

Child Care Regulations in Washington State

Overview

A summary of child care regulations in Washington State.

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Child care is regulated differently in every state and sometimes even in different counties or cities in the same state. In Washington State, the Department of Social and Health Services, Division of Child Care and Early Learning, licenses child care centers and family child care homes. Other types of local regulations, such as zoning, health, building, and fire safety codes, may also apply to child care facilities.

This guide explains the level of quality required by child care regulations in Washington. Some child care programs in the state operate at this level and some well above it. As a parent, you will have your own standards and will look for providers you trust to meet them. Over time, your informed consumer choice and cooperation with the licensing agency can help raise the quality of child care in your community.

Both the law and licensing requirements are subject to change. To ensure that you have accurate and complete information, check with the licensing office to see whether there have been any changes since the information in this guide was last updated.

Types of care that must be licensed

Child care licensing is a type of regulatory activity in which the state authorizes an individual or a group to operate a child care facility. The Washington Department of Social and Health Services, Division of Child Care and Early Learning, is responsible for monitoring compliance with state standards, establishing procedures for revoking a license, and providing appeal mechanisms.

In Washington, the following forms of child care must be licensed:

- *Child care centers.* Full- or part-time care in a nonresidential setting for 13 or more children. In Washington, this includes religiously affiliated centers.
- *Family child care homes.* Full- or part-time care in a residence for up to 12 children, including the provider's own children younger than 12 years old, when present.

More detailed information about child care centers and family child care homes can be found later in this guide.

Types of care that may operate without a license

Some types of child care are not required to be licensed by the state. There are no agencies investigating or regulating these providers, so be sure to thoroughly check a provider's background and experience before choosing this type of care. Some of these providers may choose to be licensed or certified if they want to receive public subsidies.

In Washington, the following forms of child care are exempt from licensing:

- Preschools, nursery schools, prekindergartens, and parent cooperatives
- Care provided in the child's home or by relatives, neighbors, and close friends who are not in the business of child care
- Summer camps
- Programs certified by the federal Department of Defense (may be certified)
- Programs operated by a tribal council (may be certified)

Some programs are not licensed by the Division of Child Care and Early Learning because another agency has the responsibility of regulating them. Children's programs run by public elementary schools are exempt from licensing.

Age-group definitions

- *Infant*: child between 4 weeks and 11 months
- *Toddler*: child between 1 year and 29 months
- *Preschooler*: child between 30 months and 5 years
- *School-age*: child between 5 and 12 years and enrolled in school

Subsidized child care

Working Connections Child Care (WCCC), under the Department of Social and Health Services, assists families with paying for child care. The amount of the funds depends on family size and income. Recipients of these funds must be working or in training for employment to qualify. Families who are eligible may receive assistance whether their child is in a child care center or family child care home, as long as the type of care complies with state regulations.

For further information about program availability and how to qualify, contact your regional office:

Region 1

The following counties are included in this region: Okanogan, Ferry, Stevens, Pend Oreille, Chelan, Douglas, Lincoln, Spokane, Grant, Adams, Whitman, Garfield, and Asotin.

800-962-5762

Region 2

The following counties are included in this region: Kittitas, Yakima, Benton, Franklin, Walla Walla, and Columbia.

877-980-9140

Region 3

The following counties are included in this region: San Juan, Island, Whatcom, Skagit, and Snohomish.

800-735-7038

Region 4

The following county is included in this region: King.

866-683-4856

Region 5

The following counties are included in this region: Kitsan and Pierce.

800-323-3561

Region 6

The following counties are included in this region: Clallam, Jefferson, Grays Harbor, Mason, Pacific, Thurston, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, and Klickitat.

360-725-6600

Whom to contact

For more detailed information regarding child care regulations in Washington, or to obtain a copy of the state standards, contact:

**Washington Department of Social and Health Services
Headquarters, Division of Child Care and Early Learning**

P.O. Box 45480

Olympia, WA 98504-5480

866-482-4325 (toll-free)

360-725-4665

www1.dshs.wa.gov

Eastern Region Office
Division of Child Care and Early Learning
P.O. Box 12500
Yakima, WA 98909
509-225-6274

Northwest Region Office
Division of Child Care and Early Learning
14360 SE Eastgate Way
Suite 100 MS N40-2
Bellevue, WA 98007
425-649-4205

Southwest Region Office
Division of Child Care and Early Learning
6860 Capitol Boulevard
Olympia, WA 98501
360-725-6670

Child abuse reporting

The staffs of all child care facilities are required to report known or suspected child abuse or neglect to the state or to police. To report suspected child abuse, neglect, or licensing violations, call 866-END HARM (866-363-4276).

