

WAC 110-302-0001 Authority. (1) Under RCW 43.216.742 the department of children, youth, and families is required to establish an outdoor nature-based (ONB) child care program and must comply with the requirements described in this subsection.

(a) The department must adopt rules to implement the ONB child care program and may waive or adapt licensing rules or requirements when necessary to allow for the operation of outdoor classrooms in Washington state.

(b) The department must apply the early achievers program to the ONB child care program to assess quality in outdoor learning environments and may waive or adapt early achievers rules or requirements when necessary to allow for the operation of outdoor classrooms.

(2) A child care or early learning program operated by a federally recognized tribe may participate in the ONB child care program through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty.

(3) Pursuant to RCW 43.216.250 (2)(b), the provisions of this chapter governing the physical facility, including buildings and other physical structures attached to buildings and premises, do not apply to licensed school-age programs that operate in facilities used by public or private schools. The department only regulates health, safety, and quality standards that do not relate to the physical facility for school age only ONB programs operating in facilities used by public or private schools.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0001, filed 5/1/23, effective 6/1/23.]