

Certified Family Child Care Homes Rules

Summary of Recent Rule Changes

# Applicability of Rules 414-350-0000

Individuals who are not enrolled in the Central Background Registry because of legal action or to prevent legal action may only care for their own children or related children.

# Definitions 414-350-0010

Enrollment in the Central Background Registry will last for five years and will include an FBI fingerprint check. Conditional enrollment means temporary approval after the Oregon checks have been completed but before the FBI fingerprint check is done.

A preschool child is defined as a child who is 36 months of age to being eligible to attend kindergarten or above in public school.

A school-age child means a child eligible to attend kindergarten or above in public school and includes the vacation months just before the start of the kindergarten school year.

Serious injury or incident is defined using specific circumstances, including, but not limited to injuries requiring surgeries, poisoning, broken bones and near-drowning.

Unsupervised access to children is defined as contact with children when the person is not being directly supervised by an authorized staff member.

# General Requirements 414-350-0050

The Early Learning Division website and phone number must be posted where parents can see them. Providers must post all serious valid complaint and serious non-compliance letters for 12 calendar months. Providers shall notify all parents of any closure of the active license.

Providers must make sure that all parents view the current licensing certificate.

Water testing results showing the lead content in water used for drinking, cooking or infant formula preparation must be posted where parents can see it.

Programs must report any child deaths, any children left unattended, any serious injuries or incidents, any damage to the building, any animal bites and any change in provider to OCC.

Written emergency plans must be given to parents.

Parents may be notified by the Office of Child Care when the child care program is cited for a safe sleep violation.

# Staff General Requirements 414-350-0090

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 reside on the premises, stay overnight on the premises for longer than 14 consecutive days, not to exceed a total of 30 days in a calendar year, assist the provider or volunteer in the child care program.

Individuals conditionally enrolled in the CBR shall not have unsupervised access to children until the provider has confirmed with OCC the individual is enrolled, but may count in staff to child ratio.

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.

The provider, caregivers and other individuals that are required to be enrolled in the CBR and are on-site must maintain current enrollment in the CBR at all times while the certified family child care license is active.

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.

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.

# The Provider 414-350-0100

The provider shall completed OCC approved safe sleep training.

# Assistants 414-350-0110

Assistant I’s shall have current certification in first aid, pediatric CPR and food handler’s. New Assistant I's must complete the training within 90 days of employment. Assistant I’s shall also complete recognizing and reporting child abuse and neglect training, OCC approved health and safety training and OCC approved safe sleep training within 30 days of employment.

An Assistant I, who is not enrolled in the CBR because they are under the age of 18, must be supervised within sight AND sound of the provider or substitute provider.

An assistant I, who is enrolled in the CBR, must be supervised within sight OR sound of the provider or substitute provider.

An Assistant II shall have completed OCC approved safe sleep training.

# Training Requirements 414-350-0115

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.

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.

All current staff must complete OCC approved safe sleep training by January 1, 2019.

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.

# Meals and Snacks 414-350-0210

Infants up to six months of age shall be held or sitting up in a caregiver’s lap for bottle feeding. Children of any age shall not be laid down with a bottle.

# Program and Care of Children General Requirements 414-350-0220

Safe sleep practices must be followed when caring for infants. Practices include, but are not limited to no items shall be in the crib with the infant except for pacifiers, clothing or other items that could strangle and infant shall not be present and swaddling or other clothing that restricts a child’s movement is prohibited.

# Denial and Revocation of Certification 414-350-0390 and Suspension of Certification 414-350-0400

The Office of Child Care may immediately, and without prior notice, suspend the child care certification when, in the opinion of OCC, such action is necessary to protect the children from physical or mental abuse or a substantial threat to health, safety or well-being. Such action may be taken before an investigation is completed.

An owner whose certification has been suspended must immediately notify, verbally or in writing, all parents of the suspension.

An owner whose certification has been suspended must post the suspension in the home where it can be viewed by parents and others for the duration of the suspension.

A certified family child care home whose certification has been denied or revoked must immediately notify all parents of the closure and shall post a notice of the closure where it can be viewed by parents and others. The notice shall remain posted for a minimum of 2 weeks.

An owner whose certification has been denied for cause (e.g. health and safety concerns, criminal activity or child protective services involvement) or revoked shall not be eligible to reapply for 5 years after the effective date of the closure.

# Civil Penalty 414-350-0405

Serious violations may result in a civil penalty not to exceed $1200 for each violation.

For a non-serious violation, an owner may be subject to a civil penalty of $400 for each violation.

Each day that a child care facility is operating in violation of any of the rules and conditions of certification is a separate violation of the rules.

An individual or entity that provides child care subject to licensing in a home or facility that is not certified with the Office of Child Care, may be subject to a civil penalty not to exceed $1,500 per day of operation of the uncertified facility.