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ARCHIVES DIVISION
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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 414
OREGON DEPARTMENT OF EDUCATION
EARLY LEARNING DIVISION

FILED
02/28/2022 10:23 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Updates to child development training requirements as required by Child Care & Development Fund.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/23/2022 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Remy Watts
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700 Summer St. NE
Salem, OR 97301

Filed By:
Remember Watts
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 03/15/2022

TIME: 5:30 PM - 6:00 PM

OFFICER: Remy Watts

ADDRESS: Virtual access only

700 Summer St. NE

Salem, OR 97301

SPECIAL INSTRUCTIONS:

Please register for the hearing no later than 5 p.m. on Tuesday, March 15. Find information on registration on the ELD calendar: https://oregonearlylearning.com/meeting/ccdf_training_req

Please arrive to the meeting no later than 5:45 p.m.

NEED FOR THE RULE(S)

The federal Child Care & Development Fund (CCDF) requires that ELD modify its policies around child development training for early care educators.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

CCDF Child Development Training requirements: <https://childcareta.acf.hhs.gov/ccdf-fundamentals/training-and-professional-development-requirements>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

There is no anticipated negative impact to racial equity in this state as a result of rule modification.

FISCAL AND ECONOMIC IMPACT:

There are no anticipated negative impacts to members of the public, state agencies, or units of local government.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) Changes in rule are within ELD's current capacity.

(2)(a) There are 868 Certified Family Child Care Homes and 1173 Certified Centers.

(b) There is no anticipated increase in reporting, recordkeeping, or administrative activities for facilities to comply with the rule.

(c) There is no anticipated increased cost to professional services, equipment supplies, labor or administration.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

English and Spanish engagement sessions are scheduled with large groups of child care providers on the rule updates.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

There are no anticipated fiscal impacts to child care providers.

RULES PROPOSED:

414-205-0040, 414-205-0055, 414-300-0080, 414-300-0090, 414-300-0100, 414-300-0110, 414-300-0120, 414-350-0115

AMEND: 414-205-0040

RULE SUMMARY: Updated child development training requirements to align with federal Child Care & Development Fund policies.

CHANGES TO RULE:

414-205-0040

The Provider and Other Persons in the Home ¶¶

(1) The registered provider and any substitute provider shall:¶¶

(a) Be at least 18 years old,¶¶

(b) Have competence, sound judgment and self-control when working with children, and¶¶

(c) Be mentally, physically and emotionally capable of performing duties related to child care.¶¶

(2) No one shall have access to child care children who has demonstrated behavior that may have a detrimental effect on a child. Residents of the home are considered to have access to the child care children even if they are not generally at home during child care hours.¶¶

(3) The applicant and other residents of the home 18 years of age or older must be enrolled in OCC's CBR prior to the issuance of a registration. Residents of the home who are under 18 years of age must be enrolled in the Registry by their 18th birthday.¶¶

(4) The provider must receive confirmation from OCC that an individual 18 years of age or over, is enrolled or conditionally enrolled in the CBR before the individual can:¶¶

(a) Reside on the premises;¶¶

(b) Stay overnight on the premises for longer than 14 consecutive days, not to exceed a total of 30 days in a calendar year;¶¶

(c) Assist the provider; or¶¶

(d) Volunteer in the child care program.¶¶

(5) Individuals with conditional enrollment in the CBR shall not have unsupervised access to children.¶¶

(6) If additional information is needed to assess a person's ability to care for children or to have access to children, OCC may require references, an evaluation by a physician, counselor, or other qualified person, or other information.¶¶

(7) Any visitor to the home or other adult who is not enrolled in the CBR may not have unsupervised access to

children.¶

(8) The provider, substitutes and other individuals that are required to be enrolled in the CBR must maintain current enrollment in the CBR at all times while the registered family child care license is active.¶

(9) Individuals whose CBR enrollment has been revoked, denied or suspended, may not live in the home; be on the premises during child care hours; or have contact with child care children.¶

(10) If any person, who is enrolled in the CBR, has been charged with, arrested for, or a warrant is out for any of the crimes which OCC has determined indicate behavior which may have a detrimental effect on a child, with final disposition not yet reached, registration may be denied or suspended until the charge, arrest, or warrant has been resolved if the person continues to operate, be employed in or reside in the home, or have access to children in the home.¶

