



STATE OF WASHINGTON

DEPARTMENT OF EARLY LEARNING

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Notice of Summary Suspension and Revocation

Certified Mail-Return Receipt Requested

Hand Delivered

May 24, 2017

Buzi Bee Daycare
Kathleen Hubbard, Owner/Director
716 South Chase Street
Port Angeles, WA 98362

Dear Ms. Hubbard:

The purpose of this Notice of Summary Suspension and Revocation (“Notice”) is to inform you that the Department of Early Learning (DEL) is summarily suspending your child care license. DEL is also revoking your child care license. DEL is summarily suspending, and revoking your license because you do not meet DEL’s licensing requirements and the licensing violations require immediate action and remedy.

You are directed to stop providing child care after the receipt of this letter. It is illegal to provide child care without a license. If you continue to provide child care after the receipt of this letter you may be subject to civil and criminal penalties under RCW 43.215.300, RCW 43.215.330 and RCW 43.215.340.

This action is being taken pursuant to the Revised Code of Washington (RCW) Chapter 43.215 and the Washington Administrative Code (WAC) Chapter 170-295. Below I will describe the factual and legal basis for DEL’s decision to summarily suspend and revoke your child care license. At the end of this letter, you will find important information about how you can file an appeal of the revocation and request a stay of the summary suspension.

Factual Basis for the Decision to Summarily Suspend and Revoke

These are the facts DEL considered in making its decision to summarily suspend and revoke your license: The annual licensing fee for your business was due by February 13, 2017. The fee was not received until February 21, 2017, after it was requested three times. On March 6, 2017, the check you sent for the licensing fee was returned NSF. You were asked to pay the fee or to provide proof that you had paid the fee by administrative support staff, Kristen Dodds and Michelle Neuman, and Licensor Martha Standley six times between March 6, 2017 and April 18, 2017. These DEL staff requested that you provide verification that you paid the fee and also provided you with information of what would be needed in order to verify payment. To date, DEL has not received any verification that the fee has been paid or that it has been received. The Financial Services Administration (FSA) of the Department of Social and

Health Services (DSHS) has no record of the fee being received after your original check was returned NSF.

On February 6, 2006, May 6, 2010, and March 30, 2016, you were unable to provide verification that you had current liability insurance when requested by your licensor. On August 18, 2016, Licensor Standley was notified by your insurance agent that you had been without a liability insurance policy since September of 2015 and that you attempted to reinstate the insurance with a NSF check. The licensor and parents were not given notice in writing or posting that your insurance lapsed which is a requirement of RCW.

On April 6, 2017, Licensor Standley was informed that the power to the building where your child care facility is, had been turned off and had remained off while children were in care. Your staff gave conflicting information about why the power had been off, but they agreed it had been off until afternoon. You told the licensor that you were two weeks behind on your power bill payment and that you had not received notice of the potential shut off until it was too late to make a payment to the city. The licensor spoke to a Customer Service Supervisor at the City of Port Angeles who confirmed the electricity had been disconnected due to non-payment. She also confirmed that you were given several notices until finally a notice was posted on your door. This notice was posted with time to allow you to notify parents that there would be no power the following day. You made the payment the following morning, but the power was not reconnected for several hours. The licensor was also informed that you had not paid your power bill for the child care facility from January 2017 until April 2017.

On March 20, 2013, you agreed to operate on a probationary license for six months due to numerous violations of WAC that were health and safety concerns. These concerns included: mixing age groups; operating over ratio and understaffed; there was a lack of continuous visual and auditory supervision of children; there was a lack of available staff to monitor entrance and exits of the building and a lack of awareness of the door alarm going off; children had access to hazardless materials; your window blinds had cords; there were inconsistent hand washing practices before and after diaper changing; you had unclean toilet training equipment, the health care plan had not been reviewed by a health care professional; toilet paper was not easily available for children's use; hand soap was not consistently available to children in the bathroom; there was inconsistent cleaning and sanitizing of the toileting facilities; mats used for napping were torn and not sanitized between use; there were open food containers in the kitchen; there were containers of food not labeled/ dated; and staff did not have required documentation to meet the qualifications for their job. Your non-expiring license was reinstated on September 20, 2013 after you came into compliance with the health and safety concerns that were the focus of the probationary license. After the non-expiring license was reinstated, you continued to violate the same WACs that originally led to the offer of the probationary license.

