



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

COUNCIL ACTION REQUEST

Date: January 26, 2022

AGENDA ITEM: Fire Safety in Family Child Care Settings Temporary Rule Adoption

ACTION: Adopt temporary administrative rules to strengthen fire safety in family child care settings (i.e. Registered Family & Certified Family child care).

ISSUE: The Early Learning Division (ELD) must adopt recommendations to improve fire safety in family child care settings into administrative rule.

BACKGROUND: In April 2021, Department of Consumer & Business Services (DCBS) Building Codes Structures Board passed rules requiring new Registered and Certified Family child care facilities as defined by ORS 329A to have an automatic residential fire sprinkler system installed, with potential alternate methods offered locally. Additional information regarding the DCBS rulemaking process and model building codes can be found in Appendix A: ELD & DCBS joint letter to Rep. Karin Power.

Child care types affected by this rule include new certified family (CF) and registered family (RF) child care homes, also known as family care, which are located in residential homes. Maintaining life safety in child care is of critical importance to the Governor, ELD and DCBS. However, there has been confusion at the local level about suitable alternatives to sprinklers; and installation of an automatic residential fire sprinkler system can present a cost barrier for many family care providers.

In November 2021, Governor Kate Brown requested that ELD, DCBS, and Oregon State Fire Marshal (OSFM) develop recommendations to ensure life safety protection in family care facilities while also mitigating the financial impact on child care providers. ELD and DCBS referred to the [City of Portland decision](#), for family care homes operating for fewer than 24 hours per day to comply with the Oregon Residential Specialty Code (ORSC) without a fire sprinkler system if certain conditions are met.

Upon coordination with ELD, DCBS's Building Code Structures Board is considering temporary rules [on January 26, 2022](#) that provide an alternative to sprinklers for new RF/CF providers when:

1. Care is provided on “the level of exit discharge,” i.e. a level where there is a door to the outside, such as the ground floor, and
2. The path to the exit does not pass within three feet of a fixed cooking appliance (where most fires begin) or through a storage room or a room with locks.

ELD and DCBS reviewed best practices for fire safety in child care homes and worked with ELD – Office of Child Care (ELD-OCC) regional managers to test feasibility of implementation. In consultation with the National Center on Early Childhood Quality Assurance (ECQA), ELD identified fire safety rules nationwide that have high



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safety impact with low financial impact for consideration. Several states include a time limit of three minutes or less to complete fire drills in family child care homes, which OSFM has accepted.

Proposed temporary rule language has been developed by ELD in consultation with DCBS. In January 2022, ELD sought initial feedback on the draft rule language operationalizing safety strategies from advocates and union representatives. The proposed ruleset is temporary language that will be effective 120 days (January 26, 2022 through May 26, 2022). The ELD will engage in the public rulemaking process, including increased partner engagement and a Rulemaking Advisory Committee (RAC) to evaluate fiscal and equity impacts, and return to the Early Learning Council for adoption of permanent rule in spring 2022.

Please see “Appendix B: Proposed temporary Oregon Administrative Rule language related to fire safety in Registered Family Child Care” and “Appendix C: Proposed temporary Oregon Administrative Rule language related to fire safety in Certified Family Child Care” for full rule language text presented for temporary adoption.

EQUITY ANALYSIS: The Early Learning Division will engage in a more in-depth equity analysis as part of the RAC process in Spring 2022. However, this proposed temporary ruleset was developed with equity in mind particularly when it comes to the financial impact of these rule changes. While the RAC process requires a more robust fiscal analysis, ELD’s preliminary assessment is that these temporary rules present no- to low-cost changes that are significantly cheaper than installing sprinklers in new programs. ELD’s initial assessment has identified the carbon monoxide detectors as the largest expense, ranging from \$25-\$45 per detector. Other potential costs include straps to mount fire extinguishers in a visible location and night lights to illuminate an exit path for night care.

PROPOSED DRAFT MOTIONS:

- A) I move to adopt the proposed language dated January 26, 2022 that temporarily adopts amendments to Oregon Administrative Rules 414-205-0035, 414-205-0110, 414-205-0130, and 414-205-0140, with the removal of the requirement that a drill be conducted during the established napping or rest time at least once per year.
- B) I move to adopt the proposed language dated January 26, 2022 that temporarily adopts amendments to Oregon Administrative Rules 414-350-0050, 414-350-0170, 414-350-0375, with the removal of the requirement that a drill be conducted during the established napping or rest time at least once per year.