(11) The provider shall have a written plan to ensure that individuals who are not enrolled or conditionally enrolled in the CBR and are on the child care premises shall not have unsupervised access to children.¶

(12) The provider shall maintain a log of arrival and departure times of all individuals 18 and older who are not enrolled or conditionally enrolled in the CBR and enter the home while child care children are present, excluding persons authorized to drop off and pick up a child care child.¶

(13) Prior to substituting for the provider, a caregiver must:¶

(a) Be familiar with the requirements for registration and agree to comply with them;¶

(b) Be enrolled in the CBR;¶

(c) Comply with all the requirements placed on the provider, except those in OAR-414-205-0055(1)(a), (2)(c), (3)(c);¶

(d) Have current certification in first aid and infant and child cardiopulmonary resuscitation (CPR). The certifications must be current while the caregiver is substituting for the provider. CPR training must have practical hands-on instruction. CPR courses that involve an on-line component with hands-on instruction may be accepted. Strictly on-line CPR training is not acceptable;¶

(e) Have completed a minimum of two hours of training on child abuse and neglect that is specific to Oregon law;¶

(f) Have current food handler's certification, if preparing or serving food to children;¶

(g) Have completed ~~OCC-approved~~ Introduction to Child Care Health and Safety training; and¶

(h) Have completed ~~OCC--approved~~ safe sleep training; and¶

(i) Complete OCC-approved child development training.

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A

AMEND: 414-205-0055

RULE SUMMARY: Updated child development trainings required by updates to federal Child Care & Development Fund policies.

CHANGES TO RULE:

414-205-0055

Training Requirements ¶¶

(1) When a person submits a new application for registration as a family child care provider, OCC shall, prior to approving the registration, receive evidence from the person that the person has:¶¶

- (a) Completed the Family Child Care Overview session;¶¶
- (b) A current certification in first aid and infant and child CPR. CPR training must have practical hands-on instruction. CPR courses that involve an on-line component with hands-on instruction may be accepted. Strictly on-line CPR training is not acceptable.¶¶
- (c) A current food handler certification pursuant to ORS 624.570;¶¶
- (d) Have completed a minimum of two hours of training on child abuse and neglect that is specific to Oregon law;¶¶
- (e) Completed ~~OCC approved health and safety training~~ Introduction to Child Care Health and Safety Training; and training;¶¶
- (f) Completed OCC approved safe sleep training.¶¶

(2) When a registered family child care provider submits a renewal application, the OCC shall, prior to approving it, receive evidence from the provider that the provider has:¶¶

- (a) A current certification in first aid and infant and child CPR. CPR training must have practical hands-on instruction. CPR courses that involve an on-line component with hands-on instruction may be accepted. Strictly on-line CPR training is not acceptable.¶¶
- (b) A current food handler certification pursuant to ORS 624.570; and¶¶
- (c) Completed a minimum of ten hours of training during the two years preceding the renewal date. The training must be related to the core knowledge categories in the Oregon Registry. At least six clock hours of the ten hours of training must be in child development or early childhood education. A training on recognizing and reporting child abuse and neglect will be accepted after five years (and every five years thereafter) as part of the ten clock hours of training required for licensing, but will not be accepted as part of the required child development training hours.¶¶
- (d) Completed OCC approved health and safety training. ¶¶

(A) OCC will accept duplicate training one additional time if it is a Set 2 (intermediate) or Set 3 (advanced) training or above as described by the Oregon Center for Career Development in Childhood Care and Education; and it is not taken within the same license period.¶¶

(B) The following core knowledge categories are accepted for the child development and early childhood education requirement: Diversity (D), Family and Community Systems (FCS), Human Growth and Development (HGD), Health Safety and Nutrition (HSN), Learning Environments and Curriculum (LEC), Observation and Assessment (OA), Special Needs (SN), and Understanding and Guiding Behavior (UGB).¶¶

(3) When a person submits a reopen application, the OCC shall, prior to approving it, receive evidence from the individual that the individual has:¶¶