On April 4, 2017, Licensor Standley conducted a monitoring visit at your child care center. You were cited for multiple WAC violations including non payment of annual licensing fees; you did not have staff to perform on-site program supervisory duties; there were rusty screws in the outdoor play area; there were very limited outdoor play materials for children; there were no menus posted; perishable foods were not stored or refrigerated properly; there was food debris and dirt in the kitchen cupboards, drawers, sink and refrigerator; the kitchen floor was improperly sealed and unclean; there were soiled , sticky containers, lids, plastic bags in the kitchen area; there were sippy cups, lids and plastic spoons stored in a drawer with dirt and debris; there was a broken hinge and hardware exposed on a shelf in the play area inside; there were loose ceiling tiles; the utility closet containing paint thinner, paint, and cleaning supplies, did not have a working lock; there were soiled soft toys and materials found in the preschool room; the children's cubbies were dirty; the re-usable toilet seat insert was torn and not sanitized; there was food debris on the floors; there were empty energy drink cans on a table in a classroom; step stools that children use were dirty; napping mats were torn and unsanitized; there were unused boxes of toys, lids, stuffed animals and dolls blocking access to the supply room and the electrical panel; there was a can

of infant formula on the floor in front of the closet door; there was bare wood exposed in the stall of the school age bathroom; the door to one of the stalls was missing in the school age bathroom; children's files that were reviewed were missing 2 physical exams; records showed multiple days of children not being signed in or out; staff were missing CPR/First Aid cards; and there were no records or notes to show regular staff meetings occurring. Fourteen of the above WAC violations were for health and safety concerns and warranted a health and safety recheck.

On April 18, 2007, Licensor Standley conducted a Health and Safety Recheck visit and verified that 3 of the 14 health and safety concerns that were cited at the April 4, 2017 monitoring visit had been addressed. You were advised of the importance of addressing these WAC violations immediately in order to keep the children safe and healthy.

On May 9, 2017, Licensor Standley conducted a follow up visit to recheck the health and safety concerns cited at the April 4, 2017 monitoring visit. Only one additional violation had been corrected while another that had been addressed on April 18, 2017 was out of compliance again.

On May 11, 2017, Licensor Standley accompanied a DLR/CPS Investigator to your family child care home due to a complaint that was called in. At that visit she observed that at least 3 of the health and safety violations cited on April 4, 2017 remained unaddressed. To date, you have not returned the Facility Licensing Compliance Agreement (FLCA) from the April 4, 2017 monitoring visit with a date of completion. You signed the FLCA and agreed to return it on May 3, 2017 with all items corrected.

Since 2006, you have had several repeated WAC violations which include:

- The door to the closet with cleaning supplies was unlocked and accessible to children on May 11, 2017, May 9, 2017, April 18, 2017, April 4, 2017, February 26, 2013, March 23, 2012, and May 6, 2010.
- You had food that was not properly stored, labeled and/or refrigerated on May 11, 2017, May 9, 2017, April 18, 2017, April 4, 2017, August 15, 2016, February 26, 2013, March 23, 2012, August 3, 2007 and July 11, 2006.
- You did not have all the children on the premise signed into care on May 11, 2017, May 9, 2017, April 18, 2017, April 4, 2017, August 15, 2016 February 26, 2013, May 6, 2010 and February 5, 2009.
- You had a soiled toilet training seat within reach of children on March 23, 2012, March 21, 2011, May 5, 2010 and July 11, 2006. On March 28, 2017, you had a toilet training seat with a tear in it that cannot be sanitized hanging near the toilet in the toddler bathroom.
- The floors throughout the facility, including carpets and hard floors in the children's spaces were observed to have debris, including crumbs and food debris mixed with dirt and dust on May 9, 2017, April 18, 2017, April 4, 2017, August 15, 2016, February 7, 2012 and July 11, 2006. On August 15, 2016, July 15, 2013, February 7, 2012, and July 11, 2006 your carpets were soiled with what appeared to be food or liquid spills.
- On February 6, 2012 and July 11, 2006, Licensor Standley found your bathroom sinks were not cleaned and a toilet in the bathroom had urine in it with scum at the water line.
- On April 4, 2017, Licensor Standley observed trim that had come off the floor in the stall of the school age bathroom exposing bare wood. This remained unaddressed during subsequent health and safety checks on April 18, 2017, May 9, 2017 and May 11, 2017.
- On several occasions you were cited for lack of cleanliness and sanitization. On July 11, 2006 you had potty chairs that were not cleaned and sanitized between use. On February 26, 2013, you did not sanitize laundry and you stacked nap mats to be used later by different children without sanitizing them. On March 21, 2011, you used the same sanitizing solution for diaper changes and general sanitizing rather than the required stronger solution for the diaper change area. There was no sanitizing solution near the diaper change area. On August 15, 2016 and May 7, 2013, you still were not using a strong enough bleach solution to sanitize the diaper

