

**WAC 110-302-0400 Application materials.** (1) After completing a department approved ONB program orientation pursuant to chapter 43.216 RCW, applicants must submit complete license application packets as described in this section. The application requirements described in this section also apply to a request for a change of ownership.

(2) Complete license application packets must include the following professional background information about the applicant:

(a) A completed department application form;

(b) A copy of the applicant's ONB orientation certificate that indicates the orientation was completed within 12 months of the license application;

(c) A copy of the applicant's current government issued photo identification;

(d) A copy of the applicant's Social Security card or a sworn declaration stating that the applicant does not have one;

(e) The applicant's employer identification number (EIN) if the applicant plans to hire staff; and

(f) Employment and education verification information that includes, but is not limited to, diplomas, degrees, transcripts, or a sworn declaration stating that the applicant cannot verify education requirements.

(3) Complete license applications must include:

(a) A site plan that:

(i) Describes the proposed use of the licensed and unlicensed space; and

(ii) Provides a diagram with all pertinent measurements of the natural space, licensed space, and unlicensed space;

(b) A description and diagram of any permanently located outdoor classrooms and gross motor active play areas;

(c) A description of any areas or locations that will be used regularly for risky educational or play activities and areas or locations that may involve risky educational or play activities;

(d) For all applicable areas and activities, completed benefit-risk assessments that are in compliance with the requirements described in WAC 110-302-0471;

(e) A description of the proposed shelter that will be used by children and staff during an emergency;

(f) A description of the proposed toileting facilities that will be used by children and staff, including a description of any alternative toileting policies and practices that may be implemented;

(g) A floor plan of any buildings or structures that may or will be used that includes a description and diagram of all emergency exits and emergency exit pathways;

(h) For ONB program spaces that will rely on a private septic system, the applicant must provide documentation that is no more than three years old and is from a licensed inspector, septic designer, or engineer that states the septic system and drain field are maintained and in good working order;

(i) For ONB program spaces that will receive water from a well, the applicant must provide *E. coli* bacteria and nitrate well water testing results that is no more than 12 months old;

(j) For ONB program spaces located in the Tacoma smelter plume areas of King, Pierce, and Thurston counties or the Everett smelter plume area of Snohomish County, the applicant must provide a lead or arsenic evaluation agreement;

(k) Lead and copper test results for drinking water;

- (l) ONB program days and hours of operation, including closure dates and holiday observances;
- (m) The following information about ONB program staff:
  - (i) A list of all staff;
  - (ii) A list of all staff and volunteers who are required to complete the background check process as described in chapter 110-06 WAC; and
  - (iii) A resume for the applicant, director, program director, assistant director, program supervisor, and site director; and
- (n) The following policy documents, which will be reviewed by the department and returned to applicants:
  - (i) Parent and ONB program policies;
  - (ii) Staff policies;
  - (iii) An emergency preparedness plan; and
  - (iv) Health policies.
- (4) In addition to the requirements in subsection (3) of this section, complete license applications must include:
  - (a) A signed and dated interlocal agreement between a federally recognized tribe and the department, if applicable;
  - (b) All licenses that are required by the state of Washington, a county, city, or tribe, including a business and occupation license;
  - (c) Liability insurance;
  - (d) A certificate of incorporation, partnership agreement, or similar business organization document;
  - (e) A land-use agreement that is signed by the land owner. If the land-use agreement is between the ONB program and a public park, the official with the designated authority must sign on behalf of the public park. The land-use agreement must describe:
    - (i) The shared and individual roles and responsibilities of the ONB program, and the land owner or the public park; and
    - (ii) The agreed-upon space the ONB program will occupy and other agreed-upon space that will be accessible to the ONB program. Land-use agreements are not required for ONB programs operating on private property owned by the licensee;
  - (f) Proof that the local emergency management system, fire district, or other applicable emergency response agencies have been provided notice of the location of the ONB program. The notice must be provided by the ONB program using a department approved form; and
  - (g) If required by any local government agency, a certificate of occupancy that approves the ONB program's occupancy of the ONB program licensed and unlicensed space.
- (5) Applicants must submit completed application packets at least 90 calendar days before the planned opening of their ONB programs. The department will inspect the ONB program space and all submitted application materials before deciding whether to issue a license to the applicant.
  - (a) The 90 calendar days will be calculated from the date the department receives a complete application packet.
  - (b) Incomplete application packets will be returned to applicants for completion.
  - (c) Applicants that are unable to successfully complete the application and licensing process within 90 days may withdraw their applications and reapply when they are able to meet the licensing requirements. If the applicant has completed the required application process within 90 days but an external barrier out of the applicant's control exists, the reapplication fee will be waived one time.

(d) Pursuant to RCW 43.216.325, applicants who are unable to meet the application requirements and have not withdrawn their applications will be denied a license.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0400, filed 5/1/23, effective 6/1/23.]