- (a) A current certification in first aid and infant and child CPR. CPR training must have practical hands-on instruction. CPR courses that involve an on-line component with hands-on instruction may be accepted. Strictly on-line CPR training is not acceptable.¶¶
- (b) A current food handler certification pursuant to ORS 624.570; and¶¶
- (c) Documentation that individual has ten hours of training related to the Oregon Registry core knowledge categories since the individual's last active child care license was issued. If the individual was previously licensed for less than two years, the training requirements will be prorated as follows: 2.5 hours of training for each six months of the previous license period. A training on recognizing and reporting child abuse and neglect will be accepted again after five years (and every five years thereafter) as part of the ten clock hours of training required for licensing, but will not be accepted as part of the required child development training hours.¶¶
- (d) OCC will accept duplicate training one additional time if it is a Set 2 (intermediate) or Set 3 (advanced) training or above as described by the Oregon Center for Career Development in Childhood Care and Education; and it is not taken within the same license period.¶¶
- (e) Completed OCC approved health and safety training. ¶¶
- (f) Completed OCC approved safe sleep training. If the reopen is the result of an address change, the person must complete the OCC approved safe sleep training by January 1, 2019.¶¶

(4) While the registered family child care license is active, the provider must maintain current certification in first aid, infant and child CPR, food handler training, and must complete ~~annual OCC approved health and safety~~

~~training curriculum one hour of training in the category of Health, Safety & Nutrition (HSN) during each year of the two year license period.¶~~

~~(5) All current providers must complete OCC-approved safe sleep training by January 1, 2019.¶~~

~~(6) Notwithstanding OAR 414-205-0040(13)(d), 414-205-0055(1)(b), 414-205-0055(2)(a), 414-205-0055(3)(a), an online-only CPR certification obtained between March 24, 2020 and June 30, 2022 will be accepted to meet the child development training within 90 days of approval of the certificate.¶~~

~~(6) All current providers must complete OCC-approved child development training requirement until the certification expires by September 30, 2022.~~

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260

AMEND: 414-300-0080

RULE SUMMARY: Updated child development training requirements to align with updates to federal Child Care & Development Fund.

CHANGES TO RULE:

414-300-0080

Director - Qualifications and Duties ¶¶

(1) The director shall:¶¶

(a) Be at least 21 years of age; and¶¶

(b) Have:¶¶

(A) At least one year of training and/or experience in management and supervision of adults; and¶¶

(B) Have knowledge of child development for the primary ages served in the center, as evidenced by a combination of professional references, education, experience or training; or¶¶

(C) Documentation of attaining at least step nine in the Oregon Registry, or¶¶

(c) Have:¶¶

(A) One year of training and/or experience in management and supervision of adults OR have knowledge of child development for the primary ages served by the center as evidenced by a combination of professional references, education, experience or training; and¶¶

(B) A plan, approved by OCC, that shows how the missing component in (A) above will be addressed and how the program will be operated until the director has obtained the training, experience or knowledge.¶¶

(2) The director of the center shall be accountable for:¶¶

(a) Administrative functions, including, but not limited to: financial management; maintaining records; budgeting; policy development; ensuring the appropriateness of program activities according to age and developmental levels of children; staff orientation; management and training; maintenance of buildings and grounds; meal planning and preparation; and transportation, if provided; and¶¶

(b) Operating the center in compliance with certification requirements (OAR 414-300-0000 through 414-300-0415).¶¶

(3) If head teacher qualifications (OAR 414-300-0090) are met by the director, that person may serve as head teacher for the age range of children for which she/he is qualified if she/he works full-time in the center:¶¶

(a) If the center is certified for less than 40 children, the director may serve as head teacher and have regular teaching duties, if qualified;¶¶

(b) If the center is certified for 40 or more children, the director may serve as head teacher, but shall have no regular teaching duties.¶¶

(4) A director responsible for a center certified for fewer than 100 children shall be in the center at least one-third of the hours that the center is in operation. The hours shall be calculated on a weekly basis, except for planned vacations and emergency absences. The time on-site must include time spent directly observing staff and children.¶¶

(5) A director responsible for a center certified for more than 100 children can be responsible for only one site. The director shall be in the center at least half of the hours that the center is in operation. The hours shall be calculated on a weekly basis, except for planned vacations and emergency absences. The time on-site must include time spent directly observing staff and children.¶¶

~~(6) The director, or a substitute director, shall be on the premises during all hours of operation.¶¶~~

~~(7) The director must have completed OCC approved health and safety training.¶¶~~

~~(8) If the center is certified to care for infants, the director must have completed OCC approved safe sleep training.¶¶~~

