

## 170-300-0005

### Definitions.

**“Accessible to a child”** means areas of an early learning program and materials that children can easily get to on their own and are allowed to use.

**“Accommodations”** means program curriculum and instruction, activities, and materials that have been adapted to help children with special needs function within their surroundings.

**“Active”** is a licensing status used by the Department of Early Learning (DEL) to refer to providers who are actively providing regularly scheduled care for children.

**“Active shooter”** is an individual actively engaged in harming or attempting to cause harm with or without a weapon.

**“Active supervision”** means focused attention and intentional observation of children at all times. An early learning provider must position themselves to observe all children: watching, counting, and listening at all times. They also use their knowledge of each child's development and abilities to anticipate what he or she may do, then get involved and redirect them if necessary. Infants, toddlers, and preschoolers must be directly supervised at all times including daily routines such as sleeping, eating, and changing diapers or using the bathroom.

**“Agency”** has the meaning given to the term in RCW 43.215.010(1). Any person or entity providing child care is an agency even if they have not acquired the necessary license to provide child care.

**“Aide”** is a person who offers support to the early learning program staff.

**“American Indian children”** refers to any unmarried person under the age of eighteen who is:

- (1) A member or eligible for membership in a federally recognized Indian tribe, or who is Eskimo, Aleut, or other Alaska native and a member of an Alaskan native regional corporation or Alaska native village;
- (2) Determined or eligible to be found Indian by the Secretary of the Interior, including through issuance of a certificate of degree of Indian blood, or by the Indian health service;
- (3) Considered to be Indian by a federally recognized or non-federally recognized Indian tribe; or
- (4) A member or entitled to be a member of a Canadian tribe or band, Metis community, or non-status Indian community from Canada.

**“Annual”** means the calendar year, January 1 through December 31.

**“Applicant”** means an individual who has made a formal request for a child care license.

**“Appropriate”** when used to refer to child care or educational materials means that the materials will interest and challenge children in terms of their ages and abilities.

**“Appropriately”** means correct or properly suited for a particular situation.

**“Approved water source”** is a source of water obtained from a public water system, or a non-public water system that is designed, constructed, maintained, and operated in accordance with the state Department of Health (DOH) or local health jurisdiction standards.

**“Assessment”** refers to a process of gathering ongoing and comprehensive information about specific aspects of a child’s knowledge, behavior, skill level, or personality by a mental health or early learning professional.

**“Assistant Director”** is a person responsible for the overall management of the center early learning program including the facility and operation.

**“Assistant Teacher”** is a person whose work is to assist a lead teacher or owner in providing instructional supports to children and implementing a developmentally appropriate program. The assistant must carry out assigned tasks under the supervision of a lead teacher, program supervisor, director or licensee.

**“ASTM”** refers to the American Society for Testing and Materials.

**“ASTM D-4236”** refers to the standard practice of the American Society for Testing and Materials for specifically labeling art materials for chronic health hazards.

**“Available”** as used within this chapter means easy to get to and ready for use or service.

**“Bathroom”** means a room containing a built-in flush-type toilet.

**“Bias”** means a tendency to believe that some people or ideas are better than others that usually results in treating some people unfairly. (Source: Merriam-Webster’s Learner’s Dictionary)

**“Bilingual”** is a person fluent in two languages.

**“Body of water”** or **“Bodies of water”** is a natural area or human-made area or device that contains or holds more than two inches of water. Examples of bodies of water are swimming pools, ditches, canals, fish ponds, water retentions, excavations, and quarries.

**“BPA”** stands for bisphenol A which is an industrial chemical that is used in polycarbonate types of hard plastic bottles, and as a protective lining in food and beverage cans.

**“Brief periods of time”** as used in this chapter means the amount of time necessary for an early learning provider to step out of the room to use the bathroom, generally 5 minutes or less.

**“CACFP”** means the Child and Adult Care Food Program established by Congress and funded by the United States Department of Agriculture (USDA).

