

WAC 110-300-0425 Initial and nonexpiring licenses—Reporting—License modification.

(1) The department may issue an initial license authorized under RCW 43.216.315 to an early learning program applicant when they demonstrate their early learning program will be able to comply with the health and safety requirements described in this chapter. They do not have to demonstrate full compliance with all requirements that are not related to health and safety for initial license eligibility.

(a) An initial license is valid for six months from the date issued;

(b) At the department's discretion, an initial license may be extended for up to three additional six-month periods, not to exceed a total of two years; and

(c) The department must evaluate the early learning provider's ability to follow requirements contained in this chapter during the initial license period.

(2) The department may issue a nonexpiring license to a licensee operating under an initial license who demonstrates compliance with the requirements of this chapter during the period of initial licensure, pursuant to RCW 43.216.305.

(3) Licensees must submit the following annual compliance documents at least 30 calendar days before their anniversary date, which is the date their first initial license was issued. The required annual compliance documents are:

(a) The annual nonrefundable license fee;

(b) A declaration on the department's form indicating:

(i) The intent to continue operating a licensed early learning program;

(ii) The intent to cease operation as a licensed early learning program;

(iii) A change in the early learning program's operational hours or dates; and

(iv) The intent to comply with all licensing rules.

(c) Documentation of completed background checks for required individuals as determined by the department's established schedule, pursuant to RCW 43.216.270(2). For individuals required to have a background check clearance, the early learning provider must either:

(i) Verify current background checks; or

(ii) Require individuals to submit a background check application at least 30 calendar days prior to the anniversary date.

(4) If licensees fail to meet the requirements for continuing a nonexpiring license by their anniversary date, their current license will expire and the licensee will be required to submit a new application for licensure.

(5) The nonexpiring license process in this section may not interfere with the department's established monitoring practices, as described in RCW 43.216.305.

(6) The department may let a license expire, not be renewed, or not be continued when early learning providers fail to comply with the requirements of this section. Providers cannot appeal the department's decision and have no rights to a hearing.

(7) Early learning providers must report the following information within 24 hours of becoming aware to the:

(a) Department and local authorities if there has been, or is, a fire or other structural damage to the early learning program space or

other parts of the premises, including any structural damage caused by a natural disaster.

(b) Department:

(i) Allegations, a reasonable basis to believe, or findings of abuse or neglect that both:

(A) Are made against the early learning provider, an early learning provider employee or volunteer, or a household member; and

(B) Involve the abuse or neglect of a child, youth, or vulnerable adult;

(ii) A retirement, termination, death, incapacity, or change of the program director, or program supervisor;

(iii) A change of ownership or incorporation of the early learning provider's business entity that is responsible for providing the early learning program;

(iv) Criminal charges or convictions against:

(A) Themselves;

(B) An early learning program employee or volunteer; or

(C) An early learning provider's household member;

(v) A change in the number of household members living within a family home early learning program space. This includes individuals:

(A) Age 14 years old or older that move in or out of the home;

(B) Who resign or are terminated, pursuant to RCW 43.216.390; and

(C) Who are born or who have died; and

(vi) Any changes in the early learning program hours of operation, including planned closure dates.

(8) Prior to increasing capacity of an early learning program, early learning providers must make a request to the department for a capacity increase. The department or tribal authority may approve or deny the early learning provider's capacity increase.

(9) The state fire marshal or department must approve any change or modification described under WAC 110-300-0402 (1)(a) through (c). All changes or modifications to the premises must comply with all building codes and ordinances.

(10) If the liability insurance described in RCW 43.216.700 is terminated, the licensee, center director, assistant director, or program supervisor must notify the department within 30 calendar days of the date the liability insurance has been terminated.

[Statutory Authority: 2024 c 298, 2023 c 122, 22 U.S.C. sec 7101 et seq., RCW 74.13.031, 74.04.050, 74.15.030, 43.215.070, 43.215.201, 43.216.055, 43.216.065, and 43.216.742. WSR 26-09-080, s 110-300-0425, filed 4/14/26, effective 5/15/26. Statutory Authority: RCW 74.15.030, 43.216.055, 43.216.065, and 43.216.250. WSR 24-17-063, § 110-300-0425, filed 8/15/24, effective 9/15/24. WSR 18-15-001, recodified as § 110-300-0425, filed 7/5/18, effective 7/5/18. Statutory Authority: RCW 43.215.070, 43.215.201 and chapter 42.56 RCW. WSR 18-14-079, § 170-300-0425, filed 6/30/18, effective 8/1/19.]