

WAC 170-296A-4400

170-296A-4400. Exit doors.

(1) 'Exit door' means any door in the licensed space that opens to the exterior of the home. Emergency exit doors are covered in WAC 170-296A-4500.

(2) The licensee must have a method on exit doors to alert the licensee or staff when an exit door is opened. The licensee may use a chime, bell, alarm, or other device as an alert method.

(3) An exit door that is not designated as an emergency exit door may be locked during operating hours. The door knob or handle must be of the type that can be opened from the inside without use of a key, tools, or special knowledge, and must automatically unlock when the door knob or handle is turned.

(4) At least one exit door must be of the pivoted or side-hinged swinging type. Other exit doors may be sliding glass doors.

WAC 170-296A-4425

170-296A-4425. Night latches, deadbolts and security chains.

When overnight care is provided, the licensee must have a department approved safety plan in place before using any of the following on an exit door that is not used as an emergency exit:

(1) Night latches;

(2) Deadbolts; or

(3) Security chains.

WAC 170-296A-4450

170-296A-4450. Interior door and locks.

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An interior door is any door that does not exit to the exterior of the home. Any interior door in the licensed space that locks must be able to be unlocked from either side. An unlocking device must be readily available for staff to unlock any interior door when a child is locked in.

WAC 170-296A-4475

170-296A-4475. Emergency exit pathways.

The licensee must keep pathways to all emergency exits free from clutter and obstructions. Emergency exits and pathways to emergency exits are licensed space.

WAC 170-296A-4500

170-296A-4500. Emergency exits-General.

(1) Each level of the home (floor) used for licensed child care space must have at least two emergency exits that open directly to the exterior of the home.

(a) The emergency exits on each floor must be remotely located from each other, at opposite ends of the building or as widely spaced as possible.

(b) One exit must be an emergency exit door as defined in WAC 170-296A-4525 and the other exit may be a door or an emergency window as defined in WAC 170-296A-4550.

(2) Every room used for child care, except bathrooms, must have two separate ways to exit that must be:

(a) An emergency exit door and emergency exit window leading directly to the exterior of the building;

(b) An emergency exit door or emergency exit window and an interior door or doorway leading to an emergency exit pathway; or

(c) Two separate doors or doorways leading to two separate emergency exit pathways.

See WAC 170-296A-4575 for additional requirements for rooms used for sleeping or napping.

Current with amendments adopted through the 14-8 Washington State Register dated, April 16, 2014.

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(3) If child care is provided in a basement or level of the home accessed by an interior stairway, the stairway must have a self closing door at the top or bottom. As used in this section 'basement' means the portion of the home that is partly or completely below grade.

(4) Any basement approved for licensed child care must have two means of emergency exit, which may be one of the following:

(a) Two emergency exit doors that exit directly to the exterior of the home without entering the first floor; or

(b) One of the two emergency exits is an emergency exit window or emergency exit door, and the other exit is an interior stairway that leads to an emergency exit.

WAC 170-296A-4525

170-296A-4525. Emergency exit doors.

(1) An emergency exit door must open to the exterior of the home.

(2) Any door used as an emergency exit door must:

(a) Remain unlocked from the inside during operating hours; and

(b) Be easy to open to the full open position.

(3) If the emergency exit door opens to a landing that is four feet (forty-eight inches) or more above grade, the landing must lead to a stairway or ramp to get to ground level.

WAC 170-296A-4550

170-296A-4550. Emergency exit windows.

(1) Any window used as an emergency exit window must:

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- (a) Remain unlocked during operating hours, except a manufacturer-installed latch may be latched;
- (b) Be designed to open from the inside of the room without the use of keys, tools or special knowledge; and
- (c) Be easy to open to the full open position.

(2) An emergency exit window must be at least five point seven square feet of opened area, except emergency exit windows on the ground floor may be five square feet of opened area. When open, the window opening must be at least:

- (a) Twenty inches wide; and
- (b) Twenty-four inches tall.

(3) An emergency exit window must have an interior sill height of forty-four inches or less above the interior floor. If the interior sill height is more than forty-four inches above the interior floor, a sturdy platform (which may be a table or other device) may be used to make the distance forty-four inches or less to the interior window sill. The platform must be in place below the window sill at all times during operating hours.

(4) An emergency exit window must have a place to land outside that is forty-eight inches or less below the window which may be either:

- (a) The ground; or
- (b) A deck, landing or platform constructed to meet current building codes.

WAC 170-296A-4575

170-296A-4575. Emergency exits from areas used only for sleeping/napping areas.