change area. On May 7, 2013, you did not have sanitizing solution in the kitchen. On August 15, 2016 you did not have the means to clean and rinse surfaces in the preschool room and in the kitchen. The disinfecting solution for the bathroom was stored in the kitchen where staff would have to enter the food preparation area to get it. On August 11, 2016, there were containers of food with a thick layer of dust on them, a dirty countertop with food debris at the front, and an open bag of animal crackers on a dirty shelf. Additionally, there was a set of containers with lids with a thick layer of dust on them on the shelves in the kitchen with crackers and plastic bags in them. The floor of the kitchen was very dirty with large patches of what appeared to be spilled food. The surfaces in the kitchen were covered in a thick layer of dust on the countertops, shelves and food storage containers. There was a sticky substance in the refrigerator. There were dirty dishes in a sink full of water that appeared to have food residue stuck to the glasses and plates. The other side of the sink also had dirty dishes, including a sharp knife with peanut butter stuck to it. You did not have menus posted.

- On April 4, 2017, you had drawers in the kitchen with opened bags of spilled noodles and grains that were on top of a sticky substance covered with dust/dirt. This was not corrected when the licenser visited on April 18, 2017 or May 9, 2017.
- You did not have soap by the hand washing sinks on May 9, 2017, February 27, 2016, February 26, 2013 and February 27, 2006.
- You were cited for one or more lead staff or program supervisor not completing Basic and /or Annual STARs training requirements on March 30, 2016 April 22, 2015, April 15, 2014, February 26, 2013, March 23, 2012, March 21, 2011, May 5, 2010, February 5, 2009, September 4, 2008, August 3, 2007, and February 27, 2006. While most of your staff did complete the annual training requirement for the 2016 year, your Program Supervisor has not met the 2016 requirement.

On April 14, 2017, DEL received a complaint that a person arrived to pick up a child and found two staff standing over a child yelling at him. The child said he was in trouble for something he did not do. This complaint was inspected and found to be valid for discipline.

On April 11, 2017, DEL received a complaint that a child had not been fed a lunch provided by the parent and the food provided to the child did not meet the child's needs. This complaint was inspected and found to be valid for nutrition.

On April 6, 2017, DEL received a complaint that an authorized person came to pick up a child while the children were outdoors with staff. There was no one available to allow the person access to the facility or to answer the phone. When staff and children were in the outdoor play area, they became locked out of the facility and there was no one available to open the door to allow them access back inside. The sign in and sign out sheets for the children were incomplete and the power had been turned off at the facility. This complaint was inspected and found to be valid for undertaffed, valid for record keeping and valid for reports.

On September 17, 2015, DEL received a complaint that a child had been released to a person unknown to staff without asking to see any identification for the person. This complaint was inspected and found to be valid for Supervision.

On July 11, 2014, DEL received a complaint that a child had not been changed over a four hour period while he was in care and that staff appeared to think this was not a reasonable concern when the parent brought it up to the staff; that a child who had asthma was wheezing when the parent picked up the child and the medication provided by the parent was not given to the child and that staff had no explanation of why the medication was not given to the child. This complaint was inspected and found to be valid for Character, Health and Sanitation and Record Keeping.

On November 7, 2013, DEL received a complaint that a 23 month old child was released to a person who was not authorized by the parent to take the child. This complaint was inspected and found to be valid for Supervision.

On April 4, 2017, Licensor Standley observed that your Program Supervisor was not present for 20 hours per week and clearly did not have 20 hours per week in which she was not counted in the staff to child ratio to perform her supervisory duties as required. She was still not present 20 hours per week on April 18, 2017. On May 9, 2017 Licensor Standley confirmed her hours had increased, but she told the licensor she was working with children during these hours.

Licensor Standley provided you with technical assistance regarding each cited WAC violation during your annual monitoring inspections, health and safety recheck visits, and complaint inspections.

