunteers following the minimum licensing requirements”.	Recommended in staff comments and makes explicit what is expected.	
Minimum Age	170-296-5310	Ok		
Background Check	170-296-5320	Ok, but we need to include current WAC 170-296-1410(2) regarding evaluation of the provider	This current WAC gives DEL the ability to request an outside evaluation if there is evidence of a substance abuse or	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
			other problem that affects the provider's ability to care for kids.	
TB Test	170-296-5330	<p>Change to read: "Documentation of a Tuberculin skin test(TST) or Interferon Gamma Release Assay (IGRA) completed in the last 12 months or:</p> <ul style="list-style-type: none"> a. A previously positive Mantoux TB test with documented proof of treatment or chest x-ray <u>or</u> b. Documentation of a medication therapy to treat TB 	<p>Recommendation from DOH, and to be consistent with child care centers.</p> <p>The IGRA is a blood test that is proving to be more reliable than the Mantoux TB test.</p> <p>Should a retest be required and at what intervals?</p> <p>Should we consider re-testing if the provider travels to a country where TB is endemic?</p>	<p>BH. From Maxine Hayes – state medical officer.</p> <p>Q: Do we need to do every 12 months? BH. May be. Need to mirror requirements for teachers. Need more discussion/clarification.</p> <p>Q. Need chest Xray every year if positive.</p> <p>BH – not if treated.</p> <p>Staff. If medically recommended – need language</p>
Orientation	170-296-5340	Ok		
Pre-service training	170-296-5350	Change to read: "The licensed applicant must attend a pre-service training authorized by DEL contingent on funds appropriated for this purpose."	I do not believe we can commit to either content or a video, in person, or particular format, given the current budget situation. The need	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
			for pre-service is evident and pre-service is a good idea. But it would important that this pre-service is timely, of high quality and readily available. All such factors require additional funding.	
Basic 20 hour Training	170-296-5360	Change to read: “ The licensee must complete a basic 20 hour state training registry system ‘STARS’ training’ within first six months of being licensed and before a full licensure is granted.”	The STARS 20 hours needs some review and updating, which is currently underway.	
On-going Training	170-296-5370	Ok		
Fire Safety Emergency Preparation	170-296-5380	Ok		
First Aid/CPR/HIV/AIDS & Blood borne Pathogens Training	170-296-5390	Ok, but add.... Licensees must complete CPR with a hands-on component.	I applaud the hands-on component in this training.	
Primary Staff	170-296-5410	Ok		
Minimum Age	170-296-5420	Ok		
Background clearance	170-296-5430	Change to read: “The primary staff person must	DEL staff comment and I believe the	BH clarification only

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		pass a background clearance check under chapter 170-06 WAC before having unsupervised access in a licensed home.”	intent behind this section.	
TB Test	170-296-5440	Rewrite to reflect TB test above.		
Basic 20 Hour Training	170-296-5450	Under the third column write to reflect basic training above.		
Ongoing Training	170-296-5460	Ok		
Fire Safety	170-296-5470	Ok		
First Aid/CPR/HIV & AIDS/Blood borne pathogens	170-296-5480 170-296-5490	Rewrite to reflect same as section on the Licensee above.		
Assistance & volunteers	170-296-5500	Ok		
Minimum Age	170-296-5510	Ok		
Background clearance	170-296-5520	Ok, but... Add “licensee must self report to DEL juvenile or criminal history, and founded abuse and neglect for all members of the household including persons under 16.	Many DEL staff comments	BH – not suggesting criminal background check for under 16. Q. Is self reporting having provider make complaint about self. Concern that children make poor choices – don’t want to reporting to be held as complaint on provider. Q. Should be “known”. Can DEL do criminal BGC on under 16? Staff. Not currently. BH. Potentially protects provider for liability. Q. Need to be clear about what types of

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
				charges , convictions or findings. Need to be mindful that BGC can be long process. Q. Does this mean to include staff – BH. Yes, but already required to self repor. Not a background check but self-disclosure
TB Test	170-296-5530	Change to reflect similar sections for Licensee above.		
Training	170-296-5540	Change to read: “The assistant or volunteer must receive training from the Licensee and the licensee must document training in a child care home regarding regulations, safety, health, guidance and nurturing.		
Fire and Safety	170-296-5550 170-296-5560	Ok		
First Aid CPR Training	170-296-5570 170-296-5580	Ok		
Substitutes	170-296-5610	Ok		
Background clearance	170-296-5560	Change to read as similar section as the Licensee above.		
TB Test	170-296-5630	Change to read as similar section as the Licensee above.		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Training	170-296-5640	Change to read as similar section for assistants and volunteers above.		
Fire Safety and Evacuation	170-296-5650	Ok		
Use of substitutes	170-296-5670	Ok		
First Aid CPR/BBP	170-296-	Ok		

II. LICENSING PROCESS

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
Background Check	170-296-5202	Ok. But, clarify that fingerprints and FBI check are required for persons who have lived in Washington State for less than three years as provided in RCW 43.215.215.		
Exemptions	170-296-5210 170-296-5211	There seems to be confusion about these exempt definitions; therefore, there is, a need to clarify.	Clarifications are needed regarding preschools as well as family, friend, and neighbor care.	Larger than FHCC process, needs larger conversation.
Child Care Home Care	170-296-5212	Change to read: "Child care is provided for one or more unrelated to the provider children on a	Staff input	Q. Unrelated to other children or to the provider A. Unrelated to the provider.