Each room used for sleeping or napping must have two ways to exit:

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(1) One exit must be an emergency exit door or emergency exit window leading directly to the exterior of the building;

(2) The other exit may be an interior door leading to an emergency exit pathway.

WAC 170-296A-4600

170-296A-4600. Commercial use areas-Fire wall.

(1) The licensed space must have a fire resistant wall separating the child care space from any space used as a commercial:

(a) Kitchen;

(b) Boiler;

(c) Maintenance shop;

(d) Laundry;

(e) Woodworking shop;

(f) Storage where flammable or combustible materials are stored;

(g) Painting operation;

(h) Automobile or boat building or repair;

(i) Parking garage; or

(j) Other similar commercial operation.

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(2) Emergency exits pathways must not exit to or go through the commercial space.

WAC 170-296A-4625

170-296A-4625. Bathrooms.

(1) The licensee must provide at least one indoor bathroom in the licensed space with:

(a) A working flush-type toilet;

(b) Privacy for toileting for children of the opposite sex who are four years of age or older and for other children demonstrating a need for privacy;

(c) A mounted toilet paper dispenser and toilet paper for each toilet; and

(d) A toilet of an appropriate height and size for children, or have a platform for the children to use that is safe, easily cleanable and resistant to moisture.

(2) Bathroom and toileting areas must be ventilated by the use of a window that can be opened or an exhaust fan.

WAC 170-296A-4650

170-296A-4650. Bathroom floors.

(1) Floors in a bathroom or toileting area must have a washable surface and be resistant to moisture. The floor must be cleaned and disinfected as provided in WAC 170-296A-0010 daily or more often if needed.

(2) Removable rugs may be used in the bathroom. The rugs must be laundered and sanitized as provided in WAC 170-296A-0010 at least weekly or more often if needed.

WAC 170-296A-4675

170-296A-4675. Bathroom sinks.

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A sink used for handwashing must be located in or next to bathrooms. The sink must:

- (1) Have warm running water; and
- (2) Be of appropriate height and size for children, or have a platform for the children to use that is safe, easily cleanable and resistant to moisture.

WAC 170-296A-4700

170-296A-4700. Water temperature.

Hot water must be kept at temperature not less than eighty degrees and not more than one hundred twenty degrees Fahrenheit.

WAC 170-296A-4725

170-296A-4725. Guns and other weapons.

(1) The licensee must store guns, ammunition and other weapons inaccessible to children in a:

(a) Locked gun safe; or

(b) Locked room.

(2) If stored in a locked room, each gun must be stored unloaded and with a trigger lock or other disabling feature.

WAC 170-296A-4750

170-296A-4750. Storage for each child's belongings.

The licensee must provide separate storage for each child's belongings. Belongings of children from the same family may be stored together.

Current with amendments adopted through the 14-8 Washington State Register dated, April 16, 2014.

WAC 170-296A-4800

170-296A-4800. Pet and animal policy.

A licensee who has a pet or other animals on the premises must:

- (1) Inform children's parents and guardians that the licensee has a pet or other animals; and
- (2) Have a pet/animal policy in the parent handbook that includes:
 - (a) How children will have access to pets or other animals;
 - (b) How children will be kept safe around pets or other animals;
 - (c) Pet or animal immunizations; and
 - (d) Handling of pet or animal waste.

WAC 170-296A-4850

170-296A-4850. Pet/animal health and safety.

Pets or other animals that have contact with children must:

- (1) Have current immunizations for contagious diseases if applicable;
- (2) Show no signs of disease, worms or parasites; and
- (3) Be nonaggressive.

WAC 170-296A-4875

170-296A-4875. Pets or other animals interacting with children.

Current with amendments adopted through the 14-8 Washington State Register dated, April 16, 2014.

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The licensee:

- (1) Or primary staff person must directly supervise, or instruct staff to directly supervise, children preschool age and younger when the children are interacting with pets or other animals.
- (2) Must have children and staff wash their hands as required under WAC 170-296A-3625 after interacting with pets or other animals, or after handling an animal's toys, bedding, litter or equipment.
- (3) Must have a written plan to keep a pet or other animal inaccessible to the children if the pet or animal is known to be dangerous or aggressive.
- (4) Must make reptiles and amphibians inaccessible to the children due to the risk of Salmonella.

WAC 170-296A-4900

170-296A-4900. Pet wastes.

The licensee must:

- (1) Keep litter boxes inaccessible to the children.
- (2) For pets that do not have an indoor litter area, have a designated area outside for pets to relieve themselves that is inaccessible to children in care. This area may not be counted in the licensed outdoor square footage under WAC 170-296A-4925.
- (3) Remove feces right away if an animal relieves itself in the outdoor licensed space.
- (4) Clean and disinfect the area immediately when a pet leaves feces, urine, blood, or vomit in the indoor licensed space.

