

POLICY

Cancels: POL 10.2.5.T Issuing Probationary Licenses
See also: PRO 10.2.5; RCW 43.216; 110-300; 110-305

Approved by:



POL 10.2.5 ISSUING CHILD CARE PROBATIONARY LICENSES

This policy applies to DCYF issuing child care probationary licenses.

1. Probationary Licenses May Be Issued Under The Following Conditions:

- Current noncompliance with licensing rules 110-300, 110-305
- Settlement Agreement (Administrative Law Judge (ALJ) approval)
- Negligent or intentional non-compliance with licensing rules
- A history of non-compliance with licensing rules
- Fire safety inspection or health and sanitation inspection report that failed to gain approval
- Use of unauthorized space for child care
- Inadequate supervision of children
- Understaffing for the number of children in care
- Noncompliance with requirements addressing children's health, proper nutrition, discipline, emergency medical plan, sanitation or personal hygiene practices
- Any other factors relevant to the specific situation and consistent with the intent or purpose of chapter 43.216 RCW
- In addition to or in lieu of civil penalties

2. Probationary Licenses May Be Issued To Early Learning Providers **With Initial, Non-Expiring or Other Licenses**

The Senior Child Care Administrator must approve all probationary licenses that occur during a provider's initial license period.

3. Probationary Licenses Must Not Be Issued When Imminent Danger or Risk To Children Is Present

4. DCYF Must Give Early Learning Providers At Least One Technical Assistance Referral Prior To Issuing A Probationary License

Early Learning Provider's failure to respond to or refusal of technical assistance, in writing, within 15 business days may result in a probationary license.

Failure to correct the areas of noncompliance identified in technical assistance plan after 60 days may result in a probationary license.

Providers that follow technical assistance and come into compliance after sixty days will not receive a probationary license.

5. DCYF And Early Learning Provider Must Mutually Agree To Probationary License

Before a probationary license may be issued, DCYF and early learning provider must mutually agree to terms. The agreement may include but is not limited to:

- Placement of "No Referral" status
- Restriction of new enrollments for facility or specific rooms
- Specific training for early learning provider or staff
- Limits on age range or capacity during the probation.

6. Early Learning Provider Who Refuses A Probationary License Does Not Have A Right To Administrative Hearing

The early learning provider who does not agree with the placement on probationary status does not have a right to an administrative hearing.

7. Early Learning Provider Refusal of Probationary License May Lead To Further Enforcement Action

If an early learning provider refuses a probationary license, DCYF may suspend, revoke, or modify the license.

8. Probationary Licenses Must Not Exceed Two Six Month-Periods

Probationary licenses may be issued for up to six months and may be extended for an additional six months.

9. DCYF May Terminate the Probationary License At Any Time in the Event of Imminent Danger or Risk to Children