**“Capacity”** means the maximum number of children an early learning provider is authorized by the department to have in care at any given time. This includes any children on site at the early learning program and any children in transit to or from the program or other activities such as field trips while the children are signed in to the care of the program.

**“Carpet cleaning”** is the removal of stains, dirt, or allergens by mechanical means or other methods.

**“CCDF”** refers to the Child Care and Development Fund, which is the federal child care program designed to assist low-income families in obtaining high quality child care and development and to support high quality child development services.

**“CDC”** refers to the United States Centers for Disease Control and Prevention.

**“Center early learning program”** is a facility providing regularly scheduled care for a group of children birth through twelve years of age for periods of less than twenty-four hours a day.

**“Center early learning program licensee” or “center licensee”** means an entity licensed and authorized by the department to operate a center early learning program.

**“Certificate of exemption (COE)”** means a form that is approved by the Department of Health (DOH) and consistent with the requirements of WAC 246-105-050(2); or an immunization form produced by the state immunization information system.

**“Certificate of immunization status (CIS)”** means a form that is approved by the Department of Health (DOH) and consistent with the requirements of WAC 246-105-050(1), or an immunization form produced by the state immunization information system.

**“Certification”** means department approval of a person, home, or facility that does not legally need to be licensed, but requests evidence that the program meets the foundational licensing requirements.

**“Child”** means an individual who is younger than age thirteen, including any infant, toddler, preschool-age child, or school-age child as defined in this chapter.

**“Child abuse or neglect”** means the physical abuse, sexual abuse, sexual exploitation, abandonment, negligent treatment or maltreatment of a child by any person as defined in RCW 26.44.020.

**“Child care”** refers supervision of children outside the child's home for periods of less than 24 hours a day.

**“Child Care Basic Training”** is curriculum designed to meet the initial basic training requirement for early learning program staff working in licensed or certified programs in Washington state. It serves as a broad introduction for professionals who are pursuing a career in the early care and education field.

**“Children with food allergies”** are children who have an overreaction of the immune system to a substance that's harmless to most people. The body's immune system treats the substance (called an allergen) as an invader and over reacts releasing chemicals that can cause symptoms that range from annoying to serious or life threatening. Common allergens may include food, pollen, mold, or medication.

**“Chromated copper arsenate (CCA)”** is a wood preservative and insecticide that is made up of 22% arsenic, a known carcinogen.

**“Clean” or “cleaning”** means to remove dirt and debris from a surface by scrubbing and washing with a detergent solution and rinsing with water. This process must be accomplished before sanitizing or disinfecting a surface.

**“Complete and in good repair”** means most (about 80%) of the materials are unbroken, have all their pieces and can be used by the children.

**“Confidential”** means the protection of personal information, such as the child's records, from individuals who are not authorized to see or hear the information.

**“Contagious disease”** means an illness caused by an infectious agent of public health concern which can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission through an intermediate host or vector, food, water, or air. The Department of Health publishes a list of contagious diseases, which can be found at [www.doh.wa.gov](http://www.doh.wa.gov).

**“Continuously”** means without interruptions, gaps, or stopping.

**“Core Competencies”** are standards required by the department that detail what early learning providers need to know and are able to do to provide quality care and education for children and their families.

**“CPS”** refers to Child Protective Services, which is the Washington state agency that investigates reports of child abuse, neglect, exploitation or maltreatment.

**“CPSC”** refers to the United States Consumer Product Safety Commission.

**“Cultural” or “culturally”** means in a way that relates to the ideas, customs, and social behavior of different societies.

**“Curriculum philosophy”** means a written statement of principles developed by an early learning provider to form the basis of the learning program of activities, including age appropriate developmental learning objectives for children.

**“Denied a license”** means an action by the department not to issue a child care license to an applicant for an initial license, or to an early learning provider operating under an initial license seeking a non-expiring full license, based on the applicant's or early learning provider's inability or failure to meet the requirements of chapter 43.215 RCW or requirements adopted by the department pursuant to chapter 43.215 RCW.

