

WAC 110-302-0165 Safety requirements. (1) ONB providers must keep ONB program space, materials, and equipment free from hazards and in safe working condition.

(2) Hazards inherent to the natural features of the outdoors must be removed or mitigated according to the requirements described in this chapter including, but not limited to, WAC 110-302-0471.

(3) Equipment and toys used by the ONB program must be compliant with the CPSC guidelines or the ASTM standards.

(4) Except for ONB programs that enroll only school-age children and operate on public or private school premises, playground equipment and surfaces must comply with the requirements described in WAC 110-302-0146.

(5) ONB providers must take steps to prevent hazards to children including, but not limited to:

(a) Except for ONB programs that enroll only school-age children and operate on public or private school premises, eliminating and not using in the licensed space, pursuant to RCW 43.216.380, any window blinds or other window coverings with pull cords or inner cords capable of forming a loop and posing a risk of strangulation to children.

(i) Window blinds and other window coverings that have been manufactured or properly retrofitted in a manner that eliminates the formation of loops posing a risk of strangulation are allowed; and

(ii) A window covering must not be secured to the frame of a window or door used as an emergency exit in a way that would prevent the window or door from opening easily;

(b) Making inaccessible to preschool-age children straps, strings, cords, wires, or similar items capable of forming a loop around a child's neck when not being used during actively supervised ONB program activities;

(c) Making inaccessible to preschool-age children plastic bags and other suffocation hazards;

(d) Ensuring firearms, guns, weapons, and ammunition are not on the premises of an ONB program;

(e) Preventing preschool-age children from walking into or through a glass door, window, or other glass barrier, by placing stickers or art work at the children's eye level on the glass; and

(f) Climbing structures must not be placed next to windows, to prevent harm from shattered glass, unless the window is made of safety glass.

(6) ONB providers must take steps to prevent hazards to children in care, including hazards inherent to the natural physical features of the outdoors. Pursuant to WAC 110-302-0471, such inherent hazards must be mitigated or lessened by active supervision, and the implementation of benefit-risk assessments and risk management plans. In addition, the ONB provider must take the following measures to prevent hazards to children in care:

(a) **Cuts, abrasions, and punctures.** Equipment, materials, and other objects on the premises that have sharp edges, protruding nails, bolts, or other dangers, excluding approved tools during supervised use pursuant to WAC 110-302-0352, must be repaired, removed, or made inaccessible to children. ONB programs utilizing natural wooden materials in furniture or learning resources must utilize appropriate supervision or adequate maintenance of materials, such as sanding sharp edges;

(b) **Burns.** Equipment, materials, or products that may be hot enough to injure a child must be made inaccessible to children. Chil-

dren in ONB programs may have access to campfires, pursuant to WAC 110-302-0351;

(c) **Sheering, crushing, or pinching.** Broken or cracked equipment, materials, and objects must be repaired, removed, or made inaccessible to children;

(d) **Confinement.** Washers, dryers, large compost bins, spare or secondary freezers or refrigerators, and other entrapment dangers must be inaccessible to children unless being actively supervised;

(e) **Tripping.** Tripping hazards must be eliminated. Except for ONB programs that enroll only school-age children and operate on public or private school premises, uneven walkways, damaged flooring or carpeting must be removed or repaired;

(f) **Falling objects.** Large objects that pose a risk of falling or tipping must be securely anchored. Large objects include, but are not limited to, televisions, dressers, bookshelves, wall cabinets, sideboards or hutches, and wall units; and

(g) **Equipment in poor condition.** Equipment in poor condition, meaning rusty parts, flaking paint, or other dangers, must be repaired, removed, or made inaccessible to children.

