

**WAC 110-301-0356 School-age capacity, ratio, and group size.**

(1) The department issues initial or nonexpiring school-age program licenses. The department will not issue a school-age license to care for more children than permitted by the rules in this chapter. The department may issue a license to care for fewer than the maximum allowable enrolled children. For each school-age program, licenses state the:

(a) Maximum number of children that may be in care at any one time (total capacity);

(b) Licensed capacity for each space within the school-age program licensed for use by children; and

(c) Age range of children allowed in care.

(2) The department determines capacity for a school-age program after considering:

(a) Square footage of the school-age program;

(b) A provider's education and ongoing training;

(c) The age range of children requested or approved by the department;

(d) The amount of developmentally appropriate equipment, materials, and toys a school-age program can provide children to use;

(e) A provider's licensing history with the department; and

(f) The number of qualified staff available to meet staff-to-child ratios.

(3) A licensee must not exceed the total capacity or age range stated on the school-age program license at any time except as provided in this section. All children on the premises, signed in to the school-age program, on an off-site trip from the school-age program, or being transported by the school-age program staff are counted in capacity including the children of staff.

(a) A licensee must receive department approval to care for a child with special needs, pursuant to WAC 110-301-0300, if the child is older than the maximum age identified on the license. A child with documented special needs may be in care up to age nineteen and must be counted in capacity and staff-to-child ratio.

(b) A child with special needs who requires individualized supervision pursuant to WAC 110-301-0300 counts toward capacity but does not count in the staff-to-child ratio.

(c) A child who turns thirteen years old permitted by chapter 110-15 WAC must be counted in both capacity and staff-to-child ratio.

(4) A licensee must provide qualified staff to fulfill staffing requirements, staff-to-child ratios, and group size during operating hours, including off-site activities or when transporting children in care.

(5) In each classroom or well-defined space, the maximum group size of thirty children and ratio of 1:15 staff members to children, including children related to staff or the licensee, must be met.

Group size may exceed thirty children only for special events such as assemblies or performances.

(6) A licensee must conduct activities for each group of children in a specific room or other defined space within a larger area.

(7) A licensee must provide additional staff as described in WAC 110-301-0350 when children are participating in water activities or activities near water.

(8) When only one staff is required to care for the only group of children on-site for up to an hour at the beginning or end of the day, the licensee must ensure:

- (a) The staff member provides an appropriate level of supervision at all times to the children in care;
- (b) The staff member is free of all other duties while providing care to children; and
- (c) A second individual with a cleared background check is on-site and readily available to respond if needed, or the department approves an alternate plan.

[Statutory Authority: RCW 43.216.055 and 43.216.065. WSR 21-10-035, § 110-301-0356, filed 4/27/21, effective 6/1/21.]