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		regular and ongoing basis, not to exceed 12 children as provided by statute.”		
Subsidy payments to home	170-296-5215	Ok		
Department of Defense	170-296-5216	Ok		
Pre-service Training	170-296-5220	See earlier comment about pre-service training		
Application packet	170-296-5221	Ok, but... All items listed require more definition and detail about expected contents of these various requirements.	Would give more clarity.	
Picture Identification	170-296-5222	Already listed above in application packet.	Repeated.	
Length of licensing process	170-296-5223	Ok		
Licensing process withdrawal	170-296-5224	Change to read: “If the applicant is unable to successfully complete the application process within 90 days, they may withdraw the application and reapply when they are able to meet licensing requirements.”	Staff input. This prevents DEL having to deny the license.	BH. Needs rewording.
Fee amount	170-296-5227	Change to read: “The fee amount will be		Q. Change statute for better flexibility

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		determined annually by the DEL as of April 1 of the year”.		
Moves	170-296-5230	Add (3) a licensee may not operate more than two weeks following the move as provided by statute. If the licensee moves and does not submit an application prior to the move, the license becomes invalid as of the date of the move.”	DEL staff input.	BH. Need more Clarifying
90 day window	170-296-5235	Ok		
Completed renewal package	170-296-5240	Ok		
Changing circumstance	170-296-5245	Change to read: “If there is a change in circumstances that could compromise the health and safety of the children, then licensee must submit an updated application, to		Q, Vague – what does change meet. BH. Agree needs to be clearer. Q. Small group wanted to be more specific. Do we need list of what would we commonly see. Q. Is this a new full application (license or BGC) or a change of circumstance form.

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		include but not be limited to a written description of changes in the facility, family composition, or child care operation.		
Anniversary date	170-296-5246	Ok		
License renewal	170-296-5248	Ok.		
Partial compliance	170-296-5250	Change to read: “When the licensee demonstrates incomplete compliance with licensing rules but all health and safety requirements are met, DEL may issue an initial license for a period not to exceed 6 months, renewable for a period not to exceed two years.”	DEL staff input. Needs further discussion	BH - Not clear what is “partial” compliance. Q. Conversation was about things you couldn’t observe at initial license. Need clarity or format. Staff. Could note “non compliance” or “presumed”
Full compliance	170-296-5255	Ok		
Probationary license	170-296-5260	OK		
Civil penalties	170-296-5262	Ok		
Probationary license	170-296-5263	Ok, but add “or” between 3 and 4.		
Probationary license/parents	170-296-5264	Change to read: “Post documentation of the		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		approved written probationary license as required by RCW 43.215.525.”		
Probationary license period	170-296-5265	Ok		
Refusal of probationary license	170-296-5266	Ok		
Multiply licenses	170-296-5270	Ok		
Waiving WAC requirements (Exception to Rule)	170-296-5275	<p>Change to read: “DEL may approve an exception for a specific requirement for good cause. The request must be:</p> <ol style="list-style-type: none"> 1) In writing. 2) Submitted to the licensor 3) Approved by the Director or the Director’s designee, 4) If approved, Licensee must post the notice of an approved exception with other notices for parent and public view.” <p>There is no administrative</p>	DEL staff input. Language will need more work.	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		appeal right if DEL does not approve the exception.		
RCW Waiver	170-296-5276	Ok		
Alternative specification	170-296-5278	Change (3) to read: "An exception request is time limited and may not exceed the specific time approved or the expiration date of the license. "A copy of the approved written exception request must be posted on the premises."	Staff input	
Subsidy	170-296-5280 170-296-5282 170-296-5285	Ok		
Compliance to city & county ordinances	246-278A-0270	Ok		
Private septic	170-296-5290	Add: "Before an initial license is granted, the License must have a private septic system inspected by the local health jurisdiction or a certified septic contractor/inspector, and provide the approved inspection report to DEL. The Licensee must	DEL staff input.	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		operate and document the operation and maintenance of a private septic system in a manner acceptable to the local health authority.” Licensee must report to DEL any septic system failure, damage or malfunction that may pose a risk to children in care		
Septic inspections	170-296-5292	Change to read: “Licensee must post the date and results of the periodic septic system inspection, and perform maintenance as required by the inspection.”		Q. Need clarity around “periodic” - should this have specific time frames. Note: Later in WAC, inspect every three years if no local health inspection requirement. Q. Concern about posting – but agree records needed. Suggestion: Could be alternatives to “posting” using notebook or part of parent policies or other way. Q. Need to be sure the record is accessible if parent or other complaint.
Public Health Inspections	170-296-5230	Ok		
Private well water	170-296-5294	Change to read: “Licensee must operate and document the operation and		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		maintenance of a water supply system in a manner acceptable to the locale health authority. Before an initial license is granted, the Licensee must have the home's water tested for e-coli form bacteria and nitrates, and provide DEL the test report."		
Periodic testing	170-296-5295	Add: "Licensee must document the date and results of local health department requirements for periodic water testing."		
Water testing if no public health requirements	170-296-5296	Change to read: "(1) test the water for coliform bacteria annually and nitrites every three years."	DEL staff input	BH. Check on cost and complexity – defer to Health Dept. [Staff. annually is DOH recommendation]
City and country compliance	170-296-5298	Ok		
Legal status	170-296-5221	Add: that DEL will require social security number (SSN) or Employer Identification Number (EIN) in a license application as required to comply with	DEL is required to obtain SSN or EIN numbers of individual licensees for child support purposes. As a business, family home providers could	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Responsibilities	170-296-5201	Ok		
		RCW 74.20A.330 regarding child support. If the Licensee is a partnership, each partner must provide his or her SSN or EIN.	be expected to be required to pay federal and state taxes. Nonetheless, the matter needs an official Attorney General's opinion.	