**“Department”** or **“DEL”** refers to the Washington State Department of Early Learning.

**“Department approved sanitizer”** means a sanitizer that has been evaluated and approved by the department to determine efficacy and safety in the early learning program space.

**“Dependably available”** means a person is no more than 10 minutes away from the early learning program by vehicle and able to receive and respond to a phone call within 10 minutes.

**“Developmentally appropriate”** means:

- (1) An early learning provider interacts with each child in a way that recognizes and respects the child's chronological and developmental age;
- (2) Knowledge about how children grow and learn;
- (3) Reflects the developmental level of the individual child, and
- (4) Interactions and activities are planned with the developmental needs of the individual child in mind.

**“Developmental screening”** is the use of standardized tools to identify a child at risk of a developmental delay or disorder. (Source: American Academy of Pediatrics, Healthy Child Care America, 2009)

**“Director”** means the person responsible for the overall management of the center early learning program including the facility and operation.

**“Discipline”** means a method used to redirect a child in order to achieve a desired behavior.

**“Disinfect”** means to eliminate virtually all germs from inanimate surface by the process of cleaning and rinsing, followed by:

- (a) A chlorine bleach and water solution of one tablespoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes; or
- (b) Other disinfectant product if used strictly according to the manufacturer's label instructions including, but not limited to, quantity used, time the product must be left in place, adequate time to allow the product to dry or rinsing if applicable, and appropriateness for use on the surface to be disinfected. Any disinfectant used on food contact surfaces or toys must be labeled safe for food contact surfaces.

**“Disqualified”** means the department has determined that an individual's background information prevents that person from being licensed, certified, or

authorized by the department to care for or have unsupervised access to children receiving early learning services.

**“DOH”** refers to the Washington State Department of Health.

**“Drinking water”** or **“potable water”** is water suitable for drinking by the public as determined by the state department of health or local health jurisdiction.

**“DSHS”** refers to the Washington State Department of Social and Health Services.

**“Dual language learner”** refers to children who are learning two or more languages at the same time. This term includes children who learn two or more languages from birth, and children who are still mastering their home language when they are introduced to and start learning a second language. This definition is from Washington State Early Learning and Development Guidelines.

**“EA”** or **“Early Achievers”** is a state-wide system of high quality early learning that connects families to early learning programs with the help of an easy-to-understand rating system and offers coaching, professional development, and resources for providers to support each child’s learning and development.

**“Early Childhood Education (ECE) Initial Certificate”** is Washington’s Initial Certificate in Early Childhood Education serves as the point of entry for a career in early learning and covers foundational content for early learning professionals.

**“Early Childhood Education (ECE) Short Certificate”** is Washington’s Short Certificate in Early Childhood Education offers areas of specialization, building on the State’s Initial Certificate.

**“Early Childhood Education (ECE) State Certificate”** is Washington’s State Certificate in Early Childhood Education is the benchmark for Level 2 Core Competencies for Early Care and Education Professionals and prepares for the next step, an associate’s degree in Early Childhood Education.

**“Early learning program”** refers to regularly scheduled care for a group of children birth through twelve years of age for periods of less than 24 hours, licensed by the department. Center early learning programs provide services for groups of children defined by age. Family home early learning programs include twelve or fewer children in the family living quarters where a Family Home Licensee resides, as provided in RCW 43.215.010 (1)(c).

**“Early learning program space”** means the indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care.

**“Early learning program staff”** refers to all persons who work or volunteer in an early learning program during hours when children are or may be present, excluding Licensees.

**“Early learning provider”** refers to an entity licensed by the department to offer child care or educational services to children in the State of Washington. This term may also refer to persons who work in an early learning program during hours when children are or may be present consisting of Licensees, Center Directors, Assistant Director, Program Supervisors, Lead Teachers, Assistants, Instructional Aides, Aides, and Volunteers.

**“ECEAP”** or **“Early Childhood Education and Assistance Program”** is a comprehensive preschool program that provides free services and support to eligible children and their families.

