

DIVISION 180

REGULATED SUBSIDY FAMILY CHILD CARE HOMES

414-180-0025

Safety

- (1) The room temperature must be at least 68°F during the hours which child care children are in care.
- (2) Rooms child care children are predominantly occupying must have a combination of natural and artificial lighting.
- (3) Floors must be free of splinters, large unsealed cracks, sliding rugs and other hazards.
- (4) Potentially aggressive animals must not be in the same physical space as the children.
- (5) Children shall be protected from fire and safety hazards. Providers must have the following protections in place:
  - (a) All exposed electrical outlets in rooms used by preschool or younger children must have hard-to-remove protective caps or safety devices installed when the outlet is not in use.
  - (b) Extension cords shall not be used as permanent wiring;
  - (c) All appliance cords must be in good condition;
  - (d) Multiple connectors for cords shall not be used;
  - (e) A grounded power strip outlet with a built-in over-current protection may be used;
  - (f) A stable barrier shall be installed to prevent children from falling into hazards, including, but not limited to: fireplaces, heaters and woodstoves that are in use when child care children are present;
  - (g) A secure barrier shall be placed at the top and/or bottom of all stairways accessible to infants and toddlers;
- (6) The home has a working smoke detector on each floor level and in any area where a child naps.
- (7) Cleaning supplies, paints, matches, lighters, and any plastic bags large enough to fit over a child's head kept under child-safety lock.

- (8) Other potentially dangerous items, such as medicine, drugs, sharp knives and poisonous and toxic materials kept under child-safety lock.
- (9) Firearms, BB guns, pellet guns and ammunition kept under lock, with ammunition stored and locked separately. Firearms, BB guns and pellet guns must remain unloaded;
- (10) If any preschool age or younger children are in care, poisonous plants must be kept out of the reach of children;
- (11) All clear glass panels in doors clearly marked at child level.
- (12) Each provider must:
- (a) Ensure that the home where care is provided meets all of the following standards:
- (A) Each floor level used by a child has two useable exits to the outdoors (a sliding door or window that can be used to evacuate a child is considered a useable exit). If a second floor is used for child care, the provider must have a written plan for evacuating occupants in the event of an emergency.
- (B) The home has a working telephone or telephone service in operating condition.
- (C) Emergency telephone numbers for fire, ambulance, police and poison control and the home address must be posted in a visible location.
- (D) The building, grounds, water supply, and toys, equipment and furniture used by children must be maintained in a hazard-free condition.
- (E) Broken toys, furniture and equipment must be removed from areas accessible to children.
- (13) Wading pools are prohibited for wading.
- (14) The provider is responsible for the children in care. At all times the provider must:
- (a) Be within sight or sound of all children;
- (b) Be aware of what each child is doing;
- (c) Be near enough to children to respond when needed.
- (15) The provider must have a written plan for evacuating and removing children to a safe location in an emergency. The plan must be posted in the child care home, familiar to the children and the caregivers, and practiced at least every other month and must include:

- (a) Procedures for notifying parents or other adults responsible for the children, of the relocation and how children will be reunited with their families;
  - (b) Procedures to address the needs of individual children, including infants and toddlers, children with special needs and children with chronic medical conditions;
  - (c) An acceptable method to ensure that all children in attendance are accounted for;
  - (d) Procedures for handling natural disasters (e.g. fire, earthquake, etc.) and man-caused events, such as violence at a child-care facility;
  - (e) Procedures in the event that children must shelter-in-place or if the child-care home must be locked-down so that no one can enter or leave; and
  - (f) Procedures for maintaining continuity of child care operations.
- (16) If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.
- (17) The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle.
- (18) Car seats are to be used for transportation only. Children who arrive at and brought into the provider's home asleep in a car seat may remain in the car seat until the child awakens.
- (19) The provider must take precautions to protect children from vehicular traffic. The provider shall:
- (a) Require drop off and pick up only at the curb or at an off-street location protected from traffic.
  - (b) Assure that any adult who supervises drop-off and loading can see and assure that children are clear of the perimeter of all vehicles before any vehicle moves.
- ~~(20) If a passenger van is used to transport child care children it must meet Federal Motor Vehicle Safety Standards for transporting children in education settings.~~

The following vehicles may be used to transport child care children:

- (a) A vehicle manufactured to carry fewer than ten passengers;
- (b) A school bus or a multi-function school activity bus;
- (c) A vehicle manufactured to carry ten or more passengers that was manufactured in 2010 or after; or
- (d) A vehicle manufactured to carry ten or more passengers that was manufactured before 2010, with the following conditions:
  - (A) Travel speed may not exceed 50 mph; and

(B) The vehicle must have an annual safety inspection by a garage, dealership or auto repair shop. Proof of inspection must be on the form provided by the Early Learning Division or on a form provided by the inspector which contains the same information.

(21) The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to:

(a) Take a child on a field trip or other activity outside the child care home or participate in any water activity; and

(b) Transport a child to or from school or allow a child to bus or walk to or from school or child care home.

~~(22) 15 passenger vans shall not be used to transport child care children.~~

[ED. NOTE: Table referenced are available from the agency.]

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329A.505