III. SUPERVISION CAPACITY AND RATIO

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Proposed capacity ration table	170-296-7300	Ok		
Infant Toddler only	170-296-7300	Birth to 2 Need to define "walking independently"	Concerns about number of children under age 2 allowed.	
	170-296-7310	2-5 only		
	170-296-7320	School age license only		
	170-296-7330	Birth – 12		
Definition of experience	Non specified	Ok	Experience would have to be self-documented via resume, including course credits if applicable.	
Child care count and	170-296-7370	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Proposed capacity ration table ratio	170-296-7300	Ok		
Providers own children	170-296-7375	Change to read: "Licensee's own children count in the ratio through 12 years of age."	Use through age 12 to be consistent with other regulations.	Q. Providers will have issue if must count their own 12-year olds. "To" 12 prevents keeping kids in care who need to be.
Children's written plans	170-296-7380	Add a new 2nd bullet that reads: "As applicable, include a description of the child's health history, current medication/allergies, and any special dietary requirements or special needs".	DOH and staff recommendation.	Q. Contained in form from DOH already.
Special needs	170-296-7380	Change to read: "Licensee must describe the special needs of children and a documentation of how to meet the special needs should be kept on file with the licensee. The documentation could include the child IEP, IHP, etc., if appropriate".	Also, check language in the Health and Records sections on the child's individual records to make sure they are consistent, or remove redundancy.	Q. Can provider make a parent provide this? Parents may not want to give IEP, etc for concern that provider will not take the child, Q. Documentation language might cause provider to turn child away. Is there an alternate way to doc? Sometimes provider isn't given the IxP – need to have more conversation between schools and providers. Q. Making process complicated will affect placement.
Primary care responsibility for	170-296-7085	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Proposed capacity ration table operations	170-296-7300	Ok		
Child absences	170-296-7385	Ok		
Unpredictable circumstance	170-296-7440	Ok		
Protection of health and safety of children	170-296-7390	Add a third bullet to read: “Assure that a primary staff person is within sight and hearing of the children in your care.”	Staff input	<p>Q. Concern about providers working alone and being able to have all kids in sight and hearing.</p> <p>Q. Old language had children must be on the same level of home as provider – should we put this back in? “And” means you must have them with you all the time if you’re working alone.</p> <p>BH. Varies with kids of different ages.</p> <p>Q. Needs of child to have privacy during toileting. If multiple rooms may not be able to see all children all the time.</p> <p>N. Concern about age of the child and need for supervision.</p> <p>BH. This needs more input.</p>
Staff orientation to licensing requirements	170-296-7395	Ok		
Re-training because of licensing	170-296-7400	Change to read: “The licensee must re-train and	Staff input	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Proposed capacity ration table	170-296-7300	Ok		
requirements not met		document training of all staff if minimum licensing requirements are not being met while the licensee is absent.”		
Other employment	170-296-7405	Ok		
Family home license	170-296-7410	Ok		
Potential absences	170-296-7415	Ok		
Closures	170-296-7420	Ok		
Licensors with 7 consecutive days absence	170-296-7425	Ok		
Notification of repetitive absences	170-296-7430	Ok		
**** absence	170-296-7435	Ok		
Unusual circumstance	170-296-7440	Ok		

IV. RECORD KEEPING

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
General record keep requirement – children	170-296-8000	Change to read: “Licensee must keep required records for currently enrolled children in a confidential manner		Q, Should be “premises and easily accessible” BH Concern was for confidentiality

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		within the licensed space”.		
Staff records	170-296-8002	Ok		
Facilities records	170-296-8003	Ok		
Length of records	170-296-8004	Ok		
Records to DEL	170-296-8005	Ok		
Enrollment records	170-296-8006	Ok		
Content of enrollment records	170-296-8008	Ok...with new additions		
Records of licensee, staff and volunteers	170-296-8010	Ok but add a final bullet: “Documentation of STARS credits and participation in other training, including training provided by the Licensee”		Q. Changeover will make tracking later difficult.
Required licensing records	170-296-8015	Ok but add: Reminder that the records need to be kept on the premises for 5 years.		
Staff records	170-296-8018	Ok		
Postings	170-296-8020	Ok		
Content of postings	170-296-8025	Ok... but add: “If there are any adverse actions, the licensor’s name and phone number should also be posted.”		
911	170-296-8035	Ok		
Poison Control Center	170-296-8040	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Required reporting	170-296-8045	Ok		
CPS reporting	170-296-8050	Ok		
Required reporting to DEL	170-296-8055	Ok		
Public health reporting	170-296-8060	Ok		
Written policies	170-296-8065	Change to read: “Licensee must submit all policies to DEL and have written policies available for parents.”		Q. “all?” Should providers be required to give all policies to parents. Some are directed to staff or DEL.
Business policies list	170-296-8070	Ok, but change fourth bullet to read: “How families’ specific cultural preferences are addressed.” Add a final bullet that reads: “Program philosophy view of child development”.	Cultural preference may include religious. Program philosophy should also be tied to the Program section.	Staff. Providers may already have program philosophy but don’t know it.
Parent policies	170-296-8080	Add to list final bullets that read: <ul style="list-style-type: none"> • “Program philosophy - view of child development • What the Licensee does if one’s child is ill”. 		Q. “Ill child” – need to cross reference what is in Health section.
Staff policy and procedure	170-296-8090	Add a final bullet: <ul style="list-style-type: none"> • “Program philosophy, 		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		view of child development”.		

