

Draft revisions to chapter 110-145 WAC – Set #9

To the reader:

The definition below will be added to the Definitions section of chapter 110-145 WAC:

“Individual Developmental Abilities” means the combined physical, cognitive, social, emotional, and communication abilities of a child or youth.

“Safety and well-being file” means a compilation of a child’s or youth’s records and assessments related to their care and services while in the licensee’s care.

Note to reader:

The following *WAC 1360 Children in care* combines WAC 1360 and some of the program-specific WAC that are located at the end of the current chapter 110-145 WAC. The [blue numbers in brackets \[\]](#) in the draft below indicate the WAC where the information came from.

WAC 110-145-1360 Children in care.

(1) Licensees may care for children and youth ages birth through 17 years old, and individuals 18 years through 20 years old if the individual is enrolled in extended foster care or has intellectual and development disabilities.

[\[1360\(1\)\]](#) (2) The department will license group care facilities using license types with specific requirements as outlined in subsections (3) through (8) of this section.

(3) **Emergency respite centers** (ERCs) provide care for children from birth through 17 years old, and individuals 18 through 20 years old when the individual has intellectual and developmental disabilities and is admitted with a sibling who is under 18 years old. [\[2010\]](#)

(4) **Group receiving centers** provide care for one of the following age groups:

(a) Two years through five years old;

(b) Six years through 12 years old;

(c) 13 years through 17 years old; or [\[2040\(1\)\(a-c\)\]](#)

(d) With an LD approved supervision plan, licensees may be licensed for more than one age group, including children under two years old. [\[2040\(2\)\]](#)

(5) **Overnight youth shelters** (OYSs) provide care for youth ages 13 years through 17 years old or youth ages 16 years through 20 years old. [\[2080\]](#)

(6) **Resource and assessment centers** (RACs) provide care for children from birth through 12 years old, ~~or~~ and for youth ages 13 years through 17 years old who are placed with a sibling

under 13 years old. [2165]

(7) **Secure crisis residential centers** (secure CRCs) provide care to youth ages 12 years through 17 years old who meet one of the following criteria:

(a) Youth ordered by the court to be placed for contempt on ARP. These youth may be ordered into a secure CRC that is collocated with a detention facility; or

(b) Youth placed by law enforcement officers who are runaways, are in dangerous situations, or are in violation of curfew. [1905]

(8) **Semi-secure crisis residential centers** (semi-secure CRCs) provide care to youth ages 12 years through 17 years old who meet one of the following criteria:

(a) Are beyond the control of their parents and behave in a way that endangers any individual's welfare;

(b) Need assistance getting food, shelter, health care, clothing, educational services, and/or resolving family conflicts;

(c) Need temporary protective custody; or

(d) Have parents who are not able or willing to continue efforts to keep the family together. [1900]

(9) Unless otherwise specified in subsections (3) through (8) of this section, to be licensed to care for children younger than six years old, licensees must provide one of the following:

(a) Care for children or youth with intellectual and developmental disabilities;

(b) Care for medically fragile children or youth; or

(c) Care for pregnant or parenting youth.

[1360 (2) (a-g)]

WAC 110-145-1785 Child and youth privacy - personal paper and electronic mail and phone calls.

(1) In general, children and youth in out-of-home placements have the right to privacy of personal paper and electronic mail and phone calls.

(2) The licensee must censor the child's or youth's mail and monitor telephone calls to the manner and extent necessary as determined by the department and the court order for the child's or youth's safety and well-being.

WAC 110-145-XXXX Technology use.

Licensees must:

(1) Have and follow policies and procedures describing children's and youth's access to and use of the following types of technology on the licensed premises;

(a) The internet;

(b) Desk or laptop computer or tablet;

(c) Gaming devices that include internet or streaming services; and

(d) Cell phone, including access and use off the premises if applicable.

(2) Except for interim facilities, provide teaching that is appropriate to each child's or youth's individual developmental abilities about using the technology, including the risks and safety precautions associated with the technology.