~~(9) The substitute director shall:¶¶~~

~~(a) Meet at least the qualifications of a teacher;¶¶~~

~~(b) Be familiar with the certification requirements;¶¶~~

~~(c) Be authorized, able, and available to correct a deficiency that might be an immediate threat to children's health or safety; and¶¶~~

~~(d) Have on file documentation of an orientation and training in these administrative rules and the functions and duties of a director.¶¶~~

~~(10) Whenever a director is absent from the center, the name of the substitute director shall be posted in the center, as required in OAR 414-300-0030(~~1~~)(b).~~

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260

AMEND: 414-300-0090

RULE SUMMARY: Updated child development training requirements as a result of updated federal guidelines from Child Care & Development Fund.

CHANGES TO RULE:

414-300-0090

Head Teacher - Qualifications and Duties ¶¶

- (1) For each infant and toddler, preschool age, and school age program in the center, there shall be a qualified person designated as head teacher who is at least 18 years of age.¶¶
- (2) The head teacher shall be accountable for:¶¶
 - (a) The development and implementation of the center's program of activities for that age group or groups; and¶¶
 - (b) Ensuring the appropriateness of program activities according to the age, interests, and developmental level of the children.¶¶
- (3) A head teacher shall meet the qualification requirements of one of the options listed in Table 1 of this rule.¶¶
- (4) A person may serve as head teacher for more than one age group as long as the qualifications for head teacher for each age group are met.¶¶
- (5) Head teachers shall be in the center at least one-fourth of the hours, calculated on a weekly basis, that the center is in operation. Table 1.¶¶
- ~~(6) Head teachers must have completed OCC approved health and safety training.¶¶~~
- ~~(7) If the center is certified to care for infants, the head teacher must have completed OCC approved safe sleep training.¶¶~~

[NOTE: Tables referenced are available from the agency.]

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260

AMEND: 414-300-0100

RULE SUMMARY: Updated child development training requirements to align with updated federal Child Care & Development Fund policies.

CHANGES TO RULE:

414-300-0100

Teacher ¶¶

(1) For each group of children, a person shall be designated as the teacher. This person shall:¶¶

(a) Be at least 18 years of age;¶¶

(b) Be responsible for and supervise a designated group of children; and¶¶

(c) Supervise the activities of an aide assigned to his/her group.¶¶

(2) A teacher shall meet the qualification requirements of one of the options listed in Table 2 of this section. Table 2.¶¶

~~(3) Teachers must have completed OCC approved health and safety training.¶¶~~

~~(4) If caring for infants, teachers must have completed OCC approved safe sleep training.¶¶~~

[NOTE: Tables referenced are available from the agency.]

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260

AMEND: 414-300-0110

RULE SUMMARY: Updated child development training requirements to align with updates to federal Child Care & Development Fund policies.

CHANGES TO RULE:

414-300-0110

Teacher Aides ¶

(1) Aide I shall:¶

(a) Be at least 15 years of age;¶

(b) Be directly supervised, i.e., within sight and sound of a staff person who meets at least the qualifications of a teacher;¶

~~(c) Have current certification in first aid and pediatric CPR within 90 days of employment.¶~~

~~(A) CPR training must have practical hands-on instruction;¶~~

~~(B) CPR courses that involve an on-line component with hands-on instruction may be accepted; and¶~~

~~(C) Strictly on-line CPR training is not acceptable.¶~~

~~(d) Have completed a minimum of 2 hours of training on recognizing and reporting child abuse and neglect that is specific to Oregon law within 30 days of employment;¶~~

~~(e) Have completed OCC approved health and safety training within 30 days of employment.¶~~

~~(f) If caring for infants, completed OCC approved safe sleep training within 30 days of employment.¶~~

~~(2) An Aide II must:¶~~

~~(a) Have completed a training with a minimum of 2 hours on recognizing and reporting child abuse and neglect that is specific to Oregon law;¶~~

~~(b) Have completed OCC approved health and safety training; and¶~~

~~(c) If caring for infants, completed OCC approved safe sleep training.¶~~

~~(3) Aide IIs must:¶~~

~~(a) Be at least 18 years of age;¶~~

~~(b) Completion of Aide I training requirements as referenced in 414-300-0110(1)(c-f); and¶~~

