

RULE GUIDANCE

Usable Exits

LICENSE TYPE AND RULES

Registered Family Child Care (RF)

414-205-0010(34); 414-205-0010(34) (a); 414-205-0010(34) (b); 414-205-0110(2) (a-d)

Certified Family Child Care (CF)

414-350-0010(38); 414-350-0170(1); 414-350-0170(2); 414-350-0170(3)

Certified Child Care Center (CC)

414-300-0005(54)



WHY THESE RULES ARE IN PLACE

All licensed child care facilities must have usable exits for children and adults to evacuate the facility safely in case of a fire or emergency. “Usable exit” means an unobstructed door or window through which the provider and the children can evacuate the home in case of a fire or emergency. Doors must be able to be opened from the inside without a key.

HOW THIS MAY LOOK IN YOUR PROGRAM

How do you determine whether an exit meets the definition of usable?

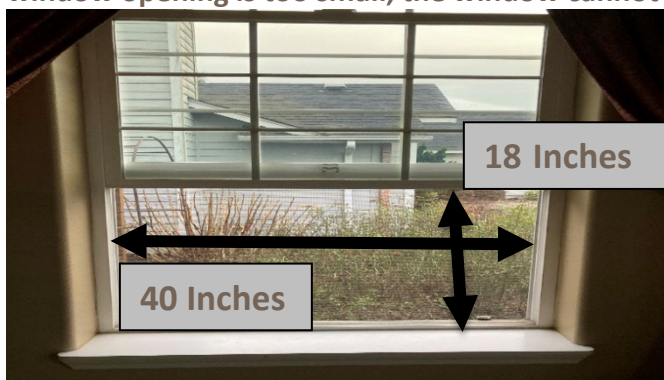
For RF and CF:

- Depending on the year a home was built, window opening must be no more than 44 inches above the floor for homes built after July 1, 2010, and no more than 48 inches above the floor for the homes built before July 1, 2010. This requirement refers to the measurement inside the home and pertains to the distance from the floor to the window opening.
- **Only the opening of the window will be measured. This does not include window trim or parts of the window that do not open.**
- Close attention should be paid to both, the measurements of the window opening **AND** the overall requirement of 5 square feet. For example, a window opening that is 20" x 22" = 440 square inches or 3.05 square feet ($440'' : 144'' = 3.05'$ – there are 144 square inches in one square foot), may meet the required width and height measurements but it does not meet the net opening of 5 square feet.

Note: there are multiple guidance tools available online that convert square inches to square feet and square feet to square inches.

If the distance from the window to the ground outside is greater than 48 inches, a step or some other elevated item may be necessary so children and staff can safely reach the ground when exiting through the window.

If the window opening meets the size requirements but is more than 48" above the floor, OR a window opening is too small, the window cannot be counted as an exit.



This window opening meets the overall requirement of 5 square feet ($40'' \times 18'' : 144'' = 5'$) and 20 inches wide, but it does not meet the requirement of 22 inches high.



This window opening meets the overall requirement of 20 inches wide and of 22 inches high, but it does not meet the requirement of 5 square feet ($20'' \times 22'' : 144'' = 3.05'$)



This window opening meets ALL requirements. It is 20 inches wide, over 22 inches tall and is 6.25 square feet in total ($20'' \times 45'' : 144'' = 6.25'$).

For CC:

The only time field staff measure usable exits in CC is when a center is doing night care (OAR 414-300-0360 (1)(d)(B) "All sleeping rooms used by children shall have two usable exits. A sliding door or window that can be used to evacuate children may be considered a usable exit". All other times the exits are inspected by the fire marshal and they must meet Oregon Structural Specialty Code.

OCC LICENSING SPECIALIST MAY REVIEW (IF APPLICABLE)

OCC Licensing Specialist will measure any window opening that will be used for exiting in a RF/CF home:

- Before a license is issued for a new facility.

- If a new room/space is added to the existing child care space.
- If the licensing specialist needs to confirm the dimensions of the window openings used for exiting.

ADDITIONAL INFORMATION

Children and providers need to be able to exit the home/center safely in case of a fire or other emergency. A step or some other object, if there is a large drop from the outside to the ground, allows for an easier exit through a window.

In addition, the window opening must be large enough to allow children and adults to exit as well as fire fighters, along with their equipment, and other emergency personnel to enter the building through the window.

OPTIONAL RESOURCES

Oregon Administrative Rules, Oregon Department of Education, Early Learning Division, Chapter 414, Divisions 205 [Registered Family Child Care Homes](#), 300 [Certified Child Care Centers](#), and 350 [Certified Family Child Care](#) Homes.

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