**“Electronic record”** means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.

**“Electronic signature”** means a signature in electronic form attached to or logically associated with an electronic record including, but not limited to, a digital signature. An electronic signature is a paperless way to sign a document using an electronic sound, symbol, or process, attached to or logically associated with a record, and executed or adopted by a person with the intent to sign the record.

**“Electronic workforce registry”** refers to the Department of Early Learning’s current database of professional records of individual early learning providers.

**“Emergency preparedness”** means a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action in an effort to ensure effective coordination during incident response.

**“Enforcement action”** means a department issued:

- (a) Denial, suspension, revocation or modification of a license;
- (b) Probationary license;
- (c) Civil monetary penalty (fine); or
- (d) Disqualification from having unsupervised access to children in care.

**“EPA”** refers to the United States Environmental Protection Agency.

**“Exclusionary discipline”** is denying admission of a child to a facility as a result of the child’s behavior.

**“Exempt”** or **“exemption”** (in regards to immunizations) means a type of immunization status where a child has not been fully immunized against one or more of the vaccine-preventable diseases due to medical, religious, philosophical or personal reasons.

**“Expel”** or **“Expulsion”** refers to ending a child’s enrollment in an early learning program. An early learning provider will end a child’s enrollment if the provider is unable to meet a child’s needs due to the child’s challenging behavior.

**“External medication”** means medication that is not intended to be swallowed or injected but is to be applied to the external parts of the body. Examples include medicated ointments, lotions, or liquids applied to the skin or hair.

**“Family home early learning program”** means an early learning program licensed by the department where a Family Home Licensee provides child care or education services for twelve or fewer children in the family living quarters where the Family Home Licensee resides as provided in RCW 43.215.010 (1)(c).

**“Family home early learning program licensee”** or **“family home licensee”** means an individual licensee authorized by the department to operate a family home early learning program within the licensee’s family living quarters.

**“Family living quarters”** means a Family Home Licensee or applicant’s residence and other spaces or buildings on the premises.

**“Food handler’s card”** or **“food worker card”** means a food card issued by Washington State Department of Health (DOH).

**“Foundational quality standards”** refers to the administrative and regulatory requirements contained within this chapter, 170-300 WAC. These standards are designed to promote the development, health, and safety of children enrolled in Center and Family Home Early Learning Programs. The department shall use these standards to equitably serve children, families, and early learning providers throughout Washington State.

**“Frequently”** means three or more times during a 12 month period.

**“Fully qualified”** means an early learning provider who meets background, education, experience, and training requirements for the position they hold.

**“Good standing”** means that an early learning program in between monitoring visits does not have any of the following:

- (a) Valid complaints;
- (b) A history of noncompliance related to those valid complaints or pending from prior monitoring visits; or
- (c) Other information that when evaluated would result in a finding of noncompliance with this section.

**“Harshness”** is the quality of being unpleasantly rough, cruel, jarring to the senses, or difficult to accept or experience.

**“Health care provider”** means a person who is licensed, certified, registered, or otherwise authorized by the law of Washington state to provide health care in the ordinary course of business or practice of a profession.

**“Health jurisdiction”** refers to either the state Department of Health that regulates larger on-site sewage systems, or the local health jurisdiction that regulates private and smaller on-site sewage systems.

**“Household member”** means one or more individuals who live in the same dwelling or share living accommodations and may consist of family relatives or other groups of people.

**“Immunization”** is the process whereby an individual is made immune or resistant to an infectious disease, typically by the administration of a vaccine.

**“Inaccessible to children”** means an effective method or barrier that reasonably prevents a child’s ability to reach, enter, or use items or areas or makes such items or areas very difficult or impossible to get.

**“Inactive”** is an early learning provider licensing status used by the department to refer to early learning providers who have requested and have been approved to temporarily cease caring for children and close their early learning program.