V. LICENSE SPACE DEFINITIONS

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Premise	170-296-0020	Change to read: “The licensed/unlicensed space, including persons, buildings, land and residence(s) at the licensed address.”		Q. Would people in quest house be subject to rules? BH. if they have access to children – yes. Q. How does a person become part of the “premise.” Staff. May need to clarify in background checks.
License space	170-296-0020	Revise the definition to: “Indoor and outdoor space on the premise approved by DEL for the purpose of providing licensed child care.		
Unlicensed space	No WAC citation	Change to read: “The indoor/outdoor area of the premises where children are prevented from entering during child care hours. This space is not approved as licensed space by DEL. DEL licensors may also inspect portions of the unlicensed	Staff input	Q. What poses “imminent threat?” Q. Concern about things in view when licenser is in “unlicensed space.” Q. Would like to know ahead of time why the licenser is in the unlicensed space, Need reason to be there.

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		premises related to health and safety issues for children and staff. These include areas that children may pass through entering the existing the spaces where the child care is provided, as well as, furnace rooms, location and operation of smoke detectors, guns and weapons storage, medication storage and activities or storage in unlicensed space that may pose an imminent threat to health and safety to children or the child care staff.		
Days accessible to children	170-296-0020	Ok		
Days inaccessible to children	170-296-0020	Ok		

VI. HEALTH

Infectious communicable disease	170-296-7800	Ok		
Written procedures	170-296-7802	Ok		
Immunizations	170-296-7805 170-296-7808	Ok		
Immunizations	170-296-7809	Update the DOH WAC	DEL staff input. The	

continued		reference and delete “and”	new DOH WAC is chapter 246-105	
Medication management	170-296-7810 170-296-7812 170-296-7814 170-296-7815 170-296-7816	Ok		
Prescribed medication	170-296-7817 170-296-7818 170-296-7819	Ok		
Non-prescribed medications	170-296-7820	Ok		
Non-prescribed medications list	170-296-7822 170-296-7823	Eliminate decongestants. Combine 7822 and 7823 and combine to read as follows: “ These non prescribed medications include but are not limited to: <ul style="list-style-type: none"> • Non aspirin, fever reducers or pain relievers; • non narcotic cough suppressants • Anti itching ointment or lotions specially designed to relieve itching i.e. Diaper ointments and talc free powders specially used in the diaper area of children: and sun screen”. 	Recommendation from the Department of Health	Q. Is this a storage list? BH. No., but included in list of meds that must be recorded when administered
Parent permission	170-296-7829	Ok		

regarding non prescribed medication				
Children taking own medications	170-296-7824	Ok...but	Discussion needed - what medications can/should a child take on their own?	Q. Could include inhalers. Needs to be supervised and documented.
Child injury	170-296-7825	Ok		
Hand washing procedures	170-296-7826	Ok		
Hand sanitizers	170-296-7828	Ok		
Hand washing procedure	170-296-7829	Ok		
Clean sanitary healthy environment	170-296-7830	Change to read: “Installed carpet must be shampooed yearly and vacuumed daily. Small area rugs should be vacuumed daily and laundered when soiled”.	Staff input	Q. “Clean” rather than “shampoo?”
Sanitizing mate equipment	170-296-7835 170-296-7836 170-296-7838	Ok		
Surface of mats	170-296-7839	Add a fourth bullet: <ul style="list-style-type: none"> • “Mats must be stored so that sleeping surfaces are not touching another child’s mat, unless mats are cleaned and sanitized after each use”. 	DEL staff input	

Child's bedding	170-296-7840	Ok		
Sanitizing toys	170-296-7842 170-296-7844	Ok		
Protection from pest borne allergens	170-296-7845	Add fifth bullet: <ul style="list-style-type: none"> “Air filters and mechanical source air heating and cooling systems should be inspected by staff monthly and replace filters or clean using manufacturer’s process, recommendations and guidelines. A written log shall be available for inspection documenting that activity”. 	DOH recommendation to prevent allergen and asthma triggers.	Q. Concern for cost if provider is unable to do without paid help. Staff. Note “documentation” of inspection.
Toxins	170-296-7852	Change to read: “All toxins or chemicals must be inaccessible to children and stored away from food. Toxins not in original containers must be appropriately labeled. The use of toxins on the premises should be minimized”.	DOH recommendation. We may need to define “toxin.”	
Toxins listing	170-296-7853 170-296-7854	Ok		
Drug and smoke free environment	170-296-7855 170-296-7858	Ok		
Smoking prohibition	170-296-7856	Change to read: “The	DOH	Q. If parent is smoking in own car, how