WAC 170-296A-4925

Blue &
Pale Yellow

170-296A-4925. Licensed outdoor space.

(1) The licensee must provide a safe outdoor play area on the premises.

(a) The outdoor play space must contain seventy-five square feet of usable space per child for the number of children stated on the license.

(b) If the premises does not have seventy-five square feet of available outdoor space per child, the licensee may provide an alternative plan, approved by the department, to meet the requirement for all children in care to have daily opportunities for active outdoor play.

(2) The licensed outdoor play space must be securely enclosed with a fence of a minimum height of four feet. When a fence has slats, openings between the slats must be no wider than three and one-half inches.

(3) When the licensed outdoor play space is not adjacent to the home the licensee must:

(a) Identify and use a safe route to and from the licensed outdoor space that is approved by the department; and

(b) Supervise the children at all times when passing between the licensed outdoor space and the home.

(4) The licensee must provide a written plan, approved by the department, to make roadways and other dangers adjacent to the licensed outdoor play space inaccessible to children.

WAC 170-296A-4950

170-296A-4950. Rails on platforms, decks, and stairs.

(1) Platforms or decks (not including play equipment) used at any time for child care activities with a drop zone of more than eighteen inches must have guardrails in any area where there are no steps.

(2) Outdoor stairs with four or more steps must have slats (balusters) or a hand rail not higher than thirty-eight inches high on at least one side. Openings between the slats must be no wider than three and one-half inches. This requirement does not apply to outdoor play equipment with stairs.

WAC 170-296A-5000

170-296A-5000. Play equipment.

(1) The licensee must have play equipment that is developmentally appropriate and maintained in a safe working condition. The licensee must inspect play equipment at least weekly for injury hazards, broken parts, or damage. Unsafe equipment must be repaired immediately or must be made inaccessible to children until repairs are made.

(2) Play equipment must be arranged so that it does not interfere with other play equipment when in use.

(3) The licensee must install or assemble new play equipment acquired after March 31, 2012, according to manufacturer specifications, and keep specifications on file for review by the licensor.

(4) For used or 'hand-made' play equipment, or for play equipment acquired and installed prior to March 31, 2012, the licensee must assemble the equipment in a manner that provides a safe play experience for the children.

WAC 170-296A-5025

170-296A-5025. Outdoor physical activities.

The licensee must have an outdoor play area that promotes a variety of age and developmentally appropriate active play for the children in care.

WAC 170-296A-5050

170-296A-5050. Bouncing equipment prohibited.

The licensee must not use or allow the use of bouncing equipment including, but not limited to, trampolines, rebounders and inflatable equipment. This requirement does not apply to bounce balls with or without handles for use by individual children.

WAC 170-296A-5075

170-296A-5075. Playground equipment-Ground cover-Fall zones.

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(1) The licensee must not place climbing play equipment on concrete, asphalt, packed soil, lumber, or similar hard surfaces when being used by children.

(2) The ground under swings and play equipment intended to be climbed must be covered by a shock absorbing material. Grass alone is not an acceptable ground cover material under swings or play equipment intended to be climbed. Acceptable ground cover includes:

(a) Pea gravel - At least nine inches deep;

(b) Playground wood chips - At least nine inches deep;

(c) Shredded recycled rubber - At least six inches deep; or

(d) Other department approved material.

(3) A six-foot fall zone must surround all equipment that has a platform over forty-eight inches tall that is intended to be climbed.

(4) The fall zone area must extend at least six feet beyond the perimeter of the play equipment. For swings, the fall zone must be the distance to the front and rear of the swing set equal to or greater than twice the height of the top bar from which the swing is suspended.

(5) Swing sets must be positioned further away from structures to the front and rear of the swing set. The distance to the front and rear of the swing set from any playground equipment or other structure must be the distance equal to or greater than twice the height of the top bar from which the swing is suspended.

WAC 170-296A-5125

170-296A-5125. Daily outdoor activity.

The licensee or staff must provide outdoor activities at least thirty minutes each day unless conditions pose a health and safety risk to the children. Conditions that may pose a health and safety risk include, but are not limited to:

(1) Heat in excess of one hundred degrees Fahrenheit;

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- (2) Cold less than twenty degrees Fahrenheit;
- (3) Lightning storm, tornado, hurricane, or flooding, if there is immediate or likely danger to the children;
- (4) Earthquake;
- (5) Air quality emergency ordered by a local or state air quality authority or public health authority;
- (6) Lockdown order by a public safety authority; or
- (7) Other similar incidents.