CONTACT: Alyssa Chatterjee, Early Learning System Director, Early Learning Division



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

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APPENDIX B: Proposed temporary Oregon Administrative Rule language related to fire safety in Registered Family Child Care

OAR 414-205-0035: General Requirements

- (1) The home in which child care is provided must be the residence of the provider.
- (2) The provider may not hold a medical marijuana card, grow marijuana, or be a distributor of marijuana.
- (3) Registration is limited to one provider per household.
- (4) A registration applies to only the person and address on the certificate of registration and is not transferable to another location or individual.
- (5) The registration is valid for a maximum of two years. The registration period begins with the effective date shown on the certificate of registration. A provider may not care for more than three (3) children, other than the provider's own children, at any one time prior to receiving a certificate of registration from OCC.
- (6) OCC registration records are open to the public on request. However, information protected by state or federal law will not be disclosed.
- (7) The name, address, telephone number, and registration status of providers is public information. However, OCC may withhold from the public a provider's address and telephone number if the provider makes a written request documenting that disclosure of the address and/or telephone number would endanger him/her or a family member living in the home (OAR 137-004-0800). The request must be on a form supplied by OCC.
- (8) The provider shall display the following near the entrance, or in some other area of the home where they may be clearly viewed by parent(s) of children in care:
 - (a) The Certificate of Registration; ~~and~~
 - (b) Providers must post all serious valid complaint and serious non-compliance letters for 12 calendar months; ~~and~~
 - (c) **A floor plan identifying the locations of the following:**
 - (A) Exits;
 - (B) Primary evacuation routes;
 - (C) Secondary evacuation routes; and
 - (D) Fire extinguishers.

OAR 414-205-0110: Safety

- (1) 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;



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
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(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;

~~(h) A working smoke detector on each floor and in any area where children nap~~ **Smoke alarms and carbon monoxide detectors shall be:**

(a) Installed on each floor level of the home and in any area where children nap;

(b) Maintained in operating order; and

(c) Tested monthly to ensure they are in working order. The provider must document each test;

~~(i) A working fire extinguisher with a rating of at least 2-A:10-BC; There shall be at least one 2-A-10 BC-rated fire extinguisher on each floor of the home. Fire extinguishers must be mounted along the evacuation route, in an easily accessible and visible location that is out of reach of children. The fire extinguisher may be mounted in a closet if there is a sign indicating the location of the extinguisher and the access to the closet must be unobstructed.~~

(j) The provider must inspect the fire extinguishers monthly and the inspection must be documented.

~~(jk) 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;~~

~~(kl) Cleaning supplies, paints, matches, lighters, and plastic bags kept under child-safety lock;~~

~~(lm) Other potentially dangerous items, such as medicine, drugs, sharp knives and poisonous and toxic materials kept under child-safety lock;~~

~~(mn) Flammable and combustible liquids, such as paint thinner and gasoline, shall be stored in the original container or a safety container and, if over one gallon, kept in an unattached storage building;~~ **Flammable and combustible materials:**

(a) Shall be stored in the original container or a safety container;

(b) Must not be stored within 4 feet of furnaces, other flame or heat-producing equipment, or fuel-fired water heaters, and

(c) If over one gallon, kept in an unattached storage building.

~~(no) If any preschool age or younger children are in care, poisonous plants must be kept out of the reach of children; and~~

~~(op) All clear glass panels in doors clearly marked at child level.~~

(2) All floor levels used by children must have access to two useable exits, as defined in OAR 414-205-0010(34), to the outdoors.

(a) If a basement is used for child care purposes, the requirement for two useable exits may be met by one of the following:

(A) A sliding glass door or swinging door to the outside and a window that meets the definition of a useable exit; or

(B) A window which meets the definition of a useable exit and an internal stairway to ground level that has unobstructed and direct access to the outdoors.

(b) If a window, which meets the definition of a useable exit, is used:

(A) Steps must be placed under the window to allow children to exit without assistance; and



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
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(B) The window must be kept in good working condition.

(c) If a window used as an exit has a window well, a mechanism must be in place to allow children to exit the window well.

(d) The provider must complete a daily inspection to ensure that evacuation routes are clear and usable exits, including doors and escape windows, are operable.

(3) Second floors (does not apply to providers registered continuously at the same address before 2009, unless the provider has moved the child care license to a new residence):

(a) Child care children shall not sleep on the second floor or above;

(b) Care shall not be provided for infants and toddlers on the second floor or above;

(c) Night care shall not be provided on the second floor or above;

(d) Children may be allowed on the second floor to use the bathroom if the only bathroom is on the second floor;

(e) Care can be provided for preschool and school-age children on the second floor or above, if:

(A) There are two staircases to the ground level and all children are mobile enough to exit safely;
or

(B) The designated fire marshal has approved the use of the upper floor.

