

Certified Family Child Care

Temporary Rules



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 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.**
- (5) The provider must inspect the fire extinguishers monthly and the inspection must be documented.**
- (6) 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.**
- (7) Candles or other open flame decorative devices are prohibited, except for the brief use of celebratory candles.
- (8) Matches and lighters shall be kept in locked storage when not in use.
- (9) 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.
- (10)** 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.
- (11)** 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;
 - (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.
- (12)** 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.
- (13)** 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.
- (14)** The use of unvented, fuel-fired space heaters is prohibited.
- (15)** 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.
- (16)** 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 including using an alternate evacuation route at least once per year; and

(B) 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.

(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).

(19) 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.

(20) 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.

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

OAR 414-350-0375: Night Care

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.

(1) 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:

- (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.