WAC 170-296A-5150

170-296A-5150. Water activity-Supervision.

When children in care are attending a swimming or water play activity outside the licensed premises:

- (1) The licensee must have written permission from each child's parent or guardian;
- (2) There must be a certified lifeguard on duty; and
- (3) When infants or toddlers are in water depth that is:
 - (a) Twenty-four inches or less, the licensee or staff must stay within reach of infants or toddlers; or
 - (b) Greater than twenty-four inches, the licensee must provide one-to-one staff-to-child ratio for each infant or toddler. Staff must hold or be in constant touch contact with each infant or toddler.

WAC 170-296A-5175

170-296A-5175. Wading pools-Defined-Supervision.

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(1) A wading pool:

(a) Is an enclosed pool with water depth of two feet or less measured without children in the pool; and

(b) Can be emptied and moved.

(2) When a wading pool on the premises is intended for use by the children, the licensee must:

(a) Directly supervise or have a primary staff person directly supervise the children;

(b) Obtain written permission from each child's parent or guardian to allow the child to use a wading pool;

(c) Maintain staff-to-child ratios when children are in a wading pool;

(d) Keep infants or toddlers in the wading pool within reach of the licensee or staff;

(e) Use a door alarm or bell to warn staff that children are entering the outdoor area when pool water could be accessed, or keep the wading pool empty when not in use;

(f) Empty the pool daily; and

(g) Clean and disinfect the pool as provided in WAC 170-296A-0010 daily or immediately if the pool is soiled with urine, feces, vomit, or blood.

WAC 170-296A-5200

170-296A-5200. Swimming pools defined-Barriers and supervision.

(1) A swimming pool is a pool that has a water depth greater than two feet.

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(2) When there is a swimming pool on the premises the licensee must provide:

(a) A door alarm or bell on each door opening to the pool area to warn staff when the door is opened;

(b) A five-foot high fence that blocks access to the swimming pool. When the fence has slats the openings between slats must not be wider than three and one-half inches wide;

(c) Gates with a self-latching device at entrance and exit points to the swimming pool and lock each gate; and

(d) An unlocking device that is inaccessible to children but readily available to the licensee or staff.

(3) The licensee must maintain the swimming pool according to manufacturer's specifications, including cleaning and sanitizing.

(4) When the swimming pool on the premises is used by the children:

(a) The licensee must obtain written permission from the parent or guardian of each child using the swimming pool;

(b) One person present at the swimming pool must have lifeguard training;

(c) The licensee must provide:

(i) One additional staff person more than the required staff-to-child ratio than provided in WAC 170-296A-5700 to help supervise children preschool age and older;

(ii) A one-to-one staff-to-child ratio for infants or toddlers in the swimming pool;

(d) Staff must hold or be in constant touch contact with infants or toddlers in the swimming pool; and

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- (e) Children in diapers or toilet training must wear swim pants to lower the risk of contaminating the water.

WAC 170-296A-5225

170-296A-5225. Bodies of water or water hazards on the licensed premises.

(1)(a) As used in WAC 170-296A-5150 through 170-296A-5250, a 'body of water' is a natural area or man-made area or device that contains or holds more than two inches of water.

(b) 'Body of water' does not include a wading pool as defined in WAC 170-296A-5175, a water activity table, small bird baths or rain puddles with a water depth of two inches or less.

(2) When children are in care the licensee must:

(a) Make any body of water in the licensed space inaccessible with a physical barrier (not to include a hedge or vegetation barrier) or fence that is at least five feet tall, except as provided in subsection (c) of this section. When a fence has slats or open grids, openings must not be wider than three and one-half inches;

(b) Directly supervise or have a primary staff person directly supervise children, with the staff-to-child ratios observed, whenever children play in any area with a body of water;

(c) Make hot tubs, spas, or jet tubs inaccessible with a tub cover that is locked; and

(d) Not use five gallon buckets or similar containers for infant or toddler water play.

WAC 170-296A-5250

170-296A-5250. Bodies of water outside and near licensed space.

(1) The licensee must make the following bodies of water inaccessible to children in care, and have a written safety plan approved by the department for:

(a) Ponds, lakes, storm retention ponds, ditches, fountains, fish ponds, landscape pools or similar bodies of water located outside and near (in close proximity to) the licensed space, regardless of whether the body of

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water is on or off the premises; or

(b) Any uncovered well, septic tank, below grade storage tank; farm manure pond or similar hazards that are on the premises.

(2) Unless attending a swimming or water play activity, when outside the licensed premises the licensee or staff must keep children from having access to bodies of water that pose a drowning hazard.