In addition to this, the following specific technical assistance was provided:

On July 11, 2006, Health Specialist Dr. Waddleton-Willis provided you with technical assistance in the following areas: Hand Washing, First Aid, Cleaning and Sanitizing, Medication Authorization/Documentation, Individual Plan of Care, Food Preparation/Storage/Serving, Record Keeping Documentation, and Health and Safety Hazards Education.

On May 7, 2013, Licensor Standley and Health Specialist Kastenbaum provided you with technical assistance regarding cleaning and sanitation, including the proper concentration of bleach to water for sanitizing and disinfecting, diaper change requirements, prevention of rodents and insects, the need to remove expired food, why duct tape cannot be used on surfaces that need to be sanitized, and the need to have preschool age children use the preschool bathroom and not intrude in the toddler classroom to access the toddler bathroom. The licensor also reviewed sign in and sign out requirements with you on this date.

On July 15, 2013, Health Specialist Kastenbaum and Licensor Standley explained the importance of the hand washing sink in the kitchen, cleanliness and sanitation requirements for handwashing sinks, the importance of a clean and sanitized refrigerator, trip hazards where duct tape removal exposed tears in the carpet, and the need to continue to remove plants from the outside walls of your building to prevent rodent and insect access. The health specialist and licensor also advised you of the expectation to continue to meet requirements of your probationary license to avoid further licensing action.

On September 17, 2013, Licensor Standley discussed your progress on the probationary license agreements. You and the licensor discussed your licensed capacity and current enrollment and it was agreed that a license capacity of 49 rather than 76 would be more manageable for you financially. At this time Licensor Standley reminded you that having the non-expiring license reinstated came with an expectation that you would remain in compliance with the licensing requirements, especially those that led to the probationary license.

On September 23, 2013, Licensor Standley hand delivered your reinstated non-expiring license.

Legal Basis for the Decision to Summarily Suspend and Revoke

DEL may immediately and summarily suspend a license if it finds that conditions in the licensed facility constitute an imminent danger to a child or children in care; or if the public health, safety, or welfare requires emergency action. See RCW 43.215.305 (2)(b) and WAC 170-03-0300 (1). Based on the facts described above, DEL finds that the conditions in your child care facility constitute an imminent danger to a child or children in care; and/or the public health, safety, and welfare requires emergency action. DEL also finds that immediate action is imperative. Under RCW 43.215.300 (1) DEL also has the authority to revoke a provider's license when the provider or licensee fails or refuses to comply with the

provisions of chapter 43.215 RCW or the requirements that are adopted pursuant to chapter 43.215 RCW. DEL may also revoke a provider's license if the conditions required for the issuance of a license under chapter 43.215 RCW have ceased to exist with respect to such license. See RCW 43.215.300 (1).

Specifically, the facts described above violate DEL's licensing requirement(s) contained in: WAC 170-295-0070(1) This WAC requires that: (1) You, your staff and volunteers must have the following personal characteristics in order to operate or work in a child care facility: (c) Be able to furnish the child in care with a healthy, safe, nurturing, respectful, supportive and responsive environment

WAC 170-295-0095. This WAC requires that: (1) To qualify for a nonexpiring full license, a licensee must submit the following to the department on an annual basis thirty days prior to the anniversary date of the license. The anniversary date is the date the licensee's first initial license was issued:

- (a) An annual nonrefundable licensing fee;
- (2) The requirements in subsection (1) of this section must be met:
- (b) Every twelve months after issuance of a nonexpiring full license.
- (3) If a licensee fails to meet the requirements in subsection (1) of this section for continuation of a nonexpiring full license, the license expires and the licensee must submit a new application for licensure..

WAC 170-295-0100. This WAC requires that: (1) If you do not meet the requirements in chapter 170-295 WAC we deny your license application or suspend or revoke your license.

- (4) We may deny, suspend, or revoke your license if you:
- (e) Do not exercise fiscal responsibility and accountability while operating the center;
- (h) Fail to pay fees when due;
- (i) Fail to comply with the minimum licensing requirements set forth in this chapter or any provision of chapter 43.215 RCW

WAC 170-295-1020. This WAC requires that: (1) If the director does not meet the requirements in WAC 170-295-1010, you must have a program supervisor who:

- (a) Meets all the qualifications of WAC 170-295-1010;
- (b) Oversees the planning and supervising of the center's learning and activity program to ensure that practices meet the WAC, are varied and developmentally appropriate; and
- (c) Performs on-site program supervisory duties twenty hours or more a week and is not included in the staff to child ratio. If we request it, you must provide documentation of the twenty hours or more a week on site supervisory duties for the program supervisor.

