

## WAC

## WAC 170-295-6010

**What are the regulations regarding discrimination?**

- Child care centers are defined by state and federal law as places of public accommodation and must not discriminate in employment practices and client services on the basis of race, creed, color, national origin, marital status, gender, sexual orientation, class, age, religion, or disability.
- You must:
  - Post a nondiscrimination poster where families and staff can easily read it
  - Have a written nondiscrimination policy, and
  - Comply with the requirements of the Americans with Disabilities Act.

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**Respecting individual rights and personal beliefs****Non-Discrimination**

Chapter 49.60 of the Revised Code of Washington (RCW) describes the rules and procedures for the state Human Rights Commission. In part, it states: “The right to be free from discrimination because of race, creed, color, national origin, sex, sexual orientation (including gender identity), or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a disabled person is recognized as and declared to be a civil right. This right shall include, but not be limited to: (a) The right to obtain and hold employment without discrimination; (b) The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement.”

This applies to child care centers. Contact your licensor for a copy of the Department of Early Learning Non-Discrimination poster.

**Children with Special Needs**

The Americans with Disabilities Act (ADA) is a federal law, enacted in 1990, that guarantees that children with disabilities cannot be excluded from “public accommodations” simply because of a disability. “Public accommodations” include child care programs. The law requires all centers to make reasonable efforts to:

- ◆ Serve disabled children
- ◆ Care for children with special needs in the main group, and
- ◆ Provide training resources for staff.

You cannot deny a child a place in your center because of a sensory, mental or physical disability if the center has equipment and staff to meet the child’s needs. In practice, staff skills may need to be higher, staff to child ratios may need to be lower and program supervision may need to be greater when you enroll children with special needs. All the children in your program, however, will benefit from including children with special needs. Inclusion contributes to acceptance, improved socialization, and understanding of individual differences.

The importance you place on treating all people fairly sets an example for the children in your care. What you say, the way you say it, the way you act and even your choice of books and other materials can encourage children to think positively about themselves and other people.

**Note:** You must include your center’s non-discrimination policy in the parent handbook you give to parents when they enroll their child.

An example of a Non-Discrimination Policy is included on the next page for you to use as you set up your policy.

## Non-Discrimination Policy

It is the policy of this child care center that no person shall be subjected to discrimination because of race, color, national origin, gender, sexual orientation, including gender identity, age, religion, creed, marital status, disabled or Vietnam Era Veteran status, or the presence of any physical, mental, or sensory handicap.

This policy is consistent with Titles VI and VIII of the 1964 Civil Rights Act; Sections 503 and 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975 and the Age Discrimination in Employment Act of 1967; the 1974 Vietnam Era Veteran Readjustment Assistance Act; the Governor's Executive Order 85-09; and the Washington Laws Against Discrimination, RCW 49.60.

This child care center does not discriminate against children, families, or staff with disabilities. Children, families and staff with sensory, mental or physical disabilities are encouraged to participate in all the activities and opportunities at the center. We assess children on an individual basis to determine whether a child with special needs can be cared for at our center with reasonable accommodations. Some examples of reasonable accommodations include:

- The revision of policies and procedures to be inclusive
- The removal of physical barriers
- The addition of adaptive equipment, and
- The provision of additional staff training.

We are committed to treating all families with dignity and respect for their individual needs and differences.

This policy applies to every aspect of the agency's programs, practices, policies, and activities, including client services and employment practices.

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**WAC 170-295-6020**

## What are the regulations regarding religious activities?

You must:

- Respect and facilitate the rights of the child in care to observe the tenets of the child's faith, consistent with state and federal laws
- Not punish or discourage the child for exercising these rights, and
- Maintain a written description of the center's religious policies and practices that affect the child in care.

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## Recognizing people's religious beliefs

The written material you give parents must contain your center's policy and procedures about religious and holiday activities. Your program's religious content is very important to parents who are deciding whether they want to enroll their child in your program.

If your center shares space with a church, parents may wonder if your program also includes religious instruction. If your center is not a religious program, be sure to make the separation clear in your parent handbook.