

WAC 110-302-0016 Inactive status—Voluntary and temporary closure. (1) If a licensee plans to temporarily close their ONB program for more than 30 calendar days, and this closure is a departure from the ONB program's regular schedule, the ONB provider must submit a notification to go on inactive status to the department at least two business days prior to the planned closure. Notifications for inactive status must include:

- (a) The date the ONB program will cease operating;
- (b) The reasons why the licensee is going on inactive status; and
- (c) A projected date the ONB program will reopen.

(2) The requirements of this section do not apply to licensed ONB programs that have temporary closures beyond 30 calendar days as part of their regular schedule, such as ONB programs based on the school year or seasonal occupations.

(3) The department will not place an ONB provider on inactive status during their first initial six month licensing period unless for an emergency.

(4) An ONB provider must inform parents and guardians that the ONB program will temporarily close.

(5) An ONB provider is responsible for notifying the department of changes to ONB program status including voluntary closures, new staff, or other ONB program changes. ONB program status updates must also be completed in the department's electronic system.

(6) Background check rules in chapter 110-06 WAC, including allegations of child abuse or neglect, will remain in effect during inactive status.

(7) After receiving a notice of inactive status, the department will:

- (a) Place the license on inactive status;
- (b) Inform the licensee that the license is inactive; and
- (c) Notify the following ONB programs of the inactive status:
 - (i) The department's child care subsidy programs;
 - (ii) CACFP; and
 - (iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington.

(8) A licensee is still responsible for maintaining annual compliance requirements during inactive status pursuant to RCW 43.216.305.

(9) If inactive status exceeds six months within a 12-month period, the department must close the license. The licensee must reapply for licensing pursuant to RCW 43.216.305(3).

(10) During the inactive status period, the department may pursue enforcement actions after three failed attempts to monitor an ONB program if:

(a) An ONB provider has not been available to permit the monitoring visits;

(b) Monitoring visits were attempted within a three-month time period; and

(c) The department attempted to contact the ONB provider by phone during the third attempted visit while still on the ONB program premises.

(11) When a licensee is ready to reopen after a temporary closure, the licensee must notify the department in writing. After receiving notice of the intent to reopen, the department will in the following order:

(11) When a licensee is ready to reopen after a temporary closure, the licensee must notify the department in writing. After receiving notice of the intent to reopen, the department will in the following order:

- (a) Activate the license and inform the licensee that the license is active;
- (b) Notify the following programs of the active status:
 - (i) The department's child care subsidy programs;
 - (ii) CACFP; and
 - (iii) Early achievers, ECEAP, Head Start Grantee, and child care aware of Washington; and
- (c) Conduct a health and safety visit of the ONB program within 10 business days to determine that the ONB provider is in compliance with this chapter.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0016, filed 5/1/23, effective 6/1/23.]