(3) When the licensee or primary staff person takes children near a body of water outside the licensed premises and children have access to a body of water that is more than four inches deep, there must be:

(a) One additional staff person more than the required staff-to-child ratio provided in WAC 170-296A-5700 to help with the children; and

(b) At least one staff person in attendance must be able to swim.

WAC 170-296A-5400

170-296A-5400. Infant-toddler only license (birth to two years old).

WAC 170-296A-5450

170-296A-5450. Two through five year old only license.

WAC 170-296A-5500

170-296A-5500. School age only license (over five years through twelve years).

WAC 170-296A-5550

170-296A-5550. Birth through twelve years license.

(1) The department issues an initial license or nonexpiring full license for the licensee to care for not more than twelve children birth through twelve years of age.

(2) The department may issue an initial license or nonexpiring full license for fewer than twelve children if the total square footage of licensed indoor or outdoor space is less than the minimum square footage required to care for twelve children.

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(3) If the licensee has less than one year of child care experience, the department may issue an initial license limited to:

(a) Caring for not more than six children; or

(b) Caring for children older than eighteen months of age and walking independently.

(4) See the table in WAC 170-296A-5700 for the number and ages of children a licensee may care for and the staff-to-child ratios required based on the licensee's experience and staffing levels.

WAC 170-296A-5600

170-296A-5600. Staff-to-child ratio.

(1) The licensee must provide qualified staff to fulfill the staffing requirements and ratios described in WAC 170-296A-5700 at all times during all operating hours, including off-site trips or when transporting children in care.

(2) The licensee must provide additional staff as described in WAC 170-296A-5150, 170-296A-5175, or 170-296A-5225 when children are participating in water activities or activities near water.

WAC 170-296A-5625

170-296A-5625. Capacity and ratio.

(1) The licensee must not exceed the total number or ages of children in care (capacity) stated on the child care license.

(2) All children in care through twelve years of age in attendance on the premises or being transported by the licensee or staff or a household member are counted in capacity.

(3) Any child within the age range on the license count in ratio, including the licensee's own children, children of staff, or visiting children who are not accompanied by an adult.

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(4) The licensee must receive department approval to care for a child with special needs as documented in WAC 170-296A-0050 if the child is older than the maximum age identified on the license. A child with documented special needs may be in care up to age nineteen and must be counted in ratio.

(5) If an individual child with special needs requires individualized supervision, a staff member providing individualized supervision for that child does not count in the staff-to-child ratio for the other children in care.

WAC 170-296A-5700

170-296A-5700. Capacity and ratio table-Birth through twelve year license.

The table in this section describes the required staff-to-child ratio, age composition of children in care, and maximum licensed capacity permitted in a licensed family home child care depending on the:

(1) Licensee’s years of experience;

(2) Number and qualifications of staff providing care:

Staff	Licensee Minimum Experience and Requirements	Staff-Child Ratio	Age Range	Maximum Number of Children by Age Group:	Maximum Capacity
				Under 18 months of age	
				2	
(a)	Licensee working alone	Less than one year of experience	1:6	Birth through 12 years of age	or 6
				Under two years of age (One must be walking independently)	Maximum of 2 children under the age of two not walking independently
				3	
				18 months to 2 years (Must be walking independently)	
				2	
(b)	Licensee working alone	At least one year of experience	1:8	18 months through 12 years of age	or 8
				Under three years of age (Not more than two under two years of age and must be walking independently)	All children must be walking independently

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				4		
(c)	Licensee working alone	At least two years of experience and 10 hours of annual ongoing early childhood education equivalent STARS training	1:10	Three years through 12 years of age	Not Applicable	10
				Under 18 months of age		
				2		
				and		
(d)	Licensee working with primary staff person or assistant (2 persons total)	Licensee has at least one year of experience	2:9	Birth through 12 years of age	18 months to two years of age and walking independently	9
				1		
				and		
				Two years to three years of age		
				4		
				Under 18 months of age		
				4		
				and		
(e)	Licensee working with primary staff person or assistant (2 persons total)	Licensee has two or more years child care experience and 10 hours of annual ongoing early childhood education equivalent STARS training	2:12	Birth through 12 years of age	18 months to two years of age and walking independently	12 Maximum four children not walking independently
				2		
				and		
				Two years to three years of age		
				4		
(f)	Licensee working with primary staff person or assistant (2 persons total)	Licensee has two or more years child care experience and 10 hours of annual ongoing early childhood education equivalent STARS training	2:12	Two years of age through 12 years of age	Not Applicable	12

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(3) As used in this section, ‘walking independently‘ means being able to stand and move about easily without the aid or assistance of or holding on to an object, wall, equipment or other person.