

Benefit-Risk Assessment and Mitigation Development for Outdoor Nature-Based (ONB) Child Care Programs

Pursuant to WAC 110-302-0400 and WAC 110-302-0471, ONB program license applicants must complete benefit-risk assessments and develop risk management policies to include in parent and staff handbooks, prior to receiving an ONB program license from the Department of Children, Youth, and Families. Requirements for benefit-risk assessments and risk management policies may be found in the rules referenced in WAC 110-302-0471 and in WAC 110-300-0005 Definitions.

Pursuant to WAC 110-302-0110, staff must be trained on these benefit-risk assessments and risk management policies. Pursuant to WAC 110-302-0310, providers must engage children in developmentally appropriate assessment of risky play during the program.

Before completing this form, please ensure you are familiar with the following:

Definitions, pursuant to WAC 110-302-0005:

“Benefit-risk assessment” means, for purposes of outdoor nature-based programs, a process used to identify and document hazards and risky play elements associated with childhood outdoor play and making plans to mitigate the risk of injury to children while maintaining developmental benefits for children. This process includes identifying the types of risk present in a location or activity, the likelihood and severity of potential injury, the potential benefits to children, methods of mitigating hazards, e.g., elimination, substitution, isolation, safeguards, and managing risk, e.g., heightened supervision, scaffolding, intervention, and identifying who is responsible for implementing the appropriate methods and when.

“Hazard” means a source of harm that is not obvious to the child, such that the potential for injury is hidden; or a source of harm that is greater than a child can manage to avoid.

“Risk” when used in reference to “risky play”, means a situation in which a child can recognize and evaluate challenge and decide on a course of action, although there is the potential for injury. In this context, risk can be necessary and beneficial to healthy child development.

“Risky play” means physical activity and play that is challenging and involves a risk of physical injury. Risky play for ONB programs includes, but is not limited to, play involving heights, speed, dangerous tools, close proximity to dangerous elements, such as falling into something potentially hazardous, and risk of getting lost. Risky play is also known as “adventure play.”

WAC 110-302-0471 ONB benefit-risk assessments, risk management policies, and waivers.

(1) ONB programs must have and follow benefit-risk assessments and risk management plans. These assessments and plans must be submitted to DCYF on a form provided by the department and be available for department review at the time of initial licensing. An amended assessment or plan cannot be implemented until the department has approved it. Benefit-risk assessments must include, but are not limited to, the following criteria:

- (a) Information about the site or sites that will be used by the ONB program on a regular basis.
- (b) Different seasons of the year such as summer versus winter plans, based on how conditions change within ONB sites and locations used by the ONB program on a regular basis.
- (c) Risky play activities including, but not limited to, the following:
 - (i) Climbing natural features pursuant to WAC 110-302-0146;
 - (ii) Water activities pursuant to WAC 110-302-0350;
 - (iii) Using sharp tools pursuant to WAC 110-302-0352;
 - (iv) Plant foraging pursuant to WAC 110-302-0346;
 - (v) ONB program pets pursuant to WAC 110-302-0225;
 - (vi) Egg collection and consumption pursuant to WAC 110-302-0196;
 - (vii) Campfire activities pursuant to WAC 110-302-0351; and
 - (viii) Activities near water, cliffs, steep slopes, or other potentially hazardous natural features.

(d) Guidance for when increased staffing is necessary, and provide guidance for the development of the applicable risk management policies and procedures described in subsection (2) of this section.

(2) ONB programs must have and follow risk management policies and procedures to address potential hazards and risks of the ONB programs. These must include, but are not limited to, policies or procedures related to the following:

- (a) Encountering non-ONB program pets and wildlife pursuant to WAC 110-302-0225 and 110-302-0353;
- (b) Interacting with strangers, limiting unsupervised access to any child in care, pursuant to WAC 110-302-0345;
- (c) The shared use of public space;
- (d) Weather requiring the use of an emergency shelter;
- (e) Required clothing and keeping children dressed for the weather pursuant to WAC 110-302-0147;
- (f) Using public facilities or buildings;
- (g) Encountering poisonous species; and
- (h) All other potentially hazardous situations and natural features.

(3) Parents or guardians must sign an ONB program risk waiver that acknowledges and accepts the potential hazards and risks associated with ONB programs. The ONB programs' applicable risk management policies or procedures, as described in subsection (2) of this section, along with the parent waiver, must be included in the parent handbooks, pursuant to WAC 110-302-0450.

(4) A copy of waivers signed by the child's parent or guardian must be kept in each child's records.

Instructions: Complete the chart below for each location and/or activity for which your program has conducted a risk-benefit analysis and mitigation procedure. An example is provided.

| Location or Activity | Benefits | Hazards and Risk – see definitions – Include seasonal changes in the environment, staff preparation, and developmental needs of children as appropriate | Relevant ONB Program WACs | Mitigation Procedure – what staff must to do support the benefits and address the hazard and risks of an activity or location. Include any need for additional staff or staff training. |
|----------------------------------|--|---|---|---|
| <i>EXAMPLE:</i> Tree Climbing | <i>EXAMPLE:</i> Gross motor skills, balance, risk analysis and awareness, planning, decision-making, taking turns, communication, self-esteem building, sensory development, hand/feet/eye coordination, strength building, flexibility, endurance, and energy release. | <i>EXAMPLE:</i> Falling, slipping, cuts and abrasions, hard ground surface – potential head injury, sharp or hard objects within and under tree, child not developmentally able to evaluate ability, new or untrained staff supervision and teaching issues, icy or frosty conditions that make the tree too slippery, staff not appropriately stationed for immediate assistance and ability to reach child's midriff, and child able to climb out of reach of staff person | <i>EXAMPLE:</i> 0146; 0345; and 0110 | <i>EXAMPLE:</i> Staff inspect tree for loose branches or other hazards. Staff are within reach of child's midriff at all times. One child climbs at a time. Children waiting their turns are actively supervised with appropriate transition activity. Staff are trained to benefit risk assessment and policy before they assist with tree climbing activity. Staff evaluate each child's ability, weather and seasonal conditions, ground surface requirements/hazards prior to allowing tree climbing activity. |
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