Complaints

To check the status of your licensed provider, call 866-48-CHECK (866-482-4325).

Child care centers

Licenses

- Must be licensed and renewed every three years.
- License must be posted.
- Liability insurance is not required.

State inspection

- Inspection is required before licensing, annually thereafter, and at renewal.
- Unannounced inspection takes places after a complaint.

Staff:child ratios

- 1 to 11 months: one staff for up to four children (1:4)

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- 12 to 29 months: one staff for up to seven children (1:7)
- 30 months to 5 years: one staff for up to 10 children (1:10)
- 5+ years: one staff for up to 15 children (1:15)

In mixed-age groups, the ratio for the youngest child applies.

In a facility licensed for 13 or more children, infants must be separate from other children.

Maximum group size

- 1 to 11 months: 8
- 12 to 29 months: 14
- 30 months to 5 years: 20
- 5+ years: 30

Staff qualifications

Director

- Must be at least 21 years old
- Must have two years of experience working with children of the same age level as those served
- Must have one of the following prior to or within the first six months of licensure:
 - Twenty hours or two college credits of basic training approved by the Washington state training and registry system (STARS)
 - Child Development Associate (CDA) credential or the equivalent or 12 or more college credits in early childhood education or child development
 - Associate of arts, associate of applied science, or higher college degree in early childhood education, child development, or a related field
 - In a facility of 25 or more children, must have 45 or more college credit hours in child development or the equivalent or a CDA credential
 - In a facility of 13 to 24 children, must have 25 or more college credits in child development or the equivalent
 - In a facility of 12 children, must have 10 or more college credits in child development or the equivalent

Program supervisor

- Must be at least 21 years old

- Usually hired for planning and supervising the children’s learning and activity program in the event the director does not meet requirements
- Must be present 20 hours per week

Teacher

- Must be at least 18 years old and have a high school diploma or the equivalent
- Must supervise staff under 18 years old at all times
- Must have 20 hours or two college credits of basic training approved by STARS or a CDA or the equivalent, associate of arts, associate of applied science, or 12 college credits in early childhood education or child development

Aide/volunteer

- Must be at least 16 years old
- Must be supervised at all times if 16 or 17 years old

Staff training

- All staff must attend an in-service training orientation program that includes information on the prevention and transmission of AIDS, licensing rules, guidance and behavior-management methods, abuse and neglect prevention, safety and fire prevention, and other appropriate policies and practices.
- Directors, program supervisors, and lead teachers must complete 10 hours or one college credit of training approved by STARS annually.

CPR and first aid

One person per area trained in CPR and first aid must be present at all times.

Staff medical requirements

- Must have TB test.
- Immunizations for hepatitis B and measles are not required.
- Medical exam is not required, but doctor’s statement may be requested.
- AIDS test is not required.
- Drug and alcohol tests are not required.

Staff background checks

- Three written references are required for the director and program supervisors.
- Criminal background and child abuse checks are required for all staff.
- Fingerprinting is required for staff who have lived in the state for less than three years.

Discipline

- Must have a written discipline policy.
- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must receive copies of operating policies and procedures
- Must be advised of child's progress and encouraged to participate in the program
- Must be notified immediately of any accident, injury, or illness that requires medical attention
- Must have free access to the child and all parts of center used for care

Health and safety requirements

- A child may not be in care for more than 10 hours a day except as necessitated by the parents' working hours and travel time to and from the program.
- Must have written health policies and procedures.
- Must meet state fire marshal standards.
- Must store toxic or hazardous materials in areas inaccessible to children.
- Flaking or deteriorating lead-based paint is prohibited.
- Must ensure that no untreated wood is exposed.
- Firearms are not permitted.
- Must have handrails on stairs.
- Must have a flashlight.
- Must have a first-aid kit.
- Must have a working phone.
- Must cover electrical outlets.
- Must have a lifeguard present during water activities.
- Must enclose outdoor play area with a fence.
- Must enclose swimming pools with a fence.
- Must hold monthly fire drills.
- Smoking is prohibited.

Transportation

- Age-appropriate safety devices are required.
- Washington state driver's license is required.
- Liability and medical insurance is required.
- First aid and CPR certification for one staff member present is required.

Child medical requirements

- Must have all age-appropriate immunizations, including hepatitis B
- Must have a physical exam within one year prior to enrollment
- Must have written consent to administer medications

Care for sick children

- Ill children are not required to be excluded from care, but they must be separated.
- Ill children will be cared for or discharged based on the center's policies.