~~(c) Have at least 240 documented hours of experience as an Aide I, where 80 hours of the required 240 hours must be completed in the center where they are currently employed. Up to 160 of the hours may occur at another certified child care center.¶~~

~~(A) If working in a classroom with toddler or older age children, experience can be with any age group.¶~~

~~(B) If working in an infant room an Aide II must:¶~~

~~(i) Have 240 hours of experience working with infants; or¶~~

~~(ii) Complete 50 hours of training specific to infant and toddler care; or¶~~

~~(iii) Complete 25 hours of training specific to infant and toddler care and 120 hours of experience working with infants.¶~~

~~(4) An Aide II may support teachers in caring for children but may not be left alone with a group of children, except when:¶~~

~~(a) Until June 30th 2022, supervising a group of children for no more than 60 minutes at a time, not to exceed more than 120 minutes of Aide II supervision per day, provided staff-to-child ratios are maintained, and there is another staff who is teacher, head teacher, or director qualified present at the facility;¶~~

~~(A) An Aide II may supervise an Aide I for no more than 60 minutes at a time.¶~~

~~(b) Accompanying a child or a group of children to the bathroom;¶~~

~~(c) Providing minor medical attention to a child;¶~~

~~(d) Supervising a child who is ill and has been separated from the other children until the child leaves the center;¶~~

~~(e) Transporting children; or¶~~

~~(f) Supervising children at rest, as described in OAR 414-300-0130(2)(a).¶~~

~~(5) An Aide II may not be left alone with a group of children, except as described in OAR 414-300-0130(2)(a) and 414-300-0350(5)(b).¶~~

~~(6) Staff at Aide II level shall be trained in the policies and procedures appropriate to tasks assigned prior to even brief periods of unsupervised access to children.~~

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260

AMEND: 414-300-0120

RULE SUMMARY: Updated child development training requirements to align with updated Child Care and Development Fund federal policy.

CHANGES TO RULE:

414-300-0120
Staff Training ¶¶

- (1) All staff shall receive an orientation within the first two weeks of employment and before they can have unsupervised access to children. Orientation shall ensure that staff are familiar with the contents of the orientation, as described below, and shall include, but is not limited to:¶¶
- (a) Individual responsibilities in the event:¶¶
 - (A) The building must be evacuated (e.g., fire);¶¶
 - (B) An emergency requiring staff and children to remain inside under unusual circumstances (e.g., power outage, environmental hazard); or¶¶
 - (C) A child or staff is injured or becomes ill;¶¶
 - (b) These requirements (OAR 414-300-0000 through 414-300-0415);¶¶
 - (c) The center policies, as required in OAR 414-300-0030; and¶¶
 - (d) Procedures for reporting suspected child abuse or neglect.¶¶
- (2) The operator shall have documentation for each staff person of the date and type of orientation received and the person providing the orientation.¶¶
- (3) Within the first 90 days of employment, all staff shall complete first aid and Infant and Child CPR training or have current certification in first aid and Infant and Child CPR on file. First aid and Infant and Child CPR training must be kept current during employment at the center. First aid training shall include the following components: bleeding; burns; poisoning; choking; injuries; shock; seizures; sprains and breaks; dental emergencies; and head injuries. CPR training must have practical hands-on instruction. CPR courses that involve an on-line component with hands-on instruction may be accepted. Strictly on-line CPR training is not acceptable.¶¶
- (4) Key people in food preparation must have food handler certification, pursuant to ORS 624.570, within 30 days of employment or have current certification on file. Food handler's training must be kept current during employment at the center. Key people include cooks, kitchen staff who handle food, and classroom staff who serve meals from a communal source.¶¶
- (5) The director, head teacher, and all teachers shall participate yearly in at least 15 clock hours of training or education related to child care, of which at least eight clock hours shall be in child development or early childhood education. ~~The annual 15 clock hours of training or education must include OCC approved health and safety training curriculum.~~ If an individual has worked in the facility less than a year, the training requirements will be prorated as follows: At least 1.25 clock hours for each month worked in the current license period.¶¶
- (a) The following core knowledge categories are accepted for the child development and early childhood education requirement: Diversity (D), Family and Community Systems (FCS), Human Growth and Development (HGD), Health Safety and Nutrition (HSN), Learning Environments and Curriculum (LEC), Observation and Assessment (OA), Special Needs (SN), and Understanding and Guiding Behavior (UGB).¶¶
 - (b) A head teacher whose qualifications for the position are based solely on work experience shall emphasize training in child development and early childhood education for the first two years of employment;¶¶
 - (c) Training may include correspondence courses, conferences, workshops, or audiovisual programs.¶¶
 - (d) An approved planned reading program of professional materials may count for up to six hours of the 15 clock hours of training and must include a written assessment of reading materials completed by each participating staff person.¶¶
 - (e) OCC will accept duplicate training one additional time if it is a Set 2 (intermediate) or Set 3 (advanced) training or above as described by the Oregon Center for Career Development in Childhood Care and Education; and it is not taken within the same license period.¶¶
 - (f) The center shall record each person's training showing the subject matter, the date completed, and the number of clock hours of training in each certification year.¶¶
 - (6g) Each director, site director, head teacher, and teacher must complete one hour of training in the core knowledge category of Health, Safety, and Nutrition each year.¶¶
- (6) All staff, including substitutes, must have the following initial training within 30 days of hire and prior to having unsupervised access to children:¶¶
- (a) Staff must complete Introduction to Child Care Health and Safety;¶¶
 - (b) A minimum of 2 hours of OCC approved training on recognizing and reporting child abuse and neglect; and¶¶
 - (c) Infant caregivers must complete training on safe sleep prior to having unsupervised access to infants. Directors