(3) Develop a plan for technology access and usage with each child and youth prior to them having access to any of the types of technology listed in subsection (1). At a minimum, the plan must contain:

(a) Input from:

(i) The child or youth;

(ii) The caseworker for the DCYF or tribal child or youth, or the parent of the community child or youth; and

(iii) The licensee or their personnel.

(b) Information about:

(i) The type of technology the child or youth wants to access and use;

(ii) Where, when, and how the child or youth wants to access and use the technology; and

(iii) The child's or youth's skills and abilities related to successful use of the technology.

(c) An assessment of the youth's individual developmental ability to safely use the technology. If the assessment identifies that the child's or youth's current developmental ability prohibits successful use of the technology, licensees must:

(i) Identify areas impeding the youth's ability to successfully use the technology;

(ii) Identify strategies to build skills in these areas; and

(iii) Review and update the assessment quarterly.

(d) A written use agreement reviewed with and signed by the child or youth prior to the access or use of any types of technology listed in subsection (1). The agreement must clearly outline the conditions under which the child or youth agrees to access and use the technology and the consequences if the conditions are not met.

WAC 110-145-1705 Cultural needs of children and youth.

Licensees must:

(1) Ensure an environment of tolerance and sensitivity to a child's or youth's culture. This includes providing adequate opportunity for educational and experiential participation

appropriate to the child's or youth's self-identified:

- (a) Spiritual and religious beliefs;
- (b) Race and ethnicity; and
- (c) SOGIE.

(2) Not require any child or youth to participate or engage in cultural educational or experiential activities against the child's or youth's wishes.

(3) Except for interim facilities, ask children and youth if they want a spiritual and religious, race and ethnicity, and SOGIE plan developed, and comply with the following requirements:

(a) Document in children's and youth's safety and well-being file, if they decline the development of all or any part of a spiritual and religious, race and ethnicity, and SOGIE plan, or

(b) Develop all, or only the applicable parts, of a spiritual and religious, race and ethnicity, and SOGIE plan, if the child or youth indicates they want the plan.

(4) At a minimum, of a spiritual and religious, race and ethnicity, and SOGIE plan must contain:

(a) Input from:

- (i) The child or youth;
- (ii) The caseworker for the DCYF or tribal child or youth, or the parent of the community child or youth; and
- (iii) The licensee or their personnel.

(b) Information about the child's or youth's:

(i) Self-identified spiritual and religious beliefs, race and ethnicity, and SOGIE; and

(ii) Interest in participating in spiritual and religious, race and ethnicity, and SOGIE educational or experiential activities offsite or while they are on the licensed premises.

(c) An assessment of the child's or youth's individual developmental ability to safely participate in spiritual and religious, race and ethnicity, and SOGIE educational or experiential activities away from the licensed premises. If the assessment identifies that the child's or youth's current developmental ability prohibits them from safely participating in these activities offsite, licensees must:

(i) Identify areas impeding the child's or youth's ability to safely participate in spiritual and religious, race and ethnicity, and SOGIE educational or experiential activities offsite;

(ii) Identify strategies to build skills in these areas; and

(iii) Review and update the assessment quarterly.

(5) Assist children and youth with obtaining transportation to and from educational and experiential activities appropriate to the child's or youth's spiritual and religious beliefs, race and ethnicity, and SOGIE.

WAC 110-145-XXXX Peer socialization activity plan.

Licensees must:

(1) As appropriate to the individual developmental abilities of the children and youth in care, support them in developing positive relationships with peers.

(2) Except for interim facilities, develop a peer socialization activity plan for each child or youth in care who requests to engage in activities offsite. At a minimum, the plan must contain:

(a) Input from:

(i) The child or youth;

(ii) The caseworker for the DCYF or tribal child or youth, or the parent of the community child or youth; and

(iii) The licensee or their personnel.

(b) An assessment of the child's or youth's individual developmental ability to safely participate in activities with peers offsite. If the assessment identifies that the child's or youth's current developmental ability prohibits them from safely participating in activities with peers offsite, licensees must:

(i) Identify areas impeding the child's or youth's ability to safely attend activities with peers offsite;

(ii) Identify strategies to build skills in these areas; and

(iii) Review and update the assessment quarterly.

(3) Assist children and youth with obtaining transportation to and from offsite activities with peers.