		licensee must prohibit smoking at all times on the premises as required by RCW chapter 70.160, and in motor vehicles while transporting children.”	recommendation to ensure consistency with the RCW 70.160 and reduce exposure to second hand smoke and residues.	does provider regulate? BH. Need to tell parents smoking is not allowed on premises, Q. “Premises” or “licensed space.” Need to clarify the bounds of the language
Alcohol free environment	170-296-7860	Change to read: “Alcohol, including closed or open containers, must be stored inaccessible to children. Alcohol must not be consumed on the premises by anyone during operating hours”.		
Water temperature	170-296-7865	Ok		
	170-296-7866 170-296-7868 170-296-7870	Ok		
Emergency vehicles access to home	170-296-7875 170-296-7878	Ok		
First aid kit	170-296-7888	Ok		
First aid kit – ipecac	170-296-7885	Change to eliminate “syrup of ipecac or other emetic”.	DOH recommendation, as the Syrup of Ipecac is no longer made or recommended.	
Health Plan	170-296-7890	Change last bullet to: <ul style="list-style-type: none"> • Cleaning and <u>sanitizing</u> procedures- in play toys....continue. 	Staff input, remove “disinfecting.”	
Health Care Policies	170-296-0840	Add: “Asthma Action Plan (AAP) shall be on	DOH recommendation to	

		<p>file for each child with asthma medications on site.”</p> <p>Also, check “child records” in Recordkeeping for consistent language.</p>	<p>indicate that AAP could be an effective guide to keep asthma under control in children. Also serves a reference that is easily available to staff that may be unfamiliar with asthma medication and how to administer them.</p>	
Health Care and safety plan	170-296-7895	Ok.	Cleaning and sanitizing tables. Separate sheet.	
Physical and equipment safety	170-296-0720	Add as a Guidebook item: “All new portable vacuums must be equipped with a HEPA filter”.	DOH recommendations to reduce allergens and asthma triggers.	Q. What about bagged vacuums?
Physical and equipment safety	170-296-0720 OLD WAC	<p>Add: “Any evidence of water damage due leaks and side structure as well as exterior sources of water intrusion shall be repaired within 60 days of inspection.</p> <p>“All molds present within licensed interior portions of the structure must be</p>	<p>DOH recommendations expressing concerns about mold growth and their hazardous contributions that exasperate asthma in children as well as adults.</p> <p>Check “Reporting” section for consistent</p>	

		cleaned within 30 days. “Failure or contamination of private or public water or septic/sewer systems serving the facility must be reported to DEL and local public health within one business day. “	language on water/septic failure.	
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VII. FOOD AND NUTRITION

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
	170-296-5701	Ok		
Parental alternative food plan	170-296-5710	Ok		
Supplemental alternative food plan	170-296-5720	Change (c) to read: “Religious or cultural preference”.		
	170-296-5730	Ok		
Drinking water	170-296-5740	See earlier comments regarding drinking water testing documentation	See Licensing Process	
Milk requirements	170-296-5750	Ok		
Frequency of food/snack served	170-296-5780	Change to read: “Meals or snacks must be offered at intervals of at least two hours apart and no more than three hours unless the child is asleep”.	Are these consistent with USDA?	
Portion of meals and	170-296-5790	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
snacks served				
Food storage and handling	170-296-5800	Ok		
Washing dishes	170-296-5810	Change (2) to read: "Hand washed by emersion in hot soapy water, rinse, sanitize and air dry after each use".	Staff input	
Disposable serving items	170-296-5820	Add (4): "Cooking utensils must be kept out the reach of children".	Staff input	Q. What about children involved in cooking. BH. The must be washed if kids use for play
Food preparation and serving	170-296-5830	Ok		
	170-296-5840	Change to read: "Meals must be served in a safe and sanitary manner and sensitive to each child's culture".	Staff input	

VIII. EMERGENCY PREPAREDNESS

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Family home child care	170-296-7900	Ok ...but Be sure to explain or define what "Group R means."		
Added prevention	170-296-7902	Ok		
Furnace HVAC	170-296-7905 170-296-7906 170-296-7908	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Flammable materials	170-296-7910 170-296-7912	Ok		
Waste disposal	170-296-7914	OK		
Electric motors	170-296-7915	Ok		
Open frame devices	170-296-7916 170-296-7917	Ok		
Emergency light	170-296-7920	Ok		
Portable heater/generator	170-296-7925 170-296-7928	Ok		
House members	170-296-7930 170-296-7932 170-296-7934	Ok		
Fireplace wood stove	170-296-7935 170-296-7936 170-296-7938	Ok		
Matches/lighters	170-296-7940	Ok		
Disaster planning – line telephone	170-296-7945 170-296-7946	Ok		
Emergency contact	170-296-7948	Ok		
Disaster plan	170-296-7950 170-296-7952 170-296-7955	Ok		
Drills	170-296-7960	Ok		
Record keeping	170-296-7965 170-296-7967	Ok		
Fire evacuation	170-296-7970 170-296-7972	Ok		
Emergency Preparedness – smoke detectors	170-296-7975	Change to read: “Licensee must maintain working smoke detectors	Staff and Fire Marshal input	Q. What about high ceilings – could they be on walls?