~~and substitute directors, at a center caring for infants must also complete this training; and~~

~~(d) According to OAR 300-0110(1)(b), Aide I's must be directly supervised at all times.~~

~~(7) Within the first 90 days of employment, all staff, excluding cooks, who count in staff-child ratio, shall complete OCC approved child development training.~~

~~(8) All staff must complete OCC-approved child development training by September 30, 2022.~~

~~(9) During the first year of employment, a staff person may count up to two hours of orientation and their most recent training in first aid and CPR, food handler's training, if applicable, and child abuse and neglect training as part of the 15 clock hours of training required in OAR 414-300-0120(5), but may not use these toward the eight hours required in child development or early childhood education.~~

~~(710) During subsequent years of employment, a staff person may count 5 hours of first aid and CPR training or food handler's training as part of the 15 clock hours of training. Duplicate training on recognizing and reporting child abuse and neglect can be accepted again after three years, and every three years thereafter towards the 15 clock hours of staff training required for licensing.~~

~~(811) Staff meetings shall not count as training.~~

~~(9) All staff, with the exception of Aide I's, who count in staff to child ratios must complete OCC approved training on recognizing and reporting child abuse and neglect, and health and safety training, prior to having unsupervised access to children and functioning in their position. Aide I's must complete the training within the first 30 days of employment.~~

~~(1012) All infant caregivers, with the exception of Aide I's, must complete OCC approved training on safe sleep, prior to having unsupervised access to children and functioning in their position. Aide I's must complete the training within the first 30 days of employment.~~

~~(11) If certified to care for infants, current infant caregivers must complete OCC approved safe sleep training by January 1, 2019.~~

~~(123) Notwithstanding OAR 414-300-0110(1)(c)(A) and (C), 414-300-0110(3)(c), 414-300-0110(4)(c), and 414-300-0120(3), an online-only CPR certification obtained between March 24, 2020 and June 30, 2022 will be accepted to meet the training requirement until the CPR certification expires.~~

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260

AMEND: 414-350-0115

RULE SUMMARY: Updated child development training requirements to align with Child Care & Development Fund federal requirements.

CHANGES TO RULE:

414-350-0115

Training Requirements ¶¶

(1) All staff shall receive an orientation within the first two weeks of employment and before they can have unsupervised access to children. Orientation shall ensure that staff are familiar with the contents of the orientation, as described below, and shall include, but is not limited to:¶¶

(a) Individual responsibilities in the event:¶¶

(A) The home must be evacuated (e.g. fire);¶¶

(B) An emergency requiring staff and children to remain inside under unusual circumstances (e.g. power outage, environmental hazard); or¶¶