WAC 170-295-1060. This WAC requires that: The director, program supervisor and lead teachers must register with the STARS registry and complete one of the following trainings within the first six months of employment or of being granted an initial license:

- (1) Basic training approved by the Washington state training registry system (STARS);
- (2) Current child development associate certificate (CDA) or equivalent credential, or twelve or more college credits in early childhood education or child development; or
- (3) Associate of arts (AA), associate of arts and sciences or higher college degree in early childhood education or child development.

WAC 170-295-1070. This WAC requires that: (1) The director, program supervisor and lead teachers must complete ten clock hours or one college credit of continuing education yearly after completing the initial training required in WAC 170-295-1010.

WAC 170-295-2130. This WAC requires that: (1) You must provide an outdoor program that promotes the child's coordination, active play, and physical, mental, emotional, and social development based on their age. The play area must:

- (b) Have adequate drainage and be free from health and safety hazards;

(6) You must provide a variety of age-appropriate play equipment for climbing, pulling, pushing, riding and balancing activities

WAC 170-295-3120. This WAC requires that you: (3) Provide a written explanation why a medication that should have been given was not given.

WAC 170-295-3160. This WAC requires: (1) You must:

- (a) Prepare, date, and conspicuously post menus one week or more in advance, containing the meals and snacks to be served;
- (g) Maintain at least a three day supply of food and water for emergency purposes based on the number of children in child care.
- (2) Meals eaten at the center must contain the following:
 - (b) Each lunch and dinner meal the child eats at the center must contain:
 - (i) A dairy product (such as milk, cottage cheese, yogurt, cheese);
 - (ii) Meat or meat alternative (such as beef, fish, poultry, legumes, tofu, or beans);
 - (iii) A grain product (such as bread, cereal, bagel, or rice cake);
 - (iv) Fruits or vegetables (two fruits or two vegetables or one fruit and one vegetable to equal the total portion size required). When juice is served in place of a fruit or vegetable it must be one hundred percent fruit or vegetable juice.
 - (3) When meals are not provided by the center you must:
 - (a) Notify parents in writing that meals they provide for their children must meet the daily nutritional requirements;
 - (b) Provide adequate refrigeration for keeping potentially hazardous foods (such as meats of any type, cooked potato, cooked legumes, cooked rice, sprouts, cut melons or cantaloupes, milk, cheese);
 - (c) Refrigerate foods requiring refrigeration at 45 degrees Fahrenheit or less and keep frozen foods at 10 degrees Fahrenheit or less until they are cooked or consumed.
 - (4) Each snack the child eats at the center must include at least two of the following four components:
 - (a) A milk product (such as milk, cottage cheese, yogurt, cheese);
 - (b) A meat or meat alternative (such as meat, legumes, beans, egg);
 - (c) A grain product (such as cereal, bagel, rice cake or bread); and
 - (d) Fruit or vegetable.

WAC 170-295-3200. This WAC requires: You must store food:

- (1) In the original containers or in clean, labeled containers that are airtight and off the floor;
- (2) In a manner that prevents contamination from other sources;
- (4) That is not past the manufacturer's expiration or freshness date;
- (5) In a refrigerator or freezer if cooling is required;
- (8) Dry bulk foods not in their original containers, in containers with tight fitting covers. Containers must be labeled and dated.

WAC 170-295-3220. This WAC requires: You need the following equipment to cook and serve meals without restrictions on the type of menus or foods that you can cook, serve or store:

- (1) Kitchen walls, counter tops, floors, cabinets and shelves that are:
 - (a) Maintained in good repair to include being properly sealed without chips or cracks;
 - (b) Moisture resistant; and
 - (c) Maintained in a clean and sanitary condition.