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		on each floor in the home. One extra battery must be available for each detector used. ” Also specify smoke detectors locations, such as sleeping areas; and placement on ceilings and not on walls.		
Alarm	170-296-7976	Ok		
Fire extinguishers	170-296-7980 170-296-7982	Add a final bullet at indicates safe storage of the device, including height and not obstructed.	Staff input	
Training	170-296-7985	OK		
Emergency supply	170-296-7990	Ok		
Syrup of Ipecac	170-296-7995	Omit		

VIII. INFANT CARE

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Infant safety	170-296-5901	Change to read: “The licensee must provide pre-approved gates or other physical barriers that prevent infant and toddlers from accessing stairways and other dangerous openings, such as construction areas”.	Staff input	Q. What does “pre-approved” mean – who approves. N. CSPC sign off form assures that provider has no products recalled
Walkers	170-296-5910	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Sleeping equipment	170-296-5920	Change to read: "Sleeping equipment must be safe and not subject to tipping and be an approved design for infants by the CPSC".	Staff input	
Sleeping	170-296-5930	Ok		
Infant bottles	170-296-5940	Ok		
Milk	170-296-5950	Ok		
Bottle feeding infants	170-296-5960	Ok		
Introducing solid foods to infants	170-296-5970	Change third line rewrite section 8 to better operationalize what is meant by "fed on demand". Is there any discussion of food allergies and cultural preferences anywhere within this section? There is a good deal of input from staff about the need to address not heating infant food in the microwave. Reiterate that food must not be heated in plastic.	I am not sure of the rationale or the scientific basis, but mentioned frequently by staff.	
Diapering	170-296-5980 170-296-5990 170-296-6000	OK		
Hand washing after diapering	170-296-6010	Change (1) to read: "After diapering a child, the	Staff input	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		licensee must wash his/her hands”.		
Toilet training	170-296-6020	Add a new (3): “Developmentally appropriate”. Change (3) to (4).	Fix non-parallel construction.	
Potty chairs	170-296-6030 170-296-6040	Change 6030 to read: “If potty chairs or potty rings are used they must be properly emptied, cleaned and sanitized after each use”.	Staff input	
Play	170-296-6050 170-296-6060 170-296-6700	Ok		
Opportunities to move	170-296-6070	Change to read: “Infants/Toddlers must have ample opportunity to move freely in <u>safe areas</u> ”.	Staff input	
Toys	170-296-7010	Change (1) “are cleanable, <u>clean and sanitized</u> ”.	Staff input	
Interactions	170-296-7020	Ok		
Profanity obscene language	170-296-7030	Change to read: “Profanity, obscene language “put downs” and cultural slurs must not be use around children in care. Angry interchanges, hostility	Shouldn’t this rationale be added for all children of all ages! Move or also include in Nurture and Guidance. See ILab research	Q. Concern about regulating child speech. BH. Intent that its adult/staff speech.

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		should not occur in the presence of children”.		
Seclusion	170-296-7040	Ok		
Supervision	170-296-7050 170-296-7060	Ok, but...	Shouldn't the same words apply to children of all ages – make sure this wording is consistent with “Supervision” section?	

X. NURTURE AND GUIDANCE

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Provider staff volunteer interactions	170-296-1700	Add a final bullet: “Value the child’s culture”.		
Discipline	170-296-1720 170-296-1730 170-296-1735 170-296-1738 170-296-1740 170-296-1742 170-296-1745 170-296-1750 170-296-1755 170-296-1760 170-296-1765 170-296-1770	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
	170-296-1775			
Discipline	170-296-1736	Change 2 nd section to read: “These methods must be appropriate to the child’s culture and developmental level and abilities and are related to the child’s behavior”.		
Abuse & Neglect	170-296-1780	Ok		
Outreach to families	Non specified	While not present in this document it would seem like a section entitled “Nurture & Guidance” should provide some expectations for the provider’s: <ul style="list-style-type: none"> • Child care philosophy, • Outreach, partnering and support of the families whom children they serve. 		

XI. PROGRAM

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Tribal requirements	Non specified	More discussion needed.	Check with the AG’s office regarding this requirement	
Outings/field trips – permissions	170-296-7500	Change to read: “The licensee must receive	Parents should know where the kids are	Q. Can’t take a field trip if don’t have all permissions. Need blanket permissions and

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		permission from parents or guardians for each off premise activities”.	going.	ability to be spontaneous. Staff. Could be two levels of permissions.
Safety plan	170-296-7502	Ok		
Water safety supervision	170-296-7503	Ok		
Outing supervision	170-296-7505	Ok		
First Aid Kit	170-296-7506	Add (3) : available use of the cell phone		Q. Not everyone has a cell phone.
Outings emergency supplies	170-296-7503	Omit section (3) regarding Syrup of Ipecac	No longer made or recommended.	
Transportation	175-296-7510	Add to the listing (3) the vehicle must be safe operating conditions. The driver(s) must have a valid driver’s license. (5) The driver or the vehicle must be covered under the insurance policy. Add: Attendance must be taken getting in and getting out of the vehicle.	Staff input	
Transportation	170-296-7510	Ok.		
Transportation	170-296-7512 170-296-7513 170-296-7514	Ok		
Developmental Activities schedule	170-296-7515	Ok		
Daily schedule	170-296-7516	Add (5): “Spatial concepts and numeracy”.		
Small and large muscles	170-296-7517	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Program activities	170-296-7518 170-296-7519	Ok		
Rest period/lap time	170-296-7520 170-296-7522 170-296-7523 170-296-7524	Ok		
Screen time	170-296-7525 170-296-7526 170-296-7528	Ok		
Closeness to TV	170-296-7527	Add: Language on safe viewing distance from a television screen?	See research on distance and dangers to young children – provide more information in the Guidebook.	
Special programs/special needs	170-296-7530	Change to read: “Accommodations to these rules may be allowed for special needs of individual children”.	Change “exception” to “accommodation.”	
Child w/special needs counting in ratio if over maximum age	170-296-7535	Ok		
Diversity	170-296-7540 170-296-7545	Ok		
Overnight Care	170-296-7550	Add: (d) “Licensee must have a written method of recording the length of stay of each child.		
Beds	170-296-7555 170-296-7556 170-296-7558	Ok, but should air beds be allowed for overnight care?	May need more research.	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Parent education and support	Non specified	It seemed important that the program section attend to the supportive and educational needs of parents whose children are in the providers care.		
Professional development	Non specified	It is important that the program notes reference some professional development expectations and the entire section ties into early learning and on-going work with the QRIOS.		

