

**WAC 110-301-0435 Waiver from department rules—WAC.** (1) The department cannot waive a requirement of state law (RCW) or federal law.

(2) Pursuant to RCW 43.216.065, the department may approve a waiver from a rule in this chapter if it does not jeopardize the health, safety, or welfare of the children in care.

(3) A school-age provider's request for a waiver from a rule in this chapter must be:

(a) Submitted in writing to the department;

(b) Approved in writing by the department secretary or the secretary's designee prior to the school-age provider implementing the waiver from the rule; and

(c) For a specific program need or child.

(4) A granted waiver may be time specific or may remain in effect for as long as the school-age provider continues to comply with the conditions of the waiver. If the waiver from the rule is time limited, the provider must not exceed the time frame established by the department.

(5) The department may revoke a granted waiver if a licensing rule which was considered in granting the waiver is materially altered or amended.

[Statutory Authority: RCW 43.216.055 and 43.216.065. WSR 21-10-035, § 110-301-0435, filed 4/27/21, effective 6/1/21.]