(4) Fire drills shall be practiced monthly at varying times of day, including in the evening and during overnight hours for programs that care for children during those hours.

(a) Fire drills must include:

~~(A) A drill conducted during the established napping or rest time at least once per year;~~

(B) A drill including using an alternate evacuation route at least once per year; and

(C) A drill observed by OCC staff; if requested.

(b) The provider must have an alert method (for example, a loud bell or whistle) to warn the occupants of the home of an emergency or drill.

(c) Full evacuation of all staff and children must be completed within three minutes.

(5) One other aspect of the emergency plan shall be practiced every other month and must follow the recording requirements listed in OAR 414-205-0110(6)(a-f).

(46) 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 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.

(57) A telephone in working condition must be in the family child care home.

(a) Parents must be given the telephone number so they can contact the provider if needed.



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
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- (b) Emergency telephone numbers for fire, ambulance, police and poison control and the provider's home address must be posted in a visible location
- ~~(68)~~ The building, grounds, water supply, and toys, equipment and furniture used by children must be maintained in a hazard-free condition.
- (a) Broken toys, furniture and equipment must be removed from areas accessible to children.
 - (b) Both the exterior and interior of the home must be maintained in good repair.
 - (c) Painted surfaces must be in good condition, both inside and outside, to avoid exposing children to lead paint.
 - (d) The provider shall report to OCC any damage to the building that affects the provider's ability to comply with these requirements, within 48 hours after the occurrence.
- ~~(79)~~ If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.
- ~~(810)~~ The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle
- ~~(911)~~ 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.
- ~~(1012)~~ 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.

OAR 414-205-0130: Record Keeping

- (1) The following records, except those specified in OAR 414-205-0105(7)(a), shall be kept by the provider for at least one year. These records shall be available at all times to OCC:
- (a) Information from the parent(s) for each child at the time of admission:
 - (A) Name and birth date of the child;
 - (B) Any chronic health problem(s), including allergies, the child has;
 - (C) Date child entered care;
 - (D) Names, work and home telephone numbers and addresses, and the work hours of the parent(s) or legal guardian(s);
 - (E) Name and telephone number of person(s) to contact in an emergency;
 - (F) Name and telephone number of person(s) to whom the child may be released;
 - (G) The name of the school attended by the child care child; and



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
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Salem, OR 97301

(H) Name, address and telephone number of the child's doctor and dentist.

(I) Health history of any problems that could affect the child's participation in child care.

(b) Daily attendance records, including dates each child attended and arrival and departure times for each day. Times shall be recorded as the child care children arrive and depart;

(c) Medications administered, including the child's name, and the date and time of dosage and the dosage amount; ~~and~~

(d) Injuries to a child; **and**

(e) The provider shall maintain a written record of each emergency evacuation drill showing:

(A) The date and time;

(B) The exits used;

(C) The number and age range of children evacuated;

(D) The total number of people in the home at the time of the drill;

(E) The amount of time taken to evacuate the home;

(F) The name of the person conducting the drill, and

(G) The alert method used.

OAR 414-205-0140: Night Care

A provider providing night care must:

(1) Have a written plan for the care, mutually agreed upon by the parent(s) and the provider;

(2) Have a written plan for emergency situations occurring during the night;

(3) Be awake for the arrival and departure of each child in night care; ~~and~~

(4) Follow all other applicable Registration rules; **and**

(5) Illuminate evacuation routes.



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

APPENDIX C: Proposed temporary Oregon Administrative Rule language related to fire safety in Certified Family Child Care

OAR 414-350-0050: General Requirements

(1) The following items shall be posted in the certified family child care home where they may be clearly viewed by parents:

- (a) The most current certificate issued by OCC; 12
- (b) Notification of a communicable disease outbreak at the home;
- (c) The evacuation plan and the location where parents may be reunited with their children in the event of an evacuation;
- (d) A notice that the following items are available for parents to review:
 - (A) The guidance/discipline policy;
 - (B) The current week's menus, with substitutions recorded;
 - (C) The description of the general routine;
 - (D) Information on how to report a complaint to OCC regarding certification requirements; and
 - (E) The most recent OCC and sanitation inspection reports and, if applicable, fire life safety self-evaluation (or fire marshal inspection report if completed).
- (e) The Early Learning Division Website [www.oregonearlylearning.com] and phone number [1-800-556-6616], and a statement advising parents that they can access information about their child care provider on the child care safety portal.
- (f) Providers must post all serious valid complaint and serious non-compliance letters for 12 calendar months.
- (g) A floor plan identifying the locations of the following:**
 - (A) Exits;**
 - (B) Primary evacuation routes;**
 - (C) Secondary evacuation routes; and**
 - (D) Fire extinguishers.**