XII. INDOOR ENVIRONMENT

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Structural/fire standards code	Non specified	Discussion: Should DEL adopt applicable the state and local building codes by reference, or keep specific requirements in the DEL rules?	Provides a standard that needs to be checked in terms of whether the state and local building codes at least meet the standards of the International Residential Code (IRS).	
Size/space	170-296-7770	Ok		
	170-296-7702	Ok		
Escape/Rescue window		Escape windows must allow children to get out.	Need to address for areas where fire response may be	Q. Conflicts with Fire marshal input. Staff. in areas where fire response is slower,

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
			delayed.	need to have way for kids to get out.
Multi-use rooms	170-296-1020	What is our stance if the room is used for multiple purposes?	Left out of draft rules	
Medication/chemical storage	170-296-7705	Change to read: “All medications, including prescriptions, aspirin and meds known to cause allergic reactions, vitamins, herbal remedies, and pet medications, but excluding topical medications described in 170-296-7823 (Health) must be stored in a locked cabinet or locked container”.	Staff recommendation and a more inclusive list to medications that must be in locked storage.	
Medications	170-296-7706	Ok		
Lotions	170-296-7708	Ok		
First Aid	170-296-7710	Do not include Syrup of Ipecac	DOH recommendation – SOI is no longer made or recommended	
Children’s belongings	170-296-7713	Ok		
Nap time equipment storage	170-296-7714	Ok		
High Chairs	170-296-7715	Ok		
Walkers	170-296-7716	Ok		
Stairs	170-296-7718	OK		
Hand rails/vertical slats	170-296-7719	Ok		

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Window blinds	170-296-7720 170-296-7721 170-296-7722	Ok		
Weapons and Toxics access	170-296-7728	Ok		
Gun storage	170-296-7727	Ok, but include storage of other weapons (knives, swords, machetes, ammunition, arrows, traps, fighting implements).	May also need more clarity around gun cabinets, other weapon storage containers.	
Toxic plants	170-296-7728	Ok, but there is no reference in the WAC(s) to storage of other toxic elements. Add: “ The following items must be stored and inaccessible to children: <ul style="list-style-type: none"> • Cleaning supplies • Toxic, poisonous substances • Aerosols • Items with warning labels • Cosmetics • Personal hygiene products 	Staff input	
Electric outlets	170-296-7730	Change 2 nd bullet to read: “Outlets are of the child resistant Ground-Fault Circuit –Interrupter (GFCI) type and are also	Staff input	Q. Could be large expense to rewire. Do have child/tamper resistant covers.

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		tamper resistant’.		
Power strips	170-296-7730	Change to read: “Power strips/surge protectors that are tamper resistant may be used if kept out of the reach of children”.	Staff input	
Lighting	170-296-7735	Change 2 nd bullet to read: “Licensees must take measures to protect light bulbs or tubes in the child’s play space with solid covers or shatter proof coating”.	Staff input	Q. Can’t have a lamp in living room. Language needs to be clear about “overhead” Needs more work.
Lighting	170-296-7737	Ok but there was some questions from staff about safety around Christmas tree lights.		
House lamps	170-296-7738	Ok		
Telephone	127-296-7740	OK		
Bathrooms	170-296-7745 170-296-7746 170-296-7747 170-296-7748 170-296-7749	Ok		
Hand wash sink	170-296-7750 170-296-7753 170-296-7755	Ok		
Potty chairs	170-296-7757	Ok		
Indoor temperature	170-296-7758 170-296-7760	Ok but what is the source for the 60 & 65 degree minimum?		
Clean and sanitizing	170-296-7763	Change the 2 nd bullet in	Clearer than “laundry	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
	170-296-7765	7765 to read: "Sanitizing chemicals, such as bleach."	cleaners."	
Pets	170-296-7766 170-296-7768 170-296-7769 170-296-7770 170-296-7771 170-296-7772	Ok		
Pets	170-296-7773	Add: "Pets must not relieve themselves in the children's outdoor play area".		Q, Does this require separate pet area or prevent pets from being with kids.
Fire Safety	170-296-7775 170-296-7776 170-296-7778	Ok, except underline or bold "below" for clarity in 7778		
Fire safety space above ground	170-296-7780	Underline or bold "above" for clarity compared to 7778		
Fire safety	170-296-7785 170-296-7786 170-296-7790 170-296-7791 170-296-7792 170-296-7794	Ok		
Working smoke detector	170-296-7795	Add: Carbon monoxide and radon detector in new construction.	Staff input	Staff. Need to check on definition of "new construction" related to remodels.
Fire extinguisher	170-296-7796 170-296-7798	Add to 7798: The size and number of fire extinguishers must be appropriate to the	Minimum size fire extinguisher 2A 10 BC lasts only 20 seconds. Need	

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
		physical space on the premises	feedback from Fire Marshal.	