**“Inclusion”** is the action of including or of being included within a group or structure.

**“Indian tribe”** means any Indian tribe, band, nation, or other organized

group or community of Indians recognized as eligible for the services provided to Indians by the U.S. Secretary of the Interior because of their status as Indians, including any Alaska Native village as defined in 43 U.S.C. § 1602(c)

**“Individual Care Plan”** a specific plan to meet the individual needs of a child with a food allergy, special dietary requirement due to a health condition, other special needs or circumstances.

**“Infant”** is a child birth through eleven months of age.

**“In-service training”** means professional development requirements for continuing education to maintain staff standards and qualifications while employed as an early learning provider.

**“Instructional Aide”** is an aide who supports program activities under the direction of a lead teacher.

**“Interest area or center”** is a defined area that supports a specific type of play. Examples include but are not limited to: blocks and accessories, flannel boards with puppets, language and literary materials, fine motor manipulatives, other manipulatives, art materials for drawing, painting, clay or play dough, music and movement and dramatic play.

**“Intimidation”** is to frighten or threaten someone in order to persuade them to do something that they do not want to.

**“Integrated Pest Management (IPM)”** means an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices, using pesticide application as a method of last resort.

**“Language expansion”** means that the early learning provider adds detail or new, more exact words to build on ideas that children are expressing.

**“Lead Teacher”** means the early learning provider who is the lead staff person in charge of a child or group of children and implementing the activity program.

**“License”** means a permit issued by the department legally authorizing an applicant to operate an early learning program.

**“Licensed space”** means the indoor and outdoor space on the premises approved by the department for the purpose of providing licensed child care.

**“Licensee”** means an individual, organization, or legal entity listed on a license issued by the Department of Early Learning, authorized to provide child care or early learning services.

**“Lockdown”** means restricted to an interior room with few or no windows inside the facility while the building is secured from external threat.

**“Modification of the license”** or **“modification to the child care license”** means department action to change the conditions identified on an early learning provider’s current license.

**“Moisture resistant”** means a surface incapable of being penetrated by water or liquids.

**“Monitor”** means to observe and check the progress or quality.

**“Motor disabilities”** means a physical limitation that impacts or limits daily living.

**“Natural barrier”** means a physical feature that protects or hinders travel through or over.

**“Non-expiring license”** or **“non-expiring full license”** means a full license that is issued to an early learning provider following the initial licensing period, as provided in WAC 170-151-087, 170-295-0095, or 170-296A-1450.

**“One year of experience”** means an early learning provider demonstrates at least twelve months of early learning experience:

(a) In a supervisory role in an early learning program setting where the individual was responsible for supervising staff and complying with licensing standards; or

(b) As a Washington state:

(i) Child care center or school age center director, program supervisor, or lead teacher as defined in chapters 170-300, 170-151, or 170-295 WAC; or

(ii) Family home child care licensee; or

(iii) A role similar to those listed in subsections (b)(i) or (b)(ii) above.

**“Operating hours”** means those hours listed in an early learning program’s parent handbook when the early learning program is open and receiving children for care.

**“Parallel-talk”** means the early learning provider talks about what the child is doing, seeing, eating, or touching as the child is engaging in those activities.

**“Parent”** or **“guardian”** means birth parent, custodial parent, foster parent, legal guardian or those authorized by the parent or other entity legally responsible for the welfare of the child.

**“Peer interaction”** means the relationships that children have with one another, not with adults. It includes how infants and toddlers play near one another, and how preschoolers play together, their communication, and whether they fight or get along peacefully.

**“Personal needs”** means an early learning provider’s toileting or medication needs. Personal needs do not include smoking or use of tobacco products, illegal drug use or misuse of prescription drugs, conducting business or related activities, sleeping or napping, screen time, or leaving children in care unattended.

**“Pest”** means an animal, plant, or insect which has a harmful effect on humans, their food or their living conditions.

**“Pesticides”** means chemicals that are used to kill pests.

**“Pet”** means a domestic or tamed animal or bird kept for companionship or pleasure.

**“Physical restraint”** means holding a child as gently as possible for the minimum amount of time necessary to control a situation where that own child’s safety or the safety of others is threatened.