OAR 414-350-0170: Home Safety

- (1) All floor levels used by children for play and napping shall have two usable exits to ground level.
- (2) All rooms used by children for play and napping shall have two usable exits.
- (3) Obstructions, including furniture, storage of supplies, or any other items shall not be placed in a manner that blocks usable exits.
 - (a) The provider must complete a daily inspection to ensure that evacuation routes are clear and usable exits, including doors and escape windows, are operable.**
- (4) There shall be at least one 2-A-10 BC rated fire extinguisher on each floor of the home. ~~Fire extinguishers shall be easily accessible, kept out of reach of children, and located along the path of emergency exiting.~~ **Fire extinguishers must be mounted along the evacuation route, in an easily accessible and visible location that is**



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

out of reach of children. The fire extinguisher may be mounted in a closet if there is a sign indicating the location of the extinguisher and the access to the closet must be unobstructed.

(5) The provider must inspect the fire extinguishers monthly and the inspection must be documented.

(56) Smoke alarms and carbon monoxide detectors shall be:

- (a) Installed on each floor level of the home and in any area where children nap;
- (b) Maintained in operating order; and

(c) Tested monthly to ensure they are in working order. The provider must document each test.

(67) Candles or other open flame decorative devices are prohibited, except for the brief use of celebratory candles.

(78) Matches and lighters shall be kept in locked storage when not in use.

(89) A portable light source, to be used in emergencies, shall be:

- (a) Available in all activity areas used by children;
- (b) In working condition; and
- (c) Stored in an easily accessible place.

(910) Items of potential danger (e.g., cleaning supplies and equipment, paints, poisonous and toxic materials, plastic bags, aerosols, detergents) shall be:

- (a) Kept in the original container or labeled;
- (b) Stored under child-proof lock; and
- (c) Kept away from food service supplies.

(1011) The provider shall protect children from safety hazards, including but not limited to:

- (a) A rigid screen or guard shall be installed to prevent children from falling into a fireplace or against a heater or wood stove;
- (b) A movable barrier, such as mesh-type gate, shall be placed at the top and/or bottom of all stairways accessible to infants and toddlers. Gates and enclosures should have the Juvenile Products Manufacturers Assn. (JPMA) certification seal to ensure safety;
- (c) Child-proof latches shall be installed on all cupboards, closets, and drawers that contain hazardous objects and may be accessible to preschool-age and younger children;
- (d) Firearms, ammunition, and other potentially hazardous equipment, such as darts, other projectiles, power tools, and knives shall be kept under lock:
 - (A) Firearms, pellet or BB guns must be unloaded and kept in areas not used by childcare children; and
 - (B) Ammunition shall be stored separately from firearms;
- (e) Hot water heaters shall be equipped with a safety release valve and an overflow pipe that directs water to the floor or to another approved location;
- (f) Unused appliances, such as old refrigerators or freezers, that present a risk for entrapment, shall be secured so as to prevent entry by children;
- (g) Clear glass panels in doors shall be clearly marked at child level;
- (h) All exposed electrical outlets in rooms used by preschool or younger children shall have hard-to-remove protective caps or safety devices when not in use;
- (i) Extension cords shall not be used as permanent wiring. All appliance cords will be in good condition and multiple connectors for cords will not be used. A grounded power strip outlet with built-in over-current protection may be used;



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
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Salem, OR 97301

(j) Floors shall be free of splinters, large unsealed cracks, sliding rugs, and other hazards;

(k) Devices which generate heat and are hot from recent use shall be inaccessible to children; and

(l) After painting or laying carpet, the certified home must be aired out completely for at least 24 hours with good ventilation before children are allowed to return.

~~(1112)~~ The provider shall have written evidence that any wood stove in the home has been inspected and approved for use by the local building official.

~~(1213)~~ All wood stove and fireplace flues shall be cleaned as needed or, at a minimum, once a year. A written record of cleaning shall be maintained on site.

~~(1314)~~ The use of unvented, fuel-fired space heaters is prohibited.

~~(1415)~~ Flammable and combustible liquids, such as paint thinner and gasoline, shall be stored in the original container or a safety container and, if over one gallon, kept in an unattached storage building. Flammable and combustible materials:

(a) Shall be stored in the original container or a safety container;

(b) Must not be stored within 4 feet of furnaces, other flame or heat-producing equipment, or fuel-fired water heaters, and

(c) If over one gallon, kept in an unattached storage building.