XIII: OUTDOOR ENVIRONMENT

Play space size	170-296-7601	Ok but a lot of concern from staff on what “meeting the intent” means.	Is it consistent with center rules? Is this modified for children with disabilities? How would a provider demonstrate they meet the intent of outdoor play space?	
Exterior doors	170-296-7602	The purpose WAC deals with the 2 nd bullet but not the 1 st . How can the provider demonstrate that the children are <u>prevented</u> from entering the unlicensed space? This might involve the use of high latches or security chains.	Discussion	Q. “Exterior” Can’t lock doors and don’t know kids are out until they are Q. Does this require doors inside between spaces – BH. No.
Enclosures/fencing	170-296-7605	Change to read: “Licensee’s outside play area must have a securely enclosed space with an enclosure barrier of a minimum height of 4’”. Eliminate number (2).	Eliminate “routinely used”. If they are part of the outside play space, they are licensed because they are indeed to be used. If local fence	

			restrictions would place children at risk, we should reconsider whether that location is appropriate.	
Exterior stairs	170-296-7610 170-296-7611	Change 7610 to read: “All stairs with four or more steps should have a hand rail. Additional hand rails should be in place for children who are unable to reach the regular hand rail”.	Staff input	
Safety gates	Non specified	Needed		
Visibility and supervision	170-296-7615 170-296-7620	OK	Some staff had a concern that by requiring both hearing and sight, this WAC would preclude children from playing inside playhouse, tunnels etc.	
Playground equipment	170-296-7630 170-296-7631 170-296-7632	Ok		
Play equipment	170-296-7633	Change to read: “Bouncing equipment including but not limited: Trampolines, rebounders, pogo stick, moon shoes, or inflatable equipment, are not allowed”.	Include other bouncing equipment not mentioned. The above are examples. The bouncing equipment might include pogo sticks	Q. Does it include “bouncy balls” for child development. Does “bouncing equip’ mean large inflatable hours.” BH. This still needs work

			and moon shoes.	
Safe equipment	170-296-7634	Change to read: “Equipment must be developmentally appropriate and maintained in clean, safe, working condition.	Staff input.	
Ground cover foliage	170-296-7635	Change to read: “Six foot fall zone must be maintained around pieces of equipment that may be climbed or a portion of the equipment that may be climbed.	Staff input. Children do not always equipment for the purpose intended.	
Ground cover	170-296-7636 170-296-7637	Ground cover needs to be specified to be consistent with the public schools.	Consult with PS-Educational Services District	BH. Grass will not absorb falls. Staff. See CSPP version of family home play equipment.
Outdoor play activities	170-296-7640 170-296-7641	Ok		
Swimming or wading pools	170-296-7645 170-296-7646 170-296-7648 170-296-7650	Ok		
Nature bodies of water	170-296-7651 170-296-7652 170-296-7655 170-296-7656	In 7652 clarify to read “Licensee must have a safety plan where water hazards outside or within walking distance for the child from the licensed place”.	Staff input – “walking distance” would need to be defined.	
Toxic hazards	170-296-7660 170-296-7662	See earlier sections on toxic hazards and check		

		to see the WAC(s) are consistent with OSHA requirement.		
Outdoor pet waste	170-296-7665 170-296-7666 170-296-7667 170-296-7668 170-296-7669 170-296-7670 170-296-7671 170-296-7672 170-296-7675	Change 7667 to read: “Children must wash hands after petting and/or playing with the pet”. Change 7675 to read: “Licensee must demonstrate how a pet known to be dangerous is reliably kept inaccessible to children”.		
Outdoor play installation	Non specified	Need verification that the outdoor play equipment was installed safely as per manufacturer specifications. – Include in Records.		

XIV: ENFORCEMENT ACTION

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
Disqualification of license and persons in household	170-296-8100	Ok		
Consequences failed to follow rules	170-296-8110 170-296-8115 170-296-8120 170-296-8125 170-296-8130 170-296-8135			

Section Heading	WAC#	Changes/Questions	Rationale	NOTES or CONCERNS; NRMT QUESTIONS
	170-296-8140			
Notification of violation	Referenced above	Ok		
Amount of time to make correction	170-296-8150	Ok		
Basis of fine	170-296-8155	Ok		
Imposing Civil penalty	170-296-8170	Ok		
Imposing pay fine	170-296-8108	Ok		
Unlicensed care fine	170-296-8185 170-296-8186 170-296-8188	Ok		
Unlicensed care actions	170-296-8190	Ok		
Probationary license	Referenced section above	Ok		
Deny, suspended or revocation of license	170-296-8200	Change to read: “The licensee will be denied, suspended or revoked for the following reasons when”: (list them out) Add a final bullet: “A charge or conviction for a disqualifying crime will result in the above actions”.	Offenses lists seem serious enough that ‘may’ should be changed to ‘will’.	
Notification of action	170-296-8220 170-296-8825	Ok		
Disagreement with enforcement actions	170-296-8230 170-296-8235	Ok		

Other notes;

Q. Preservice – what is the fiscal note? BH – interested in on-going training as well as pre-service.

Q. Will WAC be printed? BH - need to look at resources

Q. Guidebook? BMcLellan no fiscal resources, but looking at options. R&Rs have done handbook draft that could be a starting point. Will give update in next quarterly.

BH. Like WAC not to say “minimum” requirements. Should be highest standards.