(C) A child or staff is injured or becomes ill;¶¶

(b) These requirements (OAR 414-350-0000 through 414-350-0405);¶¶

(c) The facility policies, as required in OAR 414-350-0050; and¶¶

(d) Procedures for reporting suspected child abuse or neglect.¶¶

(2) The provider and all caregivers who function as substitute providers and Assistant II staff, including volunteers, shall participate yearly in at least 15 clock hours of training related to child care, of which at least eight clock hours shall be in child development or early childhood education. ~~The annual 15 clock hours of training or education must include OCC approved health and safety training curriculum.~~ Substitute providers and volunteers who provide care in the home for less than 20 hours in a calendar year are not required to participate in the 15 clock hours of training. If an individual has worked in the facility less than a year, the training requirements will be prorated as follows: At least 1.25 clock hours for each month worked in the current license period.¶¶

(a) The following core knowledge categories are accepted for the child development and early childhood education requirement: Diversity (D), Family and Community Systems (FCS), Human Growth and Development (HGD), Health Safety and Nutrition (HSN), Learning Environments and Curriculum (LEC), Observation and Assessment (OA), Special Needs (SN), and Understanding and Guiding Behavior (UGB).¶¶

(b) Training may include correspondence courses, conferences, workshops and audio-visual programs.¶¶

(c) An approved planned reading program of professional materials may count for up to six hours of the 15 clock hours of training and must include a written assessment of reading materials completed by each participating staff person.¶¶

(d) OCC will accept duplicate training one additional time if it is a Set 2 (intermediate) or Set 3 (advanced) training or above as described by the Oregon Center for Career Development in Childhood Care and Education; and it is not taken within the same license period.¶¶

(3) During the first year of certification and the first year of employment staff may count up to two hours of orientation and their most recent training in first aid and CPR, food handler's and recognizing and reporting child abuse and neglect training, as part of the 15 clock hours of training required in OAR 414-350-0115(2), but may not use these toward the eight hours required in child development or early childhood education.¶¶

(a) Recognizing and reporting child abuse and neglect training must be based on Oregon law and practice so information is relevant to reporting in Oregon.¶¶

(b) Recognizing and reporting child abuse and neglect training must be two clock hours or more in duration to be accepted.¶¶

(4) During subsequent years of certification and subsequent years of employment staff may count five hours of first aid and CPR training or food handler's training as part of the 15 clock hours of training. Duplicate training on recognizing and reporting child abuse and neglect training can be accepted again after three years, and every three years thereafter towards the 15 clock hours of staff training required for licensing.¶¶

(5) The provider shall document each caregiver's training, showing the subject matter, the date completed, and the number of clock hours of training in each certification year.¶¶

(6) The provider and all staff, with the exception of Assistant I's, who count in staff to child ratios must complete OCC approved training on recognizing and reporting child abuse and neglect and health and safety, prior to having unsupervised access to children and functioning in their position. Assistant I's must complete the training within the first 30 days of employment.¶¶

(7) The provider and all staff, with the exception of Assistant I's, who count in staff to child ratios must complete OCC approved training on safe sleep prior to having unsupervised access to children. Assistant I's must complete the training within the first 30 days of employment.¶¶

~~(8) All current staff must complete OCC approved safe sleep training by January 1, 2019.¶~~

~~(9) Prior to issuance of the license, the provider must complete OCC approved child development training. If training is completed prior to issuance of the initial license, it will count as two hours of on-going training for the first license period.¶~~

~~(9) Staff members must complete OCC approved child development training within 90 days of employment unless the training was completed previously.¶~~

~~(10) All staff must complete OCC approved child development training by September 30, 2022, or within 90 days of hire, whichever is later.¶~~

~~(11) When a reopen or address change application is submitted, OCC shall, prior to approving it, receive evidence that the provider and all staff have completed OCC approved safe sleep training. If the reopen is a result of an address change, the person must complete the OCC approved safe sleep training by January 1, 2019.¶~~

~~(10) Notwithstanding OAR 414-350-0100(3)(a), 414-350-0100(8)(b), 414-350-0110(2)(b)(A)(C), 414-350-0110(5)(d), an online-only CPR certification obtained between March 24, 2020 and June 30, 2022 will be accepted to meet the training requirement until the certification expires.¶~~

~~(12) All providers, substitute providers, and Assistant IIs must complete one hour of training in the core knowledge category of Health, Safety, and Nutrition each year.~~

Statutory/Other Authority: ORS 329A.260

Statutes/Other Implemented: ORS 329A.260, 329A.280