WAC 170-295-4120. This WAC requires: (1) Your diaper changing table and area must:

- (a) Have a washable, moisture resistant diaper-changing surface that is cleaned and sanitized between children;

WAC 170-295-5020. This WAC requires: (1) You must maintain the building, equipment and premises in a safe manner that protects the children from injury hazards including but not limited to:

- (a) Burns (for example: Chemicals or other potentially flammable substances);
- (d) Cuts (for example: Broken glass, sharp objects, abrasive surfaces);
- (i) Objects falling on the children (for example: Heavy items on open shelving that could fall in an earthquake or similar emergency);
- (j) Pinches from equipment (for example: Broken or cracked areas);
- (k) Poison (such as cleaning supplies or lead-based paint);

WAC 170-295-5040. This WAC requires: (1) Surfaces must be easily cleanable. A cleanable surface is one that is:

- (a) Designed to be cleaned frequently;
 - (b) Moisture-resistant; and
 - (c) Free from cracks, chips or tears.
- (2) Examples of cleanable surfaces include linoleum, tile, sealed wood, and plastic.
- (3) You must maintain the building, equipment and premises in a clean and sanitary manner that protects the children from illness including but not limited to:
- (a) Ensure that floors around sinks, toilets, diaper change areas and potty chairs are moisture resistant and easily cleanable for at least twenty-four inches surrounding the surfaces; and
 - (b) Take measures to control rodents, fleas, cockroaches, and other pests in and around the center premises such as:
 - (iii) Seal and store food properly; and
 - (iv) Keep floors and other areas free from crumbs and food debris.
- (4) Surfaces can be cleaned:
- (a) With any cleaning solution such as soap and water, cleanser or cleaning spray;
 - (b) With a concentration according to label directions; and
 - (c) Rinsed as needed per label directions.
- (5) You may use a bleach solution to sanitize in the following areas:
- (a) Diapering areas;
 - (b) Surfaces exposed to body fluids;
 - (c) Bathrooms and bathroom equipment;
 - (d) Table tops;
 - (e) High chairs;
 - (f) Toys;
 - (g) Dishes;
 - (h) Floors; and
 - (i) Sleeping mats.
- (7) The following are surfaces that need to be cleaned and sanitized and a minimum schedule for that cleaning:
- (a) Tables and counters used for food serving and high chairs before and after each meal or snack;
 - (b) Sinks, counters and floors daily, or more often if necessary;
 - (c) Refrigerators monthly or more often as needed;
 - (d) Bathrooms (including sinks, toilets, counters and floors) daily and more often if necessary;
 - (e) Floors will be swept, cleaned and sanitized daily;
 - (f) Carpet vacuumed at least daily and shampooed as needed but at least every six months;
 - (h) Infant and toddler toys daily; and
 - (i) Sleeping mats, cribs and other forms of bedding between use by different children and at least weekly.
- (8) Your health policies and procedures must describe your frequency for general cleaning, dusting, cleaning toys, toy shelves, and equipment.

WAC 170-295-5060 This WAC requires that: You must provide safe storage for flammable and combustible liquids and chemicals used for maintenance purposes and operation of equipment. They must be in a location designed to prevent child access at all times.

WAC 170-295-5120. This WAC requires: (1) You must:

- (a) Provide a separate, firm and waterproof mat or mattress, cot or bed for each child or have a system for cleaning the equipment between children;
- (d) Launder the bedding weekly or more often if necessary and between uses by different children;
- (e) Store each child's bedding separately from bedding used by other children. Once the bedding has been used, it is considered dirty. One child's bedding cannot touch another child's bedding during storage;
- (f) Keep mats clean and in good repair. Once a mat is torn it is not cleanable. You may not use duct tape or fabric to repair sleeping mats or mattresses;

WAC 170-295-6060. This WAC requires that:(1) During operating hours or while a child is in care, individuals allowed to have unsupervised access to the child in care are:

- (a) You;
 - (b) An employee or volunteer who has been authorized by DEL to care for or have unsupervised access to children in child care; and
 - (c) A representative of a governmental agency who has specific, verifiable authority supported by documentation for the access.
- (2) A parent can have unsupervised access only to his or her own child. A parent may sign an authorization for an individual to have unsupervised access to his or her own child (for example a therapist).
- (3) You must not allow anyone else to have unsupervised access to a child in child care.

WAC 170-295-7030. This WAC requires that: Licensees must keep daily attendance records.

- (1) The parent or other person authorized by the parent to take the child to or from the center must:
 - (a) Sign in the child on arrival and sign out the child at departure, using their full signature and writing the time of arrival and departure; or
 - (b) Record the child's attendance using an electronic system if used by the licensee under WAC 170-295-7032;
 - (2) When the child leaves the center to attend school or participate in offsite activities as authorized by the parent, the licensee or staff must sign out the child, and sign in the child on return to the center
- WAC 170-295-7070 This WAC requires that: You must promptly report to the licenser any major changes in administrative staff, program or premises affecting the center's classification, delivery of safe, developmentally appropriate services or continued eligibility for license.