**“Plan review”** is the process by which a potential applicant meets with the designated department representative to examine or review detailed architectural floor plans, improvements and the premises to a given lot or building site. Architectural plans provide graphic representations of the following, but not limited to the location of proposed classrooms, bathrooms, kitchen facility, outdoor play area, exit travel pathways, building foot print, water and sanitary lines. These graphic representations are used to determine if the site meets WAC licensing requirements.

**“Poison”** includes but is not limited to, substances, chemicals, chemical compounds (other than naturally occurring compounds such as water or salt), or similar items, that even in small quantities are likely to cause injury or illness if it is swallowed or comes into contact with a child's skin, eyes, mouth, or mucus membranes.

**“Premises”** means the licensed and unlicensed space at the licensed address including, but not limited to, buildings, land and residences.

**“Preschool age children”** means a child thirty months through six years of age not attending kindergarten or elementary school.

**“Pre-service training”** means professional development standards or requirements for staff prior to hiring or within a DEL specified time frame.

**“Professional Development Support Plan”** is a formal means by which an individual who is supervising staff sets out the goals, strategies, and outcomes of learning and training.

**“Program Supervisor”** means the center early learning provider responsible for planning and supervising the learning and activity program.

**“RCW”** means Revised Code of Washington.

**“Readily available”** means able to be used or obtained quickly and easily; at someone’s disposal.

**“Reasonable access”** means a fair and sensible way of getting near, at, or to something or someone.

**“Relationship-based”** means using professional relationships as a primary method to support the professional growth and development of adult learners. This includes ongoing goal setting, observation, assessment, action planning, reflection and feedback.

**“Revocation”** or **“revoke”** means the formal action by the department to close a center or family home early learning program and permanently remove the license.

**“Routine care”** means typical or usual care provided to a child during the time the child is enrolled in the early learning program. For example: feeding, diapering, toileting, napping, resting, playing and learning.

**“Safe route”** means a way or course taken in getting from a starting point to a destination that is protected from danger or risk.

**“Sanitize”** means to reduce the number of microorganisms on a surface by the process of:

(a) Cleaning and rinsing, followed by using:

(i) A chlorine bleach and water solution of three-quarters teaspoon of chlorine bleach to one quart of cool water, allowed to stand wet for at least two minutes; or  
(ii) Other sanitizer product if used strictly according to manufacturer's label instructions including, but not limited to, quantity used, time the product must be left in place, and adequate time to allow the product to dry, and appropriateness for use on the surface to be sanitized. If used on food contact surfaces or toys, a sanitizer product must be labeled as safe for food contact surfaces; or  
(b) For laundry and dishwasher use only, "sanitize" means use of a bleach and water solution or temperature control.

**"Sarcasm"** means the use of remarks that clearly mean the opposite of what they say, made in order to hurt someone's feelings or to criticize something in a humorous way.

**"Scaffolding"** is a variation of instructional methods used to gradually move children toward stronger understanding and greater independence in the learning process.

**"School-age children"** means a child not less than five years through twelve years of age who is attending kindergarten or elementary school.

**"Screen time"** means watching, using or playing television, computers, video games, video or DVD players, mobile communication devices, and similar devices.

**"Self-closing"** means that the subject object or device has a door or opening that, when released from an individual's control, shuts automatically.

**"Self-talk"** means the early learning provider talks about what he or she is doing, seeing, eating, touching, or thinking as he or she is involved in that activity.

**"Shelter-in-place"** means staff and children staying at the facility due to an external threat such as a storm, chemical or gas explosion, or other event that prohibits the occupants from safely leaving the facility.

**"Short periods of time"** means the amount of time necessary for an early learning provider to step out of the room to take care of program planning, talking with parents or going to an off-site appointment—generally 60 minutes or less.

**"Sign"** means an individual formally placing their name or legal mark on a document by physical signature, if available, or electronic signature.