(7) To ensure a safe environment for children in care, ONB providers must comply with the following requirements:

(a) **Indoor temperatures for the premises.** The temperature of indoor spaces used for eating, sleep, or rest must be between 65 and 82 degrees Fahrenheit. If such indoor licensed space is colder than 65 degrees Fahrenheit or hotter than 82 degrees Fahrenheit, an ONB provider must use climate control devices that are inaccessible to children to bring the temperature within the required range;

(b) **Window openings.** Except for ONB programs that enroll only school-age children and operate on public or private school premises, windows within the reach of children in the licensed indoor spaces used for children's biological needs must only open up to three and one-half inches or have some barrier or preventive measure to discourage children from exiting through the window;

(c) **Licensed space lighting.** Indoor and outdoor licensed space must have natural or artificial light that provides appropriate illumination for ONB program activities and active supervision. Except for ONB programs that operate on public park land, or enroll only school-age children and operate on private school premises, an ONB program must comply with all light fixture manufacturers' installation and use requirements, and must ensure compliance with the following requirements:

(i) Light fixtures must have shatter-resistant light bulbs, covers, or both;

(ii) Lights or light fixtures used indoors must be designed for indoor use only;

(iii) Lights or light fixtures used outdoors must be designed for outdoor use only;

(iv) Free standing lamps must be attached or secured to prevent tipping; and

(v) Halogen lamps and bulbs are prohibited;

(d) **Safe noise levels.** Noise levels must be maintained at a level in which a normal conversation may occur except when children are engaged in gross motor activities;

(e) **Safe water temperature.** Except for ONB programs that enroll only school-age children and operate on public or private school premises, all water accessible to enrolled children must not be hotter than 120 degrees Fahrenheit;

(f) **Stairway safety.**

(i) There must not be clutter or obstructions in the stairway;

(ii) Except for ONB programs that enroll only school-age children and operate on public or private school premises, all stairways (indoor and outdoor), not including play structures, must meet local building codes, pursuant to RCW 43.216.340.

(A) Open stairways with no walls on either side must have handrails with slats (balusters) that prevent a child from falling off either side of the stairway.

(B) Stairways with a wall on only one side must have a handrail with slats (balusters) on the side without the wall that prevents a child from falling off the stairway.

(C) Stairways with a wall on both sides must have a handrail no higher than 38 inches on at least one side of the stairway;

(iii) For ONB programs operating in public parks where park features are preestablished, ONB providers must use benefit-risk assessments for using stair structures that do not meet the following requirements:

(A) Open stairways with no walls on either side must have handrails with slats (balusters) that prevent a child from falling off either side of the stairway.

(B) Stairways with a wall on only one side must have a handrail with slats (balusters) on the side without the wall that prevents a child from falling off the stairway.

(C) Stairways with a wall on both sides must have a handrail no higher than 38 inches on at least one side of the stairway;

(iv) Openings between slats on gates must not be large enough to allow a sphere that is three and one-half inches wide to pass through;

(g) **Platforms and decks.** Except for ONB programs that enroll only school-age children and operate on public or private school premises, pursuant to chapter 19.27 RCW, all platforms and decks used for ONB program activities must comply with all building codes. All platforms and decks with a drop zone of more than 18 inches must have guardrails in sections without steps;

(h) **Electrical requirements.** To ensure a safe environment for children in care, an ONB provider must comply with the following electrical requirements:

(i) Except for ONB programs that enroll only school-age children and operate on public or private school premises, outlets near sinks, tubs, toilets, or other water sources must be inaccessible to children or be tamper-resistant and equipped with a ground fault circuit interrupter (GFCI) outlet type;

(ii) For ONB programs that enroll only preschool-age children or both preschool-age and school-age children, electrical outlets in areas accessible to children must have automatic shutters that only allow electrical plugs to be inserted or that are covered by blank plates or other tamper-resistant covers appropriate to the electrical outlet;

(iii) For ONB programs that enroll only preschool-age children or both preschool-age and school-age children, power strips must have surge protectors and be inaccessible to children in care;

(iv) Electrical cords must be plugged directly into a wall outlet or a power strip with surge protector;

(v) Electrical cords must be in good working condition, not torn or frayed, and not have any exposed wires;

(vi) Extension cords may only be used for a brief, temporary purpose and must not replace direct wiring;

(vii) Electrical devices accessible to children must not be plugged into an electrical outlet near a water source such as a sink, tub, water table, or swimming pool; and

(viii) For ONB programs operating in public parks where park features are preestablished, ONB providers must use benefit-risk assessments for using areas with access to electricity.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0165, filed 5/1/23, effective 6/1/23.]