RCW 43.215.535

- (1) Every licensed child day care center shall, at the time of licensure or renewal and at any inspection, provide to the department proof that the licensee has day care insurance as defined in RCW 48.88.020, or is self-insured pursuant to chapter 48.90 RCW.
 - (a) Every licensed child day care center shall comply with the following requirements:
 - (i) Notify the department when coverage has been terminated;
 - (ii) Post at the day care center, in a manner likely to be observed by patrons, notice that coverage has lapsed or been terminated;
 - (iii) Provide written notice to parents that coverage has lapsed or terminated within thirty days of lapse or termination.
 - (b) Liability limits under this subsection shall be the same as set forth in RCW 48.88.050.
 - (c) The department may take action as provided in RCW 43.215.300 if the licensee fails to maintain in full force and effect the insurance required by this subsection.
 - (d) This subsection applies to child day care centers holding licenses, initial licenses, and probationary licenses under this chapter.
- RCW 43.215.535

Despite receiving assistance from DEL and other agencies you have failed to meet the licensing requirements for a child care facility. Based on the facts described in this letter and the legal authority cited in this Notice, DEL is summarily suspending and revoking your license.

Appeal Rights

You may contest DEL's decision to revoke and/or suspend your license and the effective date of the summary suspension decision. If you wish to contest DEL's decision to revoke and/or suspend your license, you have the right to an administrative hearing under chapter 43.215 RCW, chapter 170-03 WAC, and WAC 170-03-0030 through WAC 170-03-0090. To request a hearing, you must complete the following steps within 28 calendar days of when you or your agent received this Notice:

- Your request must be in writing;
- Your written request must state the basis for contesting DEL's decision and include a copy of this letter;
- You must file your written request with the Office of Administrative Hearings (OAH) and serve your written request to DEL in some manner that ensures proof of receipt by both OAH and DEL;
- Your written request must be received by both OAH and DEL within 28 calendar days of when you or your agent receives this letter; and by no later than 5:00 pm on the 28th day. A request reaching OAH and DEL after 5:00 pm on any given day will be considered to have been received on the next business day; and
- Your request must be sent to both of the following addresses:

(1) Office of Administrative Hearings
PO Box 42488
Olympia, WA 98504-2488

And

(2) Department of Early Learning
1949 S State Street WT-14
Tacoma, WA 98405

If you wish to contest the date the summary suspension becomes effective, you may do so by requesting a stay of the suspension under WAC 170-03-0300(3). A request for a stay of the summary suspension means a challenge to the date the summary suspension becomes effective. You must timely request a hearing to contest the revocation and/or suspension in order to request a stay or seek other relief. A request for a stay of the summary suspension may be included with your request to contest the revocation. Notice for a request for a stay of the summary suspension must be provided to DEL and the Office of Administrative Hearings (OAH). Your request for a stay of the summary suspension must include the reasons why you believe OAH should stop DEL's immediate action, including facts supporting your position. Please remember that if you successfully obtain a stay of the summary suspension, your license may still be suspended and/or revoked. A stay relates only to the date that the summary suspension will be effective.

The complete text of Title 170 WAC (the DEL licensing rules), and chapter 43.215 RCW (the DEL statutory hearing and licensing rules) cited in this Notice can be found at www.del.wa.gov.

If you have questions regarding this decision, you should call the child care licenser, Martha Standley at (360) 460-0664, or me, Debra Ashton at (253) 983-6419.

Please note that while the facts outlined above provide a legal basis for this action, DEL may have additional facts not included in this letter that support its position. In addition, if new information about

your situation becomes available, DEL may amend its action against you and issue a revised letter to that effect at any time.

Sincerely,



Debra Ashton
Licensing Supervisor
Department of Early Learning

Enclosure

cc: Martha Standley, DEL Child Care Licensor
Brett Skinner, DEL Licensing Analyst
Cammey Rocco, DEL Regional Administrator
Travis Hansen, DEL Statewide Licensing Administrator
Luba Bezbordnikova, DEL Assistant Director
Cathy Mashall, Assistant Attorney General