**“Sleeping equipment”** includes a bed, cot, mattress, mat, crib, bassinet, play yard or “pack and play” and does not include a car seat or infant swing.

**“Social development”** means an increasing awareness of others and the ability to form positive relationships with other children and adults.

**“Special needs”** is a term used for children who require assistance due to learning difficulties, physical disability, or emotional and behavioral difficulties and have documentation in the form of an Individual educational plan (IEP), Individual health plan (IHP), 504 plan or an Individualized family service plan (IFSP).

**“Staff”** means any early learning provider providing care in the early learning program.

**“Strengthening Families”** means a research-informed approach to increase family strengths, enhance child development and reduce the likelihood of child abuse and neglect. It is based on engaging families, programs and communities in building five protective factors:

- (1) Parental resilience
- (2) Social connections
- (3) Knowledge of parenting and child development
- (4) Concrete support in times of need
- (5) Social and emotional competence of children

**“Sufficient materials”** as used in this chapter means a reasonable amount to supply enough for children in care.

**“Supervise”** or **“Supervision”** see **“Active Supervision”**.

**“Suspend”** (when referring to an early learning provider’s license) means a formal action by the department to stop a license temporarily to protect the public health, safety, or welfare.

**“Tamper Resistant receptacles”** are outlets with automatic shutters which allow insertion of electrical plugs but block insertion of other objects.

**“Teaching strategies”** are different techniques, curriculums, or styles used to support children’s learning.

**“Toddler”** means a child twelve months through twenty-nine months of age.

**“Transition”** is the process or a period of time of changing from one activity or place to another.

**“Tribal certification”** means that the department has certified the tribe to receive state payment for children eligible to receive child care subsidies.

**“Unlicensed Space”** means the indoor and outdoor areas of the premises not approved as licensed space by the department that the early learning provider must make inaccessible to the children during child care hours.

**“Unsupervised access”** has the same meaning as “unsupervised access” in WAC 170-06-0020.

**“Usable space”** means the areas that are available at all times for use by the children in the early learning program and meet licensing requirements.

**“USDA”** refers to the United States Department of Agriculture.

**“Vapor product”** means any:

- (a) device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;
- (b) cartridge or container of a solution or substance intended to be used with or in such a device or to refill such a device; or
- (c) solution or substance intended for use in such a device, including, but not limited to, concentrated nicotine, non-nicotine substances, or supplemental flavorings. This includes any electronic cigarettes, electronic nicotine delivery systems, electronic cigars, electronic cigarillos, electronic pipes, hookahs, steam stones, vape pens, or similar products or devices, as well as any parts that can be used to build such products or devices. “Vapor product” does not include any drug, device, or combination product approved for sale by the United States food and drug administration that is marketed and sold for such approved purpose.

**“Variance”** is an official approval by DEL to allow an early learning provider to meet an administrative rule in a different way if the program alternative proposed provides clear and convincing evidence that the health, welfare, and safety of children is protected and the change is needed for a specific program approach or methodology.

**“Volunteer”** means any person who gratuitously provides labor or services to an early learning provider without compensation, financial reward, or consideration.

**“WAC”** means Washington Administrative Code.

**“Walking independently”** is being able to stand and move about easily without the aid of assistance of or holding onto an object, wall, equipment or other individual.

**“Washington State Early Learning Guidelines”** means published guidelines by the department, the Office of Superintendent of Public Instruction (OSPI) and Thrive Washington for children birth through third grade that outline what children know and are able to do at different stages of their development. To learn more, go to <http://www.del.wa.gov/development/guidelines/>

**“Weapon”** means an instrument or device of any kind that is used or designed to be used to inflict harm including, but not limited to, rifles, handguns, shotguns, antique firearms, knives, swords, bows and arrows, BB guns, pellet guns, air rifles, electronic or other stun devices, or fighting implements.

**“Written food plan”** is a document that is designed to give alternative food to a child in care because of a child’s medical needs, a special diet, or to accommodate a religious, cultural or family preference. A parent or guardian and the early learning provider must sign the plan.

DRAFT