Family child care homes

Licenses

- Must be licensed and renewed every three years.
- License must be posted.
- Liability insurance is not required.

State inspection

- Inspection is required before licensing and at renewal.
- Inspection after a complaint may be announced or unannounced.
- One unannounced inspection is required every 18 months.

Staff:child ratios

- One provider with no previous child care experience may care for up to six children through 11 years old, with no more than two children under 2 years old (1:6).
- One provider with one year of experience may care for up to eight children, 2 to 11 years old (1:8), or a maximum of 10 children, 5 to 11 years old (1:10).
- One provider with one year of experience may care for up to 10 children if the children are all school-age (1:10).

- One provider with one year of experience and an assistant may care for up to nine children through 11 years old, with no more than four children under 2 years old (2:9).
- One provider with two years of experience and one class in early childhood education or the equivalent may care for up to 10 children, 3 to 11 years old (1:10).
- One provider with two years of experience and one class in early childhood education or its equivalent and an assistant may provide care for up to 12 children from birth to 11 years old, with no more than four children under 2 years old (1:12).
- All experience must be in operating a family child care home or its equivalent.
- Two providers when more than two children are under 2 years old, when there are seven or more children with any under 2 years old, or when more than 10 children are in care (including the provider's own children).

Maximum group size

- Group size is based on staff experience, as well as ages of children in care and facility, and can be up to 12 children, including the provider's own children under 12 years old, when present.

Staff qualifications

Provider

- Must be at least 18 years old.
- Must have one of the following prior to or within the first six months of licensure:
 - Twenty hours or two college credits of basic training approved by STARS
 - CDA credential or the equivalent, or 12 or more college credits in early childhood education or child development
 - Associate of arts, associate of applied science, or higher college degree in early childhood education, child development, or a related field

Assistant

- Orientation regarding the provider's policies and procedures is required.
- Must be at least 14 years old.
- Staff under 18 years old must be supervised and may not be left alone with children.

Substitute

- Orientation regarding the provider's policies and procedures is required.

- Substitute and backup providers are required.

Staff training

- All staff must attend at least five hours of orientation training.
- Must complete 20 hours (or two college credits) of basic training approved by STARS.
- Ten hours or one college credit of training approved by STARS is required annually thereafter.
- All staff must attend training in prevention and transmission of AIDS.

CPR and first aid

- Current certification is required for all staff 18 years and older.
- One person trained in CPR and first aid must be present at all times.

Staff medical requirements

- Staff and household members over 16 years old must have a TB test.
- No immunization requirements.
- Drug and alcohol tests are not required.

Staff background checks

- Criminal background checks are required for staff and household members over 16 years old.
- Fingerprinting is required for staff who have resided in the state for fewer than three years.
- Three written references are required.

Discipline

- Must have a written discipline policy.
- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must receive copies of operating procedures and policies
- Must be advised of child's progress and encouraged to participate in the program
- Must be notified immediately of any accident, injury, or illness that requires medical attention
- Must have free access to the child and all parts of the home used for care

Health and safety requirements

- A child may not be in care for more than 10 hours a day except as necessitated by the parents' working hours and travel time to and from the program.
- Must store toxic or hazardous materials in areas inaccessible to children.
- Must have smoke detectors on each level and in all sleeping areas and must test monthly.
- Must have a fire extinguisher that is maintained annually on each level.
- Must hold monthly fire drills.
- Must have a written, posted emergency plan.
- Must have a working phone.
- Must post emergency numbers by the phone.
- Must have handrails on stairs.
- Must have a flashlight and first-aid kit.
- Must keep firearms in a locked cabinet in an area inaccessible to children.
- Must cover electrical outlets.
- Must surround outdoor play area with a fence at least 4 feet high.
- Must have a lifeguard present during water activities at a public or private pool, other than the provider's own.
- Must surround swimming pool with a fence at least 5 feet high and must have the swimming pool gated and locked.
- No smoking is allowed in any area of the home used by children during hours of operation and in motor vehicles used to transport children.

Transportation

- Age-appropriate safety devices are required.
- Liability and medical insurance is required.
- First aid and CPR certification for one staff member present is required.

Child medical requirements

- Must have a physical examination within one year prior to enrollment
- Must have all age-appropriate immunizations, including hepatitis B
- Must have written consent to administer medications
- Must keep a written record of all medications administered

Care for sick children

- Ill children are not required to be excluded from care, but they must be separated.
- Children with minor illnesses may be cared for if both the parent and the provider agree.