~~(1516)~~ All caregivers and children shall practice at least one aspect of the emergency plan, as described in OAR 414-350-0050(8)(c), once per month.

(a) Evacuating the home shall be practiced at least eight times per year. If the facility is certified to care for more than 12 children and more than 4 children regularly in care are under 24 months of age, evacuating the home shall be practiced monthly.

(b) The provider shall maintain a written record showing the date, time of day, participants, and type of emergency of each emergency plan practice session.

Fire drills shall be practiced monthly at varying times of day, including in the evening and during overnight hours for programs that care for children during those hours.

(a) Fire drills must include:

~~(A) A drill conducted during the established napping or rest time at least once per year;~~

(B) A drill including using an alternate evacuation route at least once per year; and

C) A drill observed by OCC staff; if requested.

(b) The provider must have an alert method (for example, a loud bell or whistle) to warn the occupants of the home of an emergency or drill.

(c) Full evacuation of all staff and children must be completed within three minutes.

(17) The provider shall maintain a written record of each fire drill showing:

(a) The date and time;

(b) The exits used;

(c) The number and age range of children evacuated;

(d) The total number of people in the home at the time of the drill;

(e) The amount of time taken to evacuate the home;

(f) The name of the person conducting the drill; and

(g) The alert method used.



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
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(18) One other aspect of the emergency plan shall be practiced every other month and must follow the recording requirements listed in OAR 414-350-0170(17)(a-g).

~~(1619)~~ The written plan for evacuating and removing children to a safe location in an emergency must be posted in the home and must be familiar to the children and the caregivers. The plan 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 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
- (e) Procedures for maintaining continuity of child-care operations.

~~(1720)~~ 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.

~~(1821)~~ Other hazards observed in the certification process must be corrected.

OAR 414-350-0375: Night Care

(1) When a certified family home provides night care to child care children, the provider shall meet all of the requirements for certified family child care homes contained in OAR 414-350-0000 through 414-350-0405, except for 414-350-0150 and 414-350-0220. In addition, the home shall comply with the following requirements, and the certification shall reflect that regulated night care is offered.

(2) Staffing:

- (a) During the hours of night care, the required staff/child ratios, as specified in OAR 414-350-0120 shall be maintained.
- (b) A caregiver must be present on the same floor level as the child care children who are sleeping.
- (c) A caregiver must be awake for the arrival and departure of each child in night care. A caregiver must be awake during night care hours if more than six(6) children are in care.
- (d) All persons 18 years of age and older, inclusive of guests sleeping in the home during night care hours, shall comply with OAR 414-350-0090(4).

(2) Activities:

- (a) There shall be quiet activities, such as story-time, games, arts and crafts, and reading, for each child arriving before bedtime. These activities shall be appropriate to the child's age, interests and abilities.
- (b) The use of television, videos, and computer or electronic games shall comply with OAR 414-350-0220(5).
- (c) The provider shall have a written plan for night care which includes:



Early Learning Council

January 26, 2022

10:00 a.m. – 2:00 p.m.

Early Learning Division
3rd Floor, Grand Ronde Room
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Salem, OR 97301

- (A) Regular routines;
- (B) Supervision of children;
- (C) Evacuation procedures for awake and sleeping children;
- (D) Sleeping arrangements; and
- (E) Arrival and departure procedures.

(d) If 24-hour care is provided, the provider shall have a written plan for self care, i.e., how her/his own needs will be met.

(3) Sleeping Arrangements:

- (a) Space shall be available so that children may go to sleep at various times, based on their age and need for rest.
- (b) All sleeping rooms used by children shall have two useable exits. A sliding door or window can be considered a useable exit if it meets the definition, as specified in OAR 414-350-0010(38).
- (c) Beds and bedding shall comply with OAR 414-350-0230(3) and 414-350-0235(1).

(4) Personal Hygiene:

- (a) When bathing is provided, there shall be:
 - (A) Individual washcloths and towels for each child;
 - (B) Individual bathing opportunities for each child, unless a parent(s) has given permission for siblings to bath together;
 - (C) Safety glass in glass shower doors or glass tub enclosures;
 - (D) Appropriate cleaning and sanitizing procedures implemented after each child has used the shower or tub; and
 - (E) Appropriate equipment in bathtubs and showers to prevent slipping.
- (b) Children spending the night shall have the opportunity to brush their teeth with an individual toothbrush and toothpaste labeled with his/her name.
- (c) When bathing, showering or brushing teeth, children shall be supervised by a caregiver. For school-age children, privacy shall be maintained.

(5) During night care, evacuation routes must be illuminated.