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.

***(9) The provider shall display the following near the entrance, or in some other area of the home where they may be clearly viewed by all individuals responsible for evacuation procedures:***

***(a) 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

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

***(a)Installed on each floor level of the home, unless the floor is not under the direct control of the provider, 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) There shall be at least one 2‐A‐10 BC‐rated fire extinguisher on each floor of the home, unless the floor is not under the direct control of the provider.***

***(A) Fire extinguishers on floors where child care occurs must be designated on the floor plan required in OAR 414-205-0035 and either mounted or stored along the primary evacuation route. Fire extinguishers must be easily accessible, visible, and out of reach of children.***

***(B) If fire extinguishers are stored in a cabinet or closet, they must be mounted and there must be a sign indicating that the fire extinguisher is located inside.***

***(i) Obstructions, including furniture, storage of supplies, or any other items shall not be placed in a manner that blocks access to the cabinet or closet.***

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

(***k***) 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;

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

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

(***n***) ***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.***

(***o***) If any preschool age or younger children are in care, poisonous plants must be kept out of the reach of children; and

(***p***) 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, 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

(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 drill using an alternate evacuation route at least once per year.***

***(b) An evacuation drill must be conducted when requested by OCC during an announced visit.***

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

***(d) The provider must demonstrate efforts to complete full evacuation of staff and child care children within three minutes. Efforts to improve evacuation time may include but are not limited to:***

***(A) Using evacuation cribs, strollers/buggies, or wagons;***

***(B) Providing staff with additional training;***

***(C) Giving children specific tasks to complete during the drill, such as holding onto a safety walking rope;***

***(D) Providing children with simple and calm instructions about what is happening during the drill;***

***(E) Reviewing and editing emergency plans and evacuation routes;***

***(F) Conducting additional evacuation drills; and***

***(G) Incorporating fire safety planning into curriculum.***

***(5) One other aspect of the emergency plan shall be practiced every other month and must follow the recording requirements listed in OAR 414‐205‐0130.***

(***6***) 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 lockeddown so that no one can enter or leave; and

(f) Procedures for maintaining continuity of child care operations.

(***7***) 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.

(b) Emergency telephone numbers for fire, ambulance, police and poison control and the provider’s home address must be posted in a visible location

(***8***) 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.

(***9***) If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.

(***10***) The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle

(***11***) 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.

(***12***) 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

(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;

(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, ***including how the evacuation route will be illuminated***;

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

(